

Why Self-Rule Still Matters in India's Tribal Homelands

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The tribals continue to push for fundamentally different forms of democracy and governance through the scheduling provisions under Article 244. The debates of over a century ago remain sharply relevant today.



Representational image: Members of tribal communities protest over forest rights and recognition of other basic rights, in Thane, Maharashtra, November 2025. Photo: PTI.

Heightened political activity around the demand for Sixth Schedule status under Article 244(2) has sprung up in a number of regions across the country in recent months. Nationally, **Ladakh is the most visible** of them all since the **violence and killings** in September. The Ladakhis, having **intensified their struggle**, submitted their proposals for Sixth Schedule status and statehood under Article 371 in November 2025. The autonomous hill councils in Leh and Kargil, created through an **enactment** of the erstwhile Jammu and Kashmir government, and the Union Territory status since October 2019 have **failed to fulfil** their democratic aspirations for self-governance.

The Sonowal Kachari, Deori and Thengal communities in Assam, and the Darjeeling Hills of West Bengal, which have Autonomous Councils with limited powers like Ladakh under state laws, have also demanded Sixth Schedule status. So too have the Naga and Kuki-Zo of Manipur. The Sixth Schedule demand has now reached the central Indian tribal belt, specifically Bastar, Chhattisgarh, a Fifth Schedule region under Article 244(1). The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) – the village self-rule law – **already applies there.**

On February 5, 2026, the Union government, the Nagaland government and the **Eastern Nagaland People's Organisation** signed a proposal for the Frontier Nagaland Territorial Authority (FNTA), covering six eastern districts of Nagaland, with legislative powers over 46 state subjects and greater powers than those under the Sixth Schedule. This was despite Nagaland's special status under Article 371A, which gives the state assembly exclusive powers over matters concerning religious or social practices, customary law and procedure of the concerned communities, and the administration of civil and criminal justice in areas covered by customary law. It also provides that no Union law relating to ownership and transfer of land and its resources shall apply unless the state assembly resolves to do so.

Scheduled areas

About 13% of the country is designated as Scheduled Area – 11.3% under the Fifth Schedule and 1.7% under the Sixth Schedule. Around 6.3% of India's population, as per the 2011 Census, both tribes and non-tribes, reside in these areas – 5.7% in the Fifth Schedule areas and 0.6% in the Sixth Schedule areas. Of the total Scheduled Tribe population, 39.4% live in Scheduled Areas – 35.2% in the Fifth Schedule areas and 4.2% in the Sixth Schedule areas. These areas are tribal-preponderant, with Scheduled Tribes constituting about 53% of the population in Fifth Schedule areas and 60% in Sixth Schedule areas.

The Fifth Schedule

The Fifth Schedule areas are notified in parts of ten states – Andhra Pradesh, Telangana, Odisha, Jharkhand, Chhattisgarh, Madhya

Pradesh, Rajasthan, Gujarat, Maharashtra and Himachal Pradesh. The **Kerala government proposal** in 2015 to notify 2,133 habitations, five Gram Panchayats and two wards in five districts as Scheduled Area awaits Union government approval for Presidential notification.

In the notified areas, the Governors of these states have not used **their extraordinary powers** under Article 244 to prevent or modify the application of any law made by parliament or the state legislature to the Scheduled Areas. Nor have they done so to notify regulations for **peace and good governance**.

Following the 73rd Amendment to the constitution, PESA, enacted by parliament, was incorporated into state panchayati raj laws between 1997 and 2001 – Maharashtra and Odisha in 1997; undivided Andhra Pradesh, Himachal Pradesh, Gujarat, Madhya Pradesh and Chhattisgarh in 1998; Rajasthan in 1999; and Jharkhand in 2001.

Popularly known as village self-rule, the rules to operationalise PESA were notified much later – Andhra Pradesh, Himachal Pradesh and Rajasthan in 2011; Maharashtra and Telangana, adopting the Andhra Pradesh PESA Rules of 2011, in 2014; Gujarat in 2017; Madhya Pradesh and Chhattisgarh in 2022; and Jharkhand in 2025. Odisha is yet to notify PESA rules.

