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Original Article

Sixth Scheduled as the Guardian of Tribal Identity: A Special Focus on the Bodoland Territorial Council

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Abstract

The Sixth Schedule is a framework for local self-governance, especially in the designated tribal areas of Assam, Meghalaya, Tripura, and Mizoram. In Assam, diverse cultures and ethnic groups contribute to its unique identity. This paper is based on descriptive and analytical research design to find out scientific research. This paper would also like to highlight the relevance of the Bodoland Territorial Council from 2003 to 2026. The Bodos are the largest indigenous tribal group of Assam. They are primitive ways of life and often marginalized in terms of economic, education, political, and cultural identity. In order to safeguard and promote the interests of tribal people in the north-eastern part of India in their identity, rights, and socio-economic development, it provides Autonomous District Councils under the sixth schedule of articles 244(2) and 275(1) of the constitution of India. In this context, different social and armed organisations of Bodos organised an autonomous movement for their self-determination of administration. After having many struggles and sacrifices of their lives, they unanimously signed the accord between the government of Assam and the central government in 2003. By this accord, the Bodoland Territorial Council (BTC) was formed under the Sixth Schedule Paragraph 3B of the Indian Constitution. It provides constitutional status and an autonomous body along with economic, educational, and linguistic aspirations and the preservation of land rights, socio-culture, and ethnic identity of the Bodos. The key findings of the study will explain that (1) According to the agreement of 2020, the BTAD has renamed Bodoland Territorial Region, and it included five districts for greater development and progress, (2) The number of members of the BTC increased from 50 to 60 as per the Constitutional amendment bill 2019, (3) As per the delimitation commission of India 2023, the legislative assembly constituency seats increases from 12 to 15. Moreover, it was restored in peace, political stability and ended the countless decades of insurgency issue in the BTR.

Keywords: *Sixth Schedule, Autonomous District Council, BTC, Constitution, Bodo*

Introduction:

The mechanism of the Sixth Schedule to the Constitution of India is one of the remarkable landmarks for the grassroots participation framework of the tribal people of Assam, Meghalaya, Tripura, and Mizoram. From the historical view, the emergence of district council administration for the tribal areas of the Northeast, which was outlined in the sixth schedule of the constitution of India, was inserted by the Gopinath Bordoloi subcommittee before the Constituent Assembly in 1949. In pursuance of tribal socio-economic development, the process of district councils was incorporated under articles 244(2) and 275(1) of the Constitution of India. These district councils have constitutional status. It can be amended only by the parliament of India without the interference of the state government. The district council is an administrative mechanism to ensure autonomy for the tribals (Konwar, 2006) The idea behind the Sixth Schedule was to provide the tribal people with a simple and inexpensive administration of their own, so that they could safeguard their own customs, traditions, culture, etc and to provide them with maximum autonomy in the management of their tribal affairs (Gassah, 1997). The tribes of these areas have primitive ways of life and unique identities of culture, traditions,

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and language and are often disadvantaged in socio-economic conditions. As per the Lokur Committee (1965), identified for the Scheduled Tribes are primitive traits, distinct culture, shyness of contact with the community at large, geographical isolation, and backwardness in economy. From this perspective, it is necessary to safeguard and promote their socio-cultural identity. Pragmatically, the main mission and vision of the Sixth Schedule are to safeguard and protect the aboriginal tribal peoples' culture, traditions, customs, language, land, and property rights, which cannot be deprived of by the majority communities. At present there are 10 working autonomous district councils in the north-east under Paragraph 20 of the Sixth Schedule, which is outlined in three parts of the constitution of India. Herewith, Part-I is for Assam, Part-II is for Meghalaya, Part-III is for Tripura, and Part-III (A) is for Mizoram. The Bodos are an ethnic and linguistic aboriginal tribe of Assam (Das, 2020). They are living in different parts of Assam undertaking agitation programmes for the protection of their linguistic and cultural identity and also for the development of their educational and economic conditions. As a result of this long agitation, a pact was signed between the Bodo Liberation Tiger (BLT), the Assam Government, and the Central Government of India in 2003. This pact was signed for the creation of Bodoland Territorial Council, a local self-government institution in the Bodoland Territorial Areas District (BTAD) of Assam. As per the Constitutional Amendment Act of 2003, it was inserted under the Sixth Schedule of paragraph 3B of Articles 244(2) and 275(1) of the Constitution of India.

