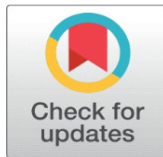


UNDERSTANDING THE CONSTITUTIONAL DYNAMICS OF TRIBAL POLITY IN INDIA: THE STUDY OF LADAKH AND RAJASTHAN

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ABSTRACT

The term 'Federalism' refers to and deals with multiple aspects; it relates to administrative setup in the constitutional distribution of power in various layers of government. At the same time, it also works as a system to accommodate multiple identities in a plural administrative setup; it is fiscal and administrative, it can accommodate aspirations, and at the same time, it can adopt exclusivity. Comparative and cooperative can also be the dimension of federalism. As the word Federation is derived from the Latin word 'foedus', which means agreement or treaty, ironically, in modern plural democracies, it acts as the consensus builder and the reason for conflict, protest and movements.

The paper will explore the various dimensions of federalism in India, particularly tribal polity. The tribes in India are not homogenous groups, and their heterogeneities can be seen in terms of their regional, culturally specific demands within the scope of federal arrangements in India. Politically and administratively, the Post-Independent India struggled to address the tribal aspirations. Even though administrative arrangements have been made to the constitution in the form of the Vth and VIth schedules, the tribal aspirations in the federal polity of India demand further accommodation and representation.

Keywords: Federalism, Tribes, Indian Constitution, Administration, Regionalism, Fifth Schedule, Sixth Schedule

1. INTRODUCTION

Federalism in India is a unique arrangement with its phases of development from 1947 to the present. There are various dimensions and ways in which federalism can be understood in India. For instance, federalism in India can be explored in terms of internal reorganisation and ethnic conflicts. The state in India used Article 3 of the constitution to address and intervene with the various demands related to regional aspirations. Under this Article, the government of India has the power to create a new state, alter or redraw the boundaries of the state or even change the name of the existing state by using its parliamentary powers. The Constitutional reforms in the institutions of grass root governance through the 73rd and 74th Constitutional Amendments Act, the Changing nature of the Parties and Parties System in India and reforms related to the Goods and Services Taxes (GST, Amendments Act 2023) are some of the other ways by the federal polity of India can be understood.

The current papers will be exploring these dimensions of federalism in India with particular reference to two very contemporary case studies of two different kinds of assertion of interest by the tribal groups in two entirely different parts of the country, with the similarity that both demands are concerned with the implementation of the Fifth and Sixth Schedule of the constitution of India. The paper is divided into three parts, which are as follows:

- 1) Understanding the Fifth and Sixth Schedule of the Indian Constitution
- 2) The demands for separate Bhil Pradesh and more excellent implementation of the Fifth Schedule by Tribal Political Parties of Rajasthan
- 3) The Regional Aspirations and Tribal Federal Polity of Ladakh (the demand for Sixth Schedule)
- 4) The critical analysis

Let us begin the detailed discussion.

2. UNDERSTANDING THE FIFTH AND SIXTH SCHEDULE OF THE INDIAN CONSTITUTION

Indian Federalism is a unique balance between the federal and Unitary arrangement, as famously Prof. K.C Wheare called India a 'Quasi-federal State' (Wheare, 2021). This specific federal arrangement reflects the system of government where the distribution of power between the Centre and the federal units is unequal. It is reflected in the federal system of India that Indian Federalism

has a unitary bias. Article 1 of the Indian constitution describes India as a 'Union of States', and as mentioned above, Article 3 defines the territorial power of the union over the states. This reflects that India holds a very complex multicultural system of union and state relations where the complexities are not just dependent on the mere geographical distribution of power and resources. Rather, they are dependent on factors such as the political and geographical distance of the states from the Centre, the political-cultural similarities and dissimilarities of the states and the union, the nature of the party system as well as the coordination between the ruling party of the state and the ruling party of the Centre, and above all the cultural, ethnic identities of the states and regionalism is also essential in this regard. All these factors determine the fiscal, administrative, and political-developmental aspects of Indian federalism. Even with these challenges, the constitution of India seeks to provide a uniform system of governance, where the various special provisions address the challenges. Tillin looked at India's federalism in the context of the partition of India post-independence, where it developed the character of a strong central government that could bring strong national developmental plans. In the Constituent Assembly, while introducing the draft constitution, Dr B.R Ambedkar said that the Indian constitution is federal to the extent that it had maintained a 'dual polity' in which the Centre and the state both have sovereign powers in their respective limits (Tillin, 2019, p. 02).