The **hamlet-level Gram Sabhas** are empowered to manage natural resources, prevent land alienation, preserve cultural traditions and govern according to customary laws, ensuring autonomy. As village self-rule is impossible without autonomy at higher levels, PESA mandated that these structures be patterned on the Sixth Schedule. Importantly, they are not to encroach upon the powers of the Gram Sabha. Steeped in feudal and colonial legacies, state governments did not comply with this 'outrageous' democratic core of PESA, which represents a vital Adivasi inheritance.

The PESA framework was further elaborated in the **Forest Rights Act, 2006**, extending its scope beyond Scheduled Areas to cover forested regions across the country.

The Sixth Schedule

Ten Sixth Schedule areas have been notified in four states: North Cachar Hills (1951), Karbi Anglong (1952) and Bodoland Territorial Council (2003) in Assam; Khasi Hills (1972), Jaintia Hills (1972) and Garo Hills (1973) in Meghalaya; Mara, Chakma and Lai (1987) in Mizoram; and Tripura Tribal Areas (1982) in Tripura.

The elected Autonomous District and Regional Councils in these areas have legislative powers over land management, forests other than reserved forests, inheritance, marriage, social customs and village administration. The councils also have judicial powers to constitute village courts to hear cases between Scheduled Tribes and administrative and financial powers relating to primary education, health and the collection of specific local taxes.



Tribals listen to a speech marking Bhumkal Divas, commemorating the 1910 Bastar rebellion, in Bastar, Chhattisgarh, February 10, 2026. Photo: PTI.

Political demands for Sixth Schedule status have also resulted in the creation of Autonomous Councils patterned on the Sixth Schedule, with subjects devolved to them through state enactments. Fifteen Autonomous Councils were created: the Rabha Hasing (1995), Mising (1995), Lalung (Tiwa) (1995), Sonowal Kachari (2005), Deori (2005) and Thengal Kachari (2005) in Assam; Senapati, Sadar Hills, Ukhrul, Chandel, Churachandpur and Tamenglong autonomous councils in Manipur under the Manipur (Hills Areas) District Council Act, 1971; Leh (1995) and Kargil (2003) in Ladakh; and the Gorkhaland Territorial Administration in West Bengal (2012).

Unlike Sixth Schedule areas, these Councils lack legislative and judicial powers and have limited administrative, executive and financial autonomy.

The politics of scheduling

The discourse on scheduling emerged within the colonial state's bureaucratic apparatus, among anthropologists and nationalists, when the transition from a subjugated colonial enterprise to a democratic republic was imagined, construed, fought for and constructed. Powerful forces with diverse political demands arose across different geographies and communities, contesting the nature of the democracy and governance that India should embody.

The story of how feudal, mercantile and capitalist forces converged with the masses into a nationalist upsurge that forced the war-devastated British Empire to withdraw is well known. Far less attention has been paid to the parallel debates on scheduling and the place of Adivasi homelands in the emerging republic.

The Adivasis too rose, making their indelible mark on the freedom struggle and on what later coalesced as the constitution. Their political claims found constitutional expression in the scheduling provisions. Article 244 stands out as a provision of particular importance to the Scheduled Tribes and their largely mountainous and forested homelands.

The tribals continue to use the scheduling provisions **under Article 244** to develop powerful instruments of democracy and governance, radically different in structure and substance from the electoral democracy embedded within feudal and colonial constructs that mainstream India knows. The contentions and perceptions of over a century ago continue to resonate today, as powerfully as ever.

The colonial administration did not extend its reach to inaccessible mountainous and forested areas that were agriculturally backward, sparsely populated and had low literacy levels. The financial liability involved in governing these areas, coupled with their low revenue potential, prompted it to assign revenue collection where possible to the zamindars, who could also exercise police and magisterial powers. Tribals inhabited some of these areas, largely free from levies because of their limited economic potential.

A complex framework of 'general regulations', laws and Acts was used to progressively tighten the British East India Company's rule and administration. These early foundational laws, enacted by the Governor-General-in-Council in Bengal, Madras and Bombay, governed their territories before comprehensive legislative Acts passed by the British parliament became the norm.

Scheduled districts

While deregulated areas emerged during the 1930s and 1940s to keep them outside the statutes in force elsewhere, after the Rebellion of 1857 against the East India Company, the British Crown took sovereign control of India through the Government of India Act, 1858. **The Scheduled Districts Act, 1874**, followed. It repealed earlier Acts exempting General Regulations and notified Scheduled Districts, including areas where the local government could apply specific laws when authorised by the Governor-General-in-Council.