Objectives of the Study:

[1] To study the importance of the Sixth Schedule to the Constitution of India

[2] To analyze the working functions of the Bodoland Territorial Council

[3] To examine the development of the Bodoland Territorial Council

Research Methodology:

For conducting this research paper used based on descriptive and analytical research design. This paper also collected from secondary sources to explore scientific research such as the Census of India, Statistical Handbook of Assam, Assam State Gazette and Notifications, Memorandum of Settlement on Bodoland Territorial Council 2003, Bodoland Territorial Council Portal, Relevant books, Peer Reviewed Journal, Articles, Project Works, Newspapers, and Web Sources.

Results and Discussions:

Sixth Schedule as the guardian of the Tribal Identity:

The provision of the Sixth Schedule to the Constitution of India was envisaged for upholding tribal's local self-administration. It is especially emphasized to protect the cultural identity and promote socio-economic development of the scheduled tribal areas of Assam, Meghalaya, Tripura and Mizoram. In order to binding their broader framework for self-autonomy at the national level, Autonomous District Councils was formed. It was inserted under Articles 244(2) and 275(1) to the Constitution of India. Designated district councils have constitutional status, and it can be amended only by the parliament of India. By using this paradigm of rule, it empowers the self-determination of the tribal communities. Furthermore, it also has facilitated to execute independently in associated with executive powers, legislative powers, financial powers and judicial powers of its concerned districts. In this context it can be regarded the "Sixth Schedule as the guardian of tribal identity". Some significant reasons given below it,

[1] Autonomy and Self -Governance: The sixth schedule has granted the tribal areas a degree of autonomy by establishing an autonomous district council and regional council. These councils have legislative, executive and financial powers, enabling local tribal communities to manage their own affairs independently. Moreover, it empowers to establish a village council court and a customary law court protecting traditional conflict and resolutions management practice among the scheduled tribe.

[2] Land and Resource Rights: The councils have the power to control over land and natural resources within the designated territories. Any land allotment, settlement, selling or using for the purpose of agriculture, shop, markets, and residence. These rights will be determined by the council. Issuing and holding of its land pattas and licence will be issued by the council. Furthermore, the council enforces to extend biodiversity conservation and other sustainable management.

[3] Identity and cultural protection: The council has the power to make on social customs in preserving and promoting indigenous customs and language. Paragraph 4 of the sixth schedule has impetus to establish customary law court to ensure their traditional law of customs, beliefs and practices.

[4] Dispute Mitigation: The sixth schedule enforce to establish village and district courts for the trial of suits and cases where all parties to the disputes belong to Schedule Tribe within the districts. For example, the KAAC and the Jaintia hill autonomous district council run its own courts for customary law. They can be trial in cases of this customary

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court disputes over inheritance property rights, marriage and divorce cases, land disputes, inter-tribal conflicts and ignoring of taboo system among the tribal groups.

[5] Protects Tribal Economic Interest: It empowers use to make laws for regulating money-lending or trading by any other person other than scheduled tribe residents in that scheduled district. It is also has the power to grant licences or leases for the extraction of minerals within its jurisdiction. Moreover, the council is empowered to collect levy taxes on markets, professions, animals, vehicles, land revenue, and entry of goods.

[6] Constitutional Status: All the inserted Autonomous District Councils under the sixth Schedule of the constitution of India have constitutional status. These autonomous bodies can be amended only by the Parliament. The state authority has no powers to amend it for any matter of issues.

The present demanding areas for inclusion in the Sixth Schedule:

As per the 2011 census, 97% of the scheduled tribe was the majority in Ladakh. Communities fear demographic change and cultural erosion due to migration and commercialisation. In this regard, the Union Territory of Ladakh in the Himalayan part of India demands inclusion in the Sixth Schedule of the Constitution of India. Under the leadership of Sonam Wangchuk, the Apex body of Leh and the Kargil Democratic Alliance organized a hunger strike on 10 September 2025 to implement the status of the sixth schedule of the constitution of India. Kukiland in Manipur, Koch Rajbongshi, Adivashi, Matak, and Moran in Assam are the prominent demands for inclusion the sixth schedule status in the constitution of India.

Table 1: The present working Autonomous District Councils under the Sixth Schedule of the Indian Constitution

SL. No	State	Autonomous District Councils	Year of formation
1	Part-I Assam	1. Karbi Anglong Autonomous Council	1952
		2. Dima Hasao Autonomous Council	1952
		3. Bodoland Territorial Council	2003
2	Part-II Meghalaya	1.Khasi Hills Autonomous District Council	1952
		2.Garo Hills Autonomous District Council	1952
		3. Jintia Hills Autonomous District Council	1952
3	Part-III Tripura	1.Tripura Tribal Areas Autonomous District Council	1985
4	Part-III(A) Mizoram	1.Chakma Autonomous District Council	1972
		2. Mara Autonomous District Council	1972
		3. Lai Autonomous District Council	1972