The tribal discourse in India is very heterogeneous in nature. The constitutional recognition of tribal identity might indeed create the illusion of homogeneity. However, due to the scattered distribution of tribal populations in India, its cultural and ethnic heterogeneities are very prevalent. The mainland tribes are non-frontier tribes, whereas the north-eastern hill tribes are called frontier tribes. The tribes comprise 8.6 % of the total population of India (Census, 2011). There are over 730 Scheduled Tribal communities in India. Article 366(25) defines Scheduled Tribes. Interestingly, the Indian Constitution and its federal discourse maintained symmetry in India's 'imagined symmetrical' social-ethnic milieu. The central argument of this paper is to understand how constitutional arrangements in India can be administered to the so heterogeneous and diverse social and ethnic tribal groups in India. The paper will also attempt to examine why, in recent times, tribes and societies from the fifth scheduled region have been agitating to implement the sixth schedule in their area. What makes the fifth schedule more potent than the sixth schedule of the Indian constitution?

However, Indian federalism is constantly challenged by tribal aspirations and issues related to tribal-specific governance. Part X of the constitution includes articles 244 and 244A; these two articles of India's constitution deal with the administration related to the Schedule and Tribal areas. Article 244 explicitly mentions the fifth and sixth schedules of the Indian constitution. The fifth schedule provision is related to the 'Administration and control of the schedule areas and Schedule Tribes in any state other than the states of Assam, Meghalaya, Tripura and Mizoram.' (Ambedkar, 2023), whereas the Sixth Schedule is applicable for the administration of tribal areas in the states of Assam, Meghalaya, Tripura, and Mizoram. While 244A was inserted into the constitution by the Constitution (Twenty-Two Amendments) Act in 1969. The prime objective of this 244A was to empower the legislature to make laws related to the autonomous state

within the State of Assam. Article 244A should be seen as the more extensive version of the provisions mentioned under Article 244. Article 244A (1) provides provision for the formation of an autonomous State with the State of Assam. It mentioned a particular kind of federal and constitutional asymmetry where the legislature made the provision for another layer of provincial administration possible to preserve the tribal aspiration within the larger ethnic-political discourse of Assam's politics. 244A(1)(a) mentioned a tribal legislative autonomous body which can be elected or a party nominated, whereas 244(1)(b) called it a council of Ministers. Subsequently, Article 244A (2) mentioned the power of this autonomous state to make laws related to the preservation of tribal interest in the region. After the recommendations of the Dhebar Commission, which is also the First Scheduled Area and Scheduled Tribes Commission, the criteria for the deceleration of an area as a scheduled area under the fifth schedule were defined; the commission had defined four criteria as the tribal population should be in preponderance, the area should have reasonable size and compactness, the area's nature should be underdeveloped and lastly there should be visible and marked disparities in terms of economic standards of the people. (Dhebar Commission, 1962). As mentioned by the Ministry of Tribal Affairs in their report, these criteria are placed in the original Constitution of India, but they are well established. Para 6(2) in Part C of the fifth Schedule also gives powers to the president of India for scheduling and rescheduling any scheduled area and altering or redefining its boundaries. As per the provision of the fifth schedule, the Governor of the State, in consultation with the President of India, has extensive powers and functions to maintain the administration in the scheduled areas. The areas under the fifth schedule are examples of the parallel administration set up within the federal territories of a more significant state. Annually, the Governor of the state have to submit a report to the President of India regarding the administration of the scheduled areas; they are also authorised to give direction to the state government for non-applicability of any Union or State legislature which is subject to exceptions and modification as per Part B, Para 5(1) of the fifth Schedule. Part B contains the provision regarding the Tribal Advisory Council; these councils should consist of not more than 12 members, or in the Legislative Assembly of the State, there shall be three-fourths members from the scheduled tribes. The Advisory Council shall work for the welfare and advancement of the Scheduled Tribes as referred to them by the Governor of the State. To take care of illegitimate or arbitrary land occupancy in the Scheduled areas, Para 5(2) of Part B prohibits and restricts the land transfer in the scheduled areas, along with regulating the land allotment to the Schedule Tribes members. It also defines the regulatory power of business activities as moneylenders to tribal communities to safeguard them against debt crises.