Scheduled Districts were notified in the then Madras, Bombay, Bengal, North-Western Provinces, Punjab and Central Provinces, and in areas under the chief commissionerships of Assam, Coorg,

Andaman and Nicobar Islands, Ajmer and Merwara, the Hill Tracts of Arakan and the Pargana of Manpur. Only parts of these areas were predominantly inhabited by 'aboriginals', as tribals were officially labelled at the time.

Backward tracts

Devolution of power to the Indian political class and the Indianisation of the civil service began in the early 1900s. With the rise of Indian nationalism and demands for self-rule, the British parliament enacted the Government of India Act, 1919 to introduce a more inclusive system of governance. It introduced dyarchy, transferring certain subjects to elected provincial legislative councils while reserving others for the British Governors under the Viceroy-headed central government.

The 1919 Act consolidated the Scheduled Districts as 'Backward Tracts', and empowered the Governor-General-in-Council to determine whether Acts of the legislature should apply to them, and if so, with what exceptions or modifications.

The Government of India Act, 1935 introduced excluded and partially excluded areas. No Act of the federal or provincial legislature was to apply to an 'Excluded' or 'Partially Excluded' area unless the Governor so directed. The Governor could also issue regulations for peace and good governance. The final Order-in-Council notified eight areas as excluded and twenty-eight as partially excluded, expanding the extent of homogeneous aboriginal-majority areas as per the 1931 Census.

Thus emerged the contours of scheduling – the demarcation of tribal-preponderant areas and their governance – the precursor to the fifth and sixth schedules. The 1935 Act also incorporated 'separate electorates' for Muslims, Sikhs, Indian Christians and Anglo-Indians, and 'reserved seats' for the Depressed Classes – though not for tribals.



Jharkhand Chief Minister Hemant Soren pays tribute at a tribal conference organised by All Adivasi Students' Association of Assam in Tinsukia, Assam, February 1, 2026. Photo: PTI.

The Government of India (**Excluded and Partially Excluded Areas**) Order, 1936, which came into force in April 1937, classified Laccadive Islands including Minicoy and Amindivi Islands (Madras); the Chittagong Hill Tracts (Bengal); Spiti and Lahul in Kangra District (Punjab); the North-East Frontier Tracts of Sadiya, Balipara and Lakhimpur, the Naga Hills District, the Lushai Hills District and the North Cachar Hills Subdivision of Cachar District (Assam); and Upper Tanawal in Hazara District (North-West Frontier Province) as excluded areas.

Madras Agency areas; parts of West Khandesh, East Khandesh, Nasik, Thana and Panch Mahal Districts (Bombay); Darjeeling District and parts of Mymensingh District (Bengal); parts of Dehra Dun and Mirzapur Districts (United Provinces); Chotanagpur and Santal Parganas (Bihar and Orissa); Mandala District and parts of Chanda, Chhindwara, Bilaspur, Durg, Balaghat, Amraoti and Betul Districts (Central Provinces and Berar); Angul and Sambalpur Districts and Ganjam Agency Tracts (Orissa); and the Mikir, Garo, Khasi and Jaintia Hills, except Shillong (Assam), were classified as partially excluded areas.

Though not a central issue, the place of the aboriginal and hill tribals in the emerging political and administrative arrangement came to the fore. Prominent among those who influenced this discourse were anthropologists turned administrators such as J.H. Hutton, J.P. Mills, W.G. Archer and W.V. Grigson; non-officials such as Verrier Elwin and Christoph von Furer-Haimendorf; and nationalists such as A.V. Thakkar and G.S. Ghurye.

For the anthropologist-administrators, the tribes were an administrative problem. They remained outside mainstream society, especially its caste order. Their self-reliant, communitarian and nature-dependent way of life had **evolved well-established democratic traditions** and governance institutions in contrast to caste society. Modern governance, shaped by statutory law, the electoral process and organised religion, was seen as antithetical to the self-governing tribal societies.

Mostly educationally disadvantaged, they were considered unlikely to navigate the labyrinthine administrative and judicial system in the foreseeable future. Moreover, dominant Indian society had not demonstrated an ability to administer the tribals benevolently. Politicians could not be trusted to represent tribal interests. The tribals would, at best, be assimilated into the depressed classes, facing systemic discrimination, exclusion and denial of rights.