Emergence of local self-governance system of the BTC:

The Bodos are an aboriginal tribe of Assam having a rich cultural identity and heritage. Pragmatically, they are socio-economically and politically marginalized groups. Recognition for identity politics and self-autonomy rights, they advocated a movement for a separate union territory named Udayachal in 1967-68 under the stewardship of the Plain Tribes Council of Assam (PTCA). After the failure of the PTCA, the All Bodo Students Union (ABSU) and the Bodo Peoples' Action Committee started to struggle for a separate state in 1987. In pursuance of their demand, the Bodoland Autonomous Council was formed on 20th February 1993 under the headship of Upendranath Brahma. It was the first historic accord for the Bodo community in terms of their identity politics. Since 1987, the demand has been for a separate state, to be called "Bodoland," on the north bank of the Brahmaputra (Baruah, Sanjib, 1999). Regarding socio-economic deprivation and threats to their identity by the illegal influx of migration, they formed an insurgency group named Bodo Liberation Tigers (BLT) in 1996 under the headship of Hagrama Mohilary and Prem Singh Brahma. In order to protect and advance development, on February 10, 2003, the Assam government, the Union government, and the Bodo Liberation Tigers signed the Memorandum of Settlement (MoS) for the formation of the Bodoland Territorial Council (BTC) in New Delhi. In recognition of a distinct identity, it was formed into four districts and renamed Bodoland Territorial Areas District (BTAD). This accord was the landmark for the emergence of Bodoland Territorial

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Council and for achieving inclusion under the sixth schedule of the constitution of India. To achieve greater administration, the administrative structure of the BTC within the boundary of the BTAD allocated 10 subdivisions, 25 blocks, 19 revenue circles, 415 Village Council Development Committee, and 3068 villages (Basumatary, 2018). There are 46 members in the council, out of which 30 seats are reserved for STs, 5 seats are for the non-tribal community, 5 seats are open for all communities, and 6 seats are nominated by the governor of Assam. The terms of members of the BTC are 5 years. Moreover, the BTC has been given legislative powers over 40 subjects. Under this accord, it provides for an executive council comprising a maximum of 12 executive members, including a chief and a deputy chief, with adequate representation of the non-tribal population. Finally, as per the MoS accord in 2020, the older administered areas of BTAD have been renamed the Bodoland Territorial Region (BTR). Herewith, the Tamulpur District was created as a new district by this accord in 2022.

Table 2: Present districts under the jurisdiction of BTR

Sl No	Name	Area (km^2)	Population Census (2011)
1	Kokrajhar	3,169	88,7,142
2	Chirang	1,974	48,2,162
3	Baksa	1,573	560,925
4	Udalguri	2,012	83,16,68
5	Tamulpur	884	38,91,50
Total		9,612	31,51,047

Powers and Functions of the Bodoland Territorial Council:

(a) Legislative powers: The BTC empowers to enact laws on the allotment, occupation, use, or selling a part of land, forest land (except reserve forests) for the purpose of agriculture, grazing land, and allotment for residential or other non-agricultural purposes. Moreover, the BTC is also entitled to manage other major legislative powers, such as, management of any forest apart from reserved forests, use of any canal or water course for irrigation purposes, establishment of town committees and village councils, inheritance of property, marriage, and divorce, social customs, money lending and trading by non-tribal other than the scheduled tribes of the concerned region.

(b) Executive Powers: Council has the executive power to establish, construct and manage primary schools, dispensaries, markets, cattle hounds, ferries, fisheries and waterways. It can also decide to determine the medium of instruction and language in the primary education level within its jurisdiction. The Chief Executive Member, Executive Member, Principal Secretary and Secretary to the executive committee of a council shall be competent to initiate, review and accept the Annual Confidential Reports (ACRs) of all the officers and staff placed under the administrative control of the council. The BTC shall have the full control over the officers and staff appointments and transfers connected with the delegated subjects working in the designated area. The principal secretary and other officers shall exercise their powers under the overall guidance and supervision of BTC. Regarding the appointment and recruitment, the council may constitute a selection board, and it can also make rules with the approval of the Governor of Assam. However, no posts shall be created by BTC without the concurrence of the government of Assam.