The Fifth Schedule is significant in creating strong institutions for safeguarding the Rights of Tribal communities in India, other than the states mentioned in the Sixth Schedule of the Constitution.

Articles 244(2) and 275(1) mention that the Sixth Schedule includes precisely four states: Assam, Meghalaya, Tripura and Mizoram. All four states are parts of North-East India; the northeast sub-region of India is essentially the land of Hill tribes, and the tribal cultural diversity within the northeastern hill tribes is also notable. Academic literature related to cultural, political, and ethnographic studies on the northeastern tribes in India is available. As mentioned in the sixth schedule of the Indian constitution, the tribal areas will be administered as Autonomous Districts and Autonomous Regions. The state's governors are more empowered to define and determine the areas to be defined as autonomous districts and regions. He may include or exclude any area under the categorisation of Schedule Area. Creating new autonomous districts or dissolving autonomous districts unites two or more districts or parts thereof. The Sixth Schedule also has provisions for the constitution of District Councils and Regional Councils. These district councils are micro administrative units within the Autonomous Districts; they should be made of thirty members; out of these thirty members, four persons are nominated by the Governors, and the rest of the members should be elected based on adult suffrage. The Regional Councils also need to be constituted in each Autonomous Region. The powers mentioned in the Sixth Schedule are much more extensive and elaborate than the Fifth Schedule. The Sixth Schedule mentioned elaborated Executive, Fiscal, Legislative and Judicial powers related to land and forest resources. It empowers the tribal communities to maintain their property rights and preserve and sustain their marriage, social customs, Taxation, etc. The provisions mentioned in the Sixth Schedule are very extensive.

It might not be possible to incorporate them within the scope of this paper, but its significant provisions will still be mentioned throughout the paper.

To summarise this section, it is to be noted that the Fifth and Sixth Schedules are both concerned with the Tribal federal governance in India. However, they also have some significant differences and limitations. For instance, the Fifth Schedule is majorly concerned with tribal governance in non-frontier regions of the country, and it covers a wide range of diversity of federal provinces; the majority of the tribal population are governed by the Fifth Schedule only. Meanwhile,

the governing limits of the Sixth Schedule are limited to only four states in India (mainly Frontier Hill regions). The Fifth Schedule had provisions regarding Tribal Advisory Councils, whereas the provision of Autonomous District Councils shall rule the Sixth Scheduled States. Sixth Schedule States are much more autonomous than the Fifth Schedule-ruled states.

