

What are Autonomous Hill (or District) Councils?

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What's in today's article?

- **Why in news?**
- **What are autonomous hill (or district) councils?**
- **What are Manipur's hill councils?**
- **How are Manipur ADCs different from Sixth Schedule ADCs?**

Why in news?

- To solve the ongoing conflict in Manipur and assuage Kukis, the state has proposed to the Centre that the existing autonomous hill councils be given more autonomy.
- The state government is opposed to the demand of separate administration made by Kukis since the onset of violence on May 3, and has proposed this as an alternative.

What are autonomous hill (or district) councils?

• Background

- When the British took over the then Assam, their imposition of formal laws on the land was resisted ferociously by tribal populations living in the hills.
 - These tribal populations had their own customary laws.
- To avoid confrontation, the British divided the hill regions of Assam into **excluded and partially excluded areas** through the Government of India Act, 1935.
- In these areas, federal or provincial laws would not apply until the governor felt they were needed for peace and development.

• Scenario in Post-Independent India

- When India became independent, this provision was adopted with improvements into the **Sixth Schedule of the Constitution**.
 - This was based on recommendations made by a committee under then Assam premier **Gopinath Bordoloi**.
 - It had recommended creation of **autonomous district councils (ADCs)** in the six hill districts of Assam so that the tribal people could protect their identity and resources.
 - The committee also recommended creation of regional councils under ADCs which would cater to the needs of minor tribes in the jurisdiction of those ADCs.

• About

- These are the autonomous administrative divisions which have been given autonomy within their respective states.
- The **Sixth Schedule** gives tribal communities of NE states considerable autonomy within a larger administrative or political structure.
 - The Sixth Schedule was adopted **under Article 244 of the Constitution**.
- This schedule deals with the provisions for formation of autonomous administrative divisions within a state.
- These divisions, in the form of ADCs, were granted certain legislative, judicial and administrative autonomy within the state.

• Current status

- [Sixth Schedule of Indian Constitution](#) provides a list of ten tribal areas in Assam (3), Meghalaya (3), Tripura (1) and Mizoram (3).
- Each of these tribal areas constitutes an autonomous district. Each autonomous district has an Autonomous District Council (ADC).

• Membership of ADCs

- ADCs have up to 30 members with a term of five years, of whom four are nominated by the governor and the remaining 26 are elected on the basis of adult franchise.

• Tenure:

- Term of the District Councils is for five years from the date of their constitution.

• Powers & Functions

- ADCs can **make laws, rules and regulations** with regard to land, forest, water, agriculture, village councils, health, sanitation, village and town level policing, inheritance of property, marriage and divorce, social customs, and mining, among other issues.
- ADCs also have **powers to form courts** to hear cases where both parties are members of Scheduled Tribes and the maximum sentence is less than 5 years in prison.

What are Manipur's hill councils?

• Background

- Although Manipur went through the same phase of governance division when the British took over the region in 1891, somehow its hill areas were never covered under the Sixth Schedule.
- The Maharaja of Manipur had in 1939 agreed with the British to exclude the hill areas of the region from his direct control and governance.
- The demand for a separate administration for hill areas has been raised in the region since the early 1960s.

• The Manipur (Hill Areas) District Council Act

- It was in this context that, in December 1971, Parliament passed The Manipur (Hill Areas) District Council Act.
 - At that time, Manipur was a Union Territory.
- The aim of the legislation was to grant the hill people a chance at self-governance, protect their identity and culture, and to give them rights over the management of their resources.
- This paved the way for creation of ADCs in Manipur's hill areas.
 - **These regions constituted 90% of its geographical area**, inhabited by tribes such as Nagas, Kukis, Zomis, Hmars, etc.

• Members

- The councils are to have not more than 18 members who are to be elected.

• Powers

- These councils enjoy powers of taxation, maintenance of properties, allotment of land, management of forests, regulation of cultivation, and legislative authority on matters of marriage, inheritance, social customs and appointment of chiefs.

How are Manipur ADCs different from Sixth Schedule ADCs?

- Although the law behind Manipur ADCs was inspired by the Sixth Schedule, it lacks as much teeth.
 - Since 2021, a Bill proposing amendments to grant more autonomy to the ADCs has not been introduced in the Assembly due to resistance from sections in the Valley.

• Source of Power

- While other ADCs draw their power from the Constitution, the Manipur ADCs are dependent on the state Assembly due to the provisions of the Act.

- **Scope of power**

- ADCs under the Sixth Schedule have far wider legislative powers spanning several matters of governance.
- However, these powers in Manipur are limited to personal matters of marriage, divorce and social customs.

- **Process of law making**

- ADCs under the Sixth Schedule only need the assent of the Governor for their proposals to become laws.
- On the other hand, the Manipur ADCs have to route them through Hill Area Committees (comprising MLAs from the hills) and present it to the state Assembly.

- **Budgeting powers**

- While both have budgeting powers, ADCs under the Sixth Schedule gets central grants through the state.
- The Manipur ADCs are dependent on the state government for financial devolution.

- **Manipur ADCs are subservient to the Deputy Commissioner**

- Unlike Sixth Schedule ADCs, Manipur ADCs are subservient to the Deputy Commissioner, who is appointed by the state government.
- In almost all matters, the DC's decision is final unless overruled by the Governor. The DC can even dissolve the ADCs with the assent of the Governor.

Q1) What is Sixth Schedule of Indian Constitution?

The Sixth Schedule of the Indian Constitution contains provisions related to the administration of tribal areas in the northeastern states of India. It facilitates the establishment of autonomous district councils in four states Assam, Meghalaya, Mizoram, and Tripura.

Q2) Why was Gopinath Bordoloi committee formed?

The Gopinath Bordoloi Committee, officially known as the "Advisory Committee on the Tribal Belts and Excluded Areas," was formed in India in 1947. It was named after Gopinath Bordoloi, who was a prominent political leader from Assam and played a significant role in the freedom movement. The committee was established to address the issues related to tribal areas and excluded areas in the northeastern region of India.

Source: [To placate Kukis, govt offers hill area councils more autonomy: What are ADCs, how are those in Manipur different | MEA | Assam State Portal](#)

Source: <https://vajiramandravi.com/current-affairs/autonomous-hill-councils/>

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