



# CALL FOR PAPERS

## NATIONAL SEMINAR

On

# 75 Years of the Sixth Schedule

**Unresolved Issues and Challenges- The Way Forward**

**(12-13, November 2024)**

(On the occasion of Karbi Anglong Foundation Day-17<sup>th</sup> November)

## IMPORTANT DATES

Abstract Submission (250-300 words)	31, October 2024
Last Date for Full Paper Submission	5, November 2024
Email ID for Abstract Submission	vullidhanarajuaudc@gmail.com

**Organized By**

**KARBI ANGLONG AUTONOMOUS COUNCIL (KAAC)**

**In Association with:**

**Centre For Karbi Studies, Diphu, Assam &**

**Dept. of Political Science, Assam University, Diphu Campus**

## CONCEPT NOTE

A collective forum of the Chief Executive Members (CEMs) from all 10 Autonomous Councils of northeast India met with the Union Home Minister in July 2024, followed by a conference in Shillong in August 2024 to discuss on the implications of the proposed 125<sup>th</sup> Constitutional Amendment Bill, 2019. The Bill is currently postponed as a result of ongoing disputes between the Union government and ADCs. The Union Government is expected to introduce this Bill in the forthcoming winter session of Parliament. The Constitution (125<sup>th</sup> Amendment) Bill, 2019 aims to confer more financial, executive, and administrative powers to Autonomous Councils under the Sixth Schedule of the Indian Constitution. This Bill has been discussed at various forums since its proposal in the Rajya Sabha in February, 2019. Because of this Bill, the question of tribes' autonomy in Sixth Schedule areas has resurfaced in the public discourse of northeast India.

While examining the historical importance of the Sixth Schedule, we can gain insight into many issues raised in the current proposed Amendment Bill. The question of tribes' autonomy was extensively discussed during the Constituent Assembly debates, resulting in the establishment of a sub-committee chaired by Gopinath Bordoloi on February 27, 1947. The Sixth Schedule was included to the Indian Constitution based on its recommendation as well as ideas from popular constitutional experts such as Dr. B.R Ambedkar, J.J.M. Nichols Roy, Jaipal Singh, etc. Finally, it was approved by the Constituent Assembly on September 7, 1949. Since its approval in the Constituent Assembly, a number of key milestones have been reached in the implementation of the Sixth Schedule. It is true that the Indian Constitution has been intended to safeguard interest of the tribes, particularly tribes' autonomy through the framing of Fifth and Sixth Schedules. The 'Scheduled Areas' under Article 244(1) are designated according to the Fifth Schedule, whereas the 'Tribal Areas' under the provisions of article 244(2) in the Sixth Schedule of the Indian Constitution through the framing of Autonomous Councils. Currently, the provisions of the Sixth Schedule are provided under Articles 244(2) and 275(1) of the Indian Constitution. The Sixth Schedule delineates regulations for the governance of tribal regions in the states of Assam, Meghalaya, Tripura, and Mizoram. There are 10 Autonomous Councils created under the Sixth Schedule, including three each in Assam, Meghalaya, and Mizoram, and one in Tripura.

Subsequently, many constitutional amendments have been done to the Sixth Schedule. Article 244(A) was introduced by 22<sup>nd</sup> Amendment Act of 1969. Article 244(A) empowers Parliament to establish autonomous state within Assam, comprising 'tribal areas'. This provision aims to provide a higher level of autonomy to these areas, surpassing the provisions already laid out in the Sixth Schedule. In the case of Meghalaya, Article 244(A) was implemented once; however, a review of both the success and failures is necessary. This situation created a different political environment in the Karbi Anglong and Dima Hasao regions and subsequently emerged different political parties and organizations to fight for the implementation of the Article 244 (A). This has been a longstanding demand of the Karbi and Dimasa communities.