3. THE CASE OF RAJASTHAN'S NEW TRIBAL POLITICAL PARTIES

'Jai Johar', which roughly means the 'glory to nature', defines the 'New Tribal Movements' of India. My intention in calling the tribal movements 'new' is to reflect the transformation in methodology and the intent of the tribal movements. The old or traditional tribal movements in India reflect the classical dichotomy between tradition and modernity. The Aboriginal living demonstrates the continuity of conventional tribal cultural heritage and the forest economy. In contrast, the State and its objective of materialistic development, its constitutional institutions and its bureaucratic administration reflect Modernity. So, the classical tribal movements adopt the classical strategies of resistance, especially the State of Rajasthan, and have a detailed history of tribal movements. The state of Rajasthan has 48 tribal communities, and each of these tribal communities has its cultural specificity. Regarding population density, the Mina and Bhils are the most prominent tribes in Rajasthan. The Bhil tribes are settled mainly in the southern districts of Rajasthan. The early 19th-century tribal movements of Rajasthan emerged from feudalism and had cultural and religious factors. The tribal was agitating against the lordships as well as against the activities of Christina Missionaries in the southern tribal districts of Rajasthan (Udaipur, Banswara, Jhabua (M.P) and Dungarpur districts). In the western part of Rajasthan, the socio-cultural movements amongst the Bhils under the leadership of Govindgiri are also prominent examples of early tribal consciousness in pre-independent India. In terms of notable examples of 19th tribal movements of Rajasthan include the 'Mer Agitation' between 1818 and 1821, which was against the increasing British dominance in the tribal region, and the Bhil Revolts of 1818 to 1860s, which were against the arbitrary domination of the British over them. Consequently, the Eki movements under the leadership of Motilal Tejawat from 1921 to 1922 are some noticeable examples of the early tribal consciousness among the prominent tribes in Rajasthan. The brief sketch of early tribal movements defines the nature of early tribal resistance in Rajasthan, post- independence and after the unification of Rajasthan; the State recognised the tribal identities of Rajasthan, and eventually, the fifth schedule of the Indian Constitution was also implemented in the Rajasthan. After a gap of many decades, the state of Rajasthan is witnessing the resurgence of tribal consciousness through the formation of New Tribal Political Parties. The electoral awakening of the tribal group of Rajasthan can be termed as the new tribal movements in Rajasthan.

The New Tribal Movements in Rajasthan have the following characteristics:

Firstly, the 19th and 20th-century tribal resistance in Rajasthan was against the exploitation and encroachment by the British in the tribal provinces and the heavy taxation levied by the Princely Monarch of Rajasthan. So, the early movement can be defined as the movements against the State. Whereas the 'New Movements' are along the state, they are not demanding rights against the state, nor are they against the state intervention of the state. Instead, they are mobilising electorally and seeking their rights with the help of state intervention for better tribal governance. They are seeking greater democratic engagement in the country's mainstream political discourse.

Secondly, the Nature of early tribal resistance was cultural-religious awakening amongst the tribes, along with the resistance against the economic exploitation of the tribes in Rajasthan. Meanwhile, the New Tribal electoral movements focus on contemporary issues such as employment for tribal youth, water crisis, environmental degradation, greater political participation and representation, and preservation and assentation of tribal political identity in the State of Rajasthan.

Thirdly, the earlier tribal movements were not well organised. Whereas the New Tribal Movements in Rajasthan are much more organised and institutionalised, they had formed registered political parties with defined membership criteria. Their political contestation is against the mainstream ruling national political parties.

The Demand for New State for Bhils (Bhil Pradesh)

The Bhil Pradesh is a century-old demand in the Bhil region of Central-North India; the Bhil tribes are populated mainly in three states, namely Rajasthan, Madhya Pradesh, and Gujarat. Recently, the political institutionalisation of the Bhil identities in the three states mentioned in India has added a new challenge to the federal unity of India. The newly formed tribal political parties such as BAP (Bhartiya Adivasi Party) and BTP (Bhartiya Tribal Party) are gaining

popularity in the southern districts of Rajasthan, Northern Districts of Gujarat and the Gujarat and Rajasthan's adjacent districts of Rajasthan.

The Bhil Pradesh demands are also popularly known as 'Bhilistan', 'Bhilkhanda' and 'Jhabhuakhanda'. This proposed or demanded Pradesh consists of 39 districts, which include the 16 districts of Gujarat, 10 districts from Rajasthan, 7 districts from Madhya Pradesh and even six districts from Maharashtra; administratively, it will consist of the 90 assembly constituencies of these states and 11 Lok Sabha constituencies comprise of Bhil tribal population of these States ("109-Year-Old demand for a tribal homeland, spread across four states in the heart of India, is being revived," 2022). The central core reason for the demand for Bhil Pradesh lies in the increased constitutional awareness amongst the Bhil tribes, especially the Youths.