(**c) Financial Powers:** In terms of financial resources, the council has the powers to assess and collect land revenue, levy and collect taxes on land, holdings, shops, entry of goods into the markets and tolls on persons, residents, and forest within their respective jurisdictions. In spite of that, the council has concurrent powers imposed on the professions, trade, callings, employment, animals, vehicles and huts, tolls on passengers and goods carried on ferries and maintenance of schools, dispensaries or roads. Moreover, the funds also derives from grants –in-aid, loans and advances, including NITI Ayog funds, Finance Commission of India funds, Ministry of Development of North Eastern Regions (MDoNER) schemes, and State Owned Priority Development (SOPD) funds of the State government. In addition, the council has the power to prepare its own Budget Planning and frame rules within the jurisdiction with the approval of the Governor of Assam.

(d) Judicial Powers: In order to protect the tribal social customs as per their traditional rules, the council constitutes a village council and customary law courts as per the paragraph 4 of the sixth schedule to the Constitution of India. The district council can manage an act of laws for alteration or inclusion of the customary village court within designated areas. In fact, this court empowers the adjudication or trial for cases of conflict over land, inheritance property, divorce and marriage, inter-

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tribe disputes, domestic violence, theft, trespassing of animals, murder, and abduction among tribal groups. But no case involving offences punishable by death or imprisonment for not less than five years is heard or adjudicated by the courts.

Development of the BTC:

(1) Development of Language and Cultural Identity:

(a) The Bodo language has been included in the eighth schedule of the constitution of India as per the constitutional amendment act of 2003. It shall be the official language of the BTC covered areas. Moreover, it (in Devanagari script) was recognised as an associate official language of Assam.

(b) The BTR was granted the right to participate in national sports and cultural events, such as the Khelo India Youth Games, under its own banner, strengthening its distinct identity.

(c) At recently the government of India has recognized "Bathou" as their national religion.

(2) Educational Institutions Development: As per the various peace agreements and MoUs, the BTR covered areas have improved the higher institutes of colleges and universities, such as, Bodoland University (BU) at Kokrajhar, Central Institute of Technology (CIT) at Kokrajhar, Bineswar Brahma Engineering College at Kokrajhar, Kokrajhar Medical College, Kokrajhar University, teacher training educational institute, ITI, Kokrajhar Science College and various science, arts and commerce colleges were established.

(3) Financial development:

In order to accelerate development of the region, it provides for Special Development Package of Rs. 1500 crore (Rs. 750 crore by govt of India and Rs. 750 crore by Govt. of Assam) for undertaking specific projects. Under this package for Rs.750.00 crore, 65 projects for Rs.749.63 crore have been sanctioned, 51 projects for Rs. 570.19 crore have been completed and 14 projects for Rs.179.44 crore are ongoing. During the last five years, Rs.77.32 crore was released to the Govt. of Assam under the special package for BTC. Recently, the central government schemes 250 crore, MDoNER 750 crore, and the 15th Finance Commission of India 87 crore, State SOPD funds 250 crore (2025-26) has been released to the BTR. Additionally, the Assam government also 1000 crore has been sanctioned to the BTR for the rapid development of roads and bridges constructions.

(4) Administrative development

According to the 2020 peace agreement, the Bodoland Territorial Areas District (BTAD) was renamed the Bodoland Territorial Region (BTR). Signing this agreement, the BTC was granted more executive, legislative, and financial powers. It's also increased the number of members of the BTC was from 50 to 60 members to ensure wider representation as per the 125th constitutional amendment bill 2019. Besides, Tamulpur district was included as a new district of the BTR. A total of 3,079 villages, including 80 new villages, were added under the BTR. As per the 2023 delimitation order by the election commission of India, the Members of Legislative Assembly (MLA) seats have been increased from 12 to 15 constituencies under the authority of the BTR.

Conclusion:

Recognition of identity and self-determination rights has promoted the emerging trends of autonomy movement or separatism within the union of India. In the Northeastern part of India, it has diverse cultures and dialects as well as socio-economically very backward. In order to protect and develop the regions, the constitution of India framed a sixth schedule for the specific tribal areas of Assam, Meghalaya, Tripura and Mizoram. Currently, the District Council or Territorial Council enables to perform self-autonomy powers through the sixth schedule. In this context, the BTR can manage and imposes regarding executive, legislative, and financial powers within the jurisdiction areas. However, for socioeconomic and educational development purposes, it was established a university, IIT, Engineering College, Medical College and other infrastructural sectors in the BTR. Moreover, as per the 2020 agreements, it empowers more autonomous powers to the BTC and renamed the Bodoland Territorial Region (BTR) in the earlier BTAD areas. Politically, to strengthen representatives, there are five districts included, and the legislative assembly seats have been increased from 12 to 15 in the newly recognised BTR areas. As a result, the BTR restored in peace and ended the insurgency issues.

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Conflicts of interest

The authors declare that there are no conflicts of interest regarding the publication of this paper

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