In light of the proposed 125<sup>th</sup> Constitutional Amendment Bill, divergent viewpoints have emerged among the respective Autonomous Councils, political parties and civil society in Sixth Schedule areas. How far one can address this issue is also a debatable issue. However, it has been noted that this cannot be understood in a unilinear fashion; rather, it should be viewed from the perspectives of the respective Councils, as well as considering civil society and socio-political organizations, to formulate constructive suggestions for implementation.

Simultaneously, in addition to the challenges experienced by the Councils, many demands have emerged over the years from the different communities and regions of the northeast for the expansion of the Sixth Schedule. This includes the hilly areas of Manipur, the state of Arunachal Pradesh, and the Gurkhaland Movement, and also different communities in Assam have been demanding for the incorporation of Sixth Schedule. In recent times, the people of Ladak from Jammu & Kashmir have actively participated in the protests advocating for the implementation of the Sixth Schedule for the Ladak region. However, all of these issues have been pending with the Union government. To address these challenges, similar models have been proposed by the Union Government and the State governments for several communities, including Statutory Councils and Development Councils in Assam and Manipur, respectively. However, these cannot compete with the protections outlined in the Sixth Schedule. In these situations, how to evaluate the different models of Councils and tribes' autonomy, and the diverse demands put forth by the communities remains a debatable in this context.

It is an accepted opinion at the grassroots level that, despite 75 years of the enactment of the Sixth Schedule, many unresolved issues and challenges continue to exist. These include the role of Governor, financial autonomy of the councils, devolution of funds, establishment of village councils, codification of customary laws, women's reservation, representation of minority tribes, transfer of powers between the state and councils, taxation issues, border dispute issues, framing of the polices, and also specific problems related to the Karbi & Dimasa community such as MoU (1995), MoS (2011), MoS (2021), VGR & PGR land issues, electoral roll issues, and the upgradation of the Assam University-Diphu Campus to the Central University and so on. Also, Council-specific problems in each state within the Sixth Schedule areas need to debate and discuss in light of the proposed 125<sup>th</sup> Constitutional Amendment Bill. In this regard, how should one interpret the essence of the Sixth Schedule and regular amendments aimed at enhancing Council Autonomy, need to be debated and addressed.

In this context, the Karbi Anglong Autonomous Council (KAAC), in association with the Centre for Karbi Studies and the Department of Political Science, Assam University (Central University), Diphu Campus, Diphu has taken the lead in inviting academic papers from scholars, academicians, political scientists, researchers, law experts, and leaders to discuss the unresolved issues and challenges of the Sixth Schedule in light of the proposed 125<sup>th</sup> Constitutional Amendment Bill. In doing so, this national seminar will provide the Union government and the Autonomous Councils with a fresh approach to address the unresolved issues and challenges while considering the essence of tribes' autonomy and the development of the Sixth Schedule areas.



## THEMES AND SUBTHEMES

### **I. Historical Background of the Sixth Schedule:**

Constituent Assembly Debates; Tribes' Aspirations for Self-Rule; Bordoloi Sub-Committee Report and Sixth Schedule.

### **II. Constitutional and Legal Perspectives:**

Locating Constitutional Provisions and Northeast India; Constitutional Amendments to the Sixth Schedule; Nature and Proposals of the Constitution (125<sup>th</sup> Amendment) Bill, 2019; Bharatiya Nyaya Sanhita (BNS), 2023 and Its Impact on the Council Judicial Court; Debates on PESA Act, 1996 & Schedule Areas.

### **III. Structure and Nature of the ADCs & Regional Councils:**

Powers and Function of ADCs & Regional Councils; Relationship Between the State Government and ADCs; The Role of Governor and ADCs; Land, Forest and Natural Resources-Policy Framework; ADCs and Codification of the Customary; Laws; Village Development Councils; ADCs-Hill State and Plain State Dichotomy in the Sixth Schedule Areas; Assam, Meghalaya, Mizoram & Tripura-Council Specific Issues and Challenges

**IV. Financial Status of the ADCs:** Financial Autonomy and Devolution of Fund; Article-275(1) and Grant-in-Aid Fund; Funding of District Councils in the light of the GST regime.