Nevertheless, steady incursions by **exploitative non-tribal outsiders** into their homelands had further marginalised the tribals through land alienation and debt bondage. Their anger periodically erupted in revolt. The onus of civilising and protecting them, it was argued, lay with the British parliament. Hence came the policy of excluding or partially excluding tribal-majority areas from the legislative powers of elected assemblies – the strategy of ‘isolate and protect’.

The nationalists preferred intervention and rapid assimilation into the mainstream of Adivasis – as intermediate castes rather than as part of the depressed classes. They saw the aboriginals as an integral part, though neglected and exploited, of the wider mosaic of Hindu society. Their exclusion from the democratic process, it was argued, would only deepen their backwardness. The colonial capture and exploitation of forest lands had already provoked numerous rebellions. Territorial segregation, viewed as an instrument of British divide-and-rule and a remnant of paternal despotism, needed to be firmly rejected.

Consequently, the position on the **tribal question came to be framed** as ‘isolationist’ versus ‘assimilationist’. The tribals, however, saw ‘exclusion’ as recognition of their relatively autonomous status as self-governing entities ranging from complete freedom to degrees of local autonomy. ‘Assimilation’, to the tribals, implied serfdom and the **loss of their institutions**, identity, land and natural resources – the causes of their further marginalisation and alienation.

The shifting official nomenclature reflected changing political understandings of tribal identity and their place in the emerging nation-state. The 'aboriginals' were successively termed 'hill tribes', 'tribes' and finally 'Scheduled Tribes' in the constitution. They were officially classified as 'animists' in the 1921 Census and as following 'tribal religion' in the 1931 Census, even as the number identifying with other religions, particularly Hinduism, increased significantly, a shift attributed to the influence of the Sudhi campaign, part of a broader phase of communal consolidation in the late nationalist movement.

Many localised tribal movements against British colonial rule and **exploitation by outsiders**, known as 'dikus', moneylenders and landlords, centred on protecting land, forests and cultural autonomy. They eventually merged with the national movement. There were also communist-led militant struggles: the Warli Revolt in Thane (Bombay) in 1945 against landlords, moneylenders and forced unpaid labour or begar; the Tebhaga movement in Bengal in 1946-47; the Telangana Rebellion from 1946 to 1951 against the princely state of Hyderabad; and the Orissa peasant movement in 1946 demanding abolition of the zamindari system, reduction of rents and illegal taxes, debt relief and an end to begar.

Jaipal Singh Munda, leader of the Adivasi Mahasabha, demanded statehood for Jharkhand. In the Constituent Assembly, he represented Adivasi demands with valour and authenticity.

Tribal uprisings in **the North East differed** from agrarian or forest-based struggles and were directed towards political autonomy or complete independence from British rule. These included the Naga struggle for self-determination and declaration of independence, the Reang revolt against increased house taxes imposed under British influence and the influx of outsiders into traditional lands, and the Hajong unrest in the Garo Hills against local exploitation. These movements, each a resistance to colonial and local injustices, focused on preserving traditional governance as well.

These upsurges had little impact on the politics of scheduling or the making of the constitution. Nor did the reports of the **Sub-Committee** on the North East Frontier (Assam) Tribal and Excluded Areas and the Sub-Committee on **Excluded and Partially Excluded** Areas (Other than Assam), submitted in 1947. The outcome for the tribal population was largely continuity with the Government of India Act, 1935, with minor modifications, such as the 'reserved seats' introduced for Scheduled Tribes alongside Scheduled Castes, and more recently for women, under the constitution.

After 1950, sustained struggles by the tribals carried forward the politics of scheduling. The fifth and sixth schedules enabled distinct forms of governance, extending beyond Scheduled Areas into other forested regions. These were not concessions of the ruling class, but were fought for and secured.

The Ministry of Panchayat Raj **proposal in 2010 to amend the constitution** to restructure local governance nation-wide and expand autonomy, integrating elements of the fifth and sixth schedules, has yet to trigger a democratic upsurge. The larger question of how this might **reshape democratic practice** beyond tribal homelands therefore remains unexplored.

C.R. Bijoy examines natural resource conflicts and governance issues.