### **V. Constitutional Status of the non-Sixth Schedule Areas:**

New Demands for ADCs and Extension of Sixth Schedule; Statutory and Development Councils in Manipur & Assam; Tribe Specific Councils; Article 371 (A) and Nagaland; Ladakh Region and Demands for Sixth Schedule

### **VI. Unresolved Issues and New Challenges-The Way Forward:**

The Review of Article 244(A) in the case of Meghalaya-Success or failure; Article 244 (A) and Aspirations of the Karbi & Dimas; MoU (1995), MoS (2011), MoS (2021) and Aspiration of the Karbi & Dimas; Women Reservation Issues; The Voice of Minority Tribes and their Representation; Educational Developments and Script & Language Issues; Upgradation of the Assam University-Diphu Campus to the Central University; VGR & PGR Land Issues and Karbi & Dimas Communities; Issues of plain tribes and Hill tribes; The Role of Civil Society in Sixth Schedule Areas.

## FULL DETAILS OF THE SEMINAR

### **ABSTRACT SUBMISSION GUIDELINES**

- Word Limit: 250-300 words.
- Font: Times New Roman
- Font Size: 12, Font Space: 1.5
- Abstract should include the title of the abstract, the author's name, designation, institutional affiliation or any, E-mail ID, and contact number
- Authors are requested to send the abstract through E-mail. (vullidhanarajaudc@gmail.com) latest by 31<sup>st</sup> October, 2024.

### **FULL PAPER SUBMISSION GUIDELINES**

- The length of the full paper including tables, diagrams, illustrations, references, etc. should be between 4000 to 6000 words.
- Use Footnotes for references (Chicago Referencing Style-17<sup>th</sup> Edition).
- The full version of the papers should be submitted in soft copy latest by 5<sup>th</sup> November, 2024 (vullidhanarajaudc@gmail.com)

### **PUBLICATION**

Book will be published by reputed publishers. However, the quality of the paper shall be the main criterion for publication.

### **REGISTRATION**

1. Faculty & Academicians/NGO with Paper Presentation- Rs.1000
2. Students/Research Scholars with paper presentation-Rs.800
3. General Participants without paper presentation-Rs.700

**Note:** The mode of registration will be communicated upon the acceptance of the paper.

### **HOSPITALITY AND TRAVELING ALLOWANCE**

The organizing committee will make modest arrangements for boarding and lodging to the outstation paper presenters and resource persons in local Hotels in Diphu. The organizing committee of the seminar will take care of TA for the invited resource persons. The paper presenters are requested to arrange travelling expenses from their respective institutions/organizations.

# ORGANISING COMMITTEE

## CHIEF PATRON:

**Dr. Tuliram Ronghang**

Hon'ble CEM, KAAC, Diphu

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**Dr. Dharamsing Teron**

Director, Centre for Karbi Studies, Diphu

**Prof. Sivasish Biswas**

Pro-Vice Chancellor, Assam University, Diphu Campus

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**Mr. Elwin Teron**

Senior Research Associate, Centre for Karbi Studies, Diphu

## MEMBERS:

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2. **Ms. Maggie Katharpi**, Centre for Karbi Studies, Diphu

3. **Mr. The'ang Teron**, Centre for Karbi Studies, Diphu

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5. **Mr. Dilip Kathar**, KAAC, Diphu

6. **Kareng Ronghangpi**, Centre for Karbi Studies, Diphu

7. **Klir Tissopi**, Centre for Karbi Studies, Diphu

## *Contact Person:*

**Prof. Vulli Dhanaraju**

Coordinator, & Senior Research Associate, Centre for Karbi Studies, Diphu & Department of History, North-Eastern Hill University (NEHU), Shillong, Meghalaya  
Email: [vullidhanarajuaudc@gmail.com](mailto:vullidhanarajuaudc@gmail.com)  
Contact No. 8638026091