The demands are centred around the strict implementation of the Fifth Schedule, and Article 244(1) of the constitution; as mentioned above, the Fifth Schedule is concerned with tribal-focused administration in the States of India other than the States mentioned in the Sixth Schedule. Notably, this tribal region is mineral-rich, and as per the Forest Right Act (FRA) 2006, the gram sabha is empowered to manage the community forest resources while they can also conserving the forest wildlife and its diversity, opposite the leader's claims that the illegal mining in the Scheduled Areas and ignoring of the consensus of the gram sabhas are clear cases of violation of the process of the Fifth Schedule.

Rajasthan State predominantly follows the Bi-party system, and the main political competition is between the two national political parties, namely the Congress and the BJP (Bharatiya Janata Party). Interestingly, in 2013, for the very first time, a tribal political party named RJP (Rashtriya Janata Party), with support from P.A.Sangma's Meghalaya National People's Party (NPP), contested the elections in Rajasthan under the leadership of Kirori Lal Meena, a former tribal leader from BJP. However, this experiment failed to get the attention of the state's tribal voters. Consequently, in 2018, for the State Assembly election under the leadership of Chhotubhai Vasva (a Bhil tribal leader), the BTP (Bhartiya Tribal Party) was formed. The BTP contested the 9 State Assembly seats and successfully won the 2 seats from the Sagwara and Chorsai constituencies. Even BTP contested the Gujarat Assembly election along with the Alliance with Congress in 6 constituencies, and they successfully won 2 seats (Jhagadia and Dediapada constituencies). This might look like a micro success regarding the electoral competition in state politics. Still, from the perspective of assertion of Tribal Identity, this was a significant achievement. Because it was for the very first time a tribal political party could secure legitimate recognition in state politics. This electoral success helps the tribes of the state of Rajasthan and Madhya Pradesh to convert this into a significant political-tribal movement.

'New Tribal Movements' results from the electoral success of the tribal political parties. Political parties and groups like BTP and 'Adivasi Parivar' have been pushing the demand for 'Bhilistan' more regressively from 2017 onwards. The Bhil leader Chhotubhai Vasava attempted the Bhil Pradesh demand in 2009 by forming the 'Bhilistan Vikas Morcha'. However, the issue gained momentum after entering the real electoral competition. It is important to note that the internal factionalism of this movement is also quite visible. The probable reason for factionalism and internal conflict within the movement might be the diversity of State politics. The Bhil tribes are spread in Rajasthan, Gujarat, Madhya Pradesh and Maharashtra; hence, the sub-regionality of tribal culture and regional dynamics of the state politics might be the reason that in the 2018 post- electoral victory, BTP faced the split with the political party. The Bhil leaders formed the new tribal political party in 2023 and named it BAP (Bhartiya Adivasi Party) (Shreya Basak, 2023). The Election Commission of India has registered the party and allotted the Hockey Stick and the Ball symbol for the party. The party won 3 seats in the 2023 Rajasthan State Assembly election and 1 seat in Madhya Pradesh's State Assembly Elections in 2023. The party is gathering its tribal support for the 2024 National Election of the country.

To summarise the tribal political movement in the State of Rajasthan, it is worth mentioning that due to increased tribal political awareness, the nature and character of the tribal movement have changed in the region mentioned. The Bhil Pradesh movement was first suggested by the freedom fighter Thakkar Bapa from Gujarat, who was assumed as a guiding force for Mahatma Gandhi in 1920. He advocated for a separate state dominated by the Bhil tribes and formed the Bhil Seva Mandal to uplift the Bhil Tribes. In 1913, after the Mangarh Massacre, also called the 'Jalianwallah bagh' of Rajasthan, the slogan 'Jai Bhil Pradesh' got prominence for raising justice for the tribe. In this incident, the Bhil from the State of Rajasthan and Gujarat, under the leadership of Govind Giri, were protesting on the hill of Mangarh for their demands against the atrocities under the system of bonded labour by the British rulers. The gunman opened fire on the Bhils and brutally killed 1500 Bhils and injured 900. Keeping this historic brutality perceptive, the demand for a separate Bhil province has reemerged via the political and electoral mobilisation of the Bhil tribes. The market has challenged the federal arrangement of the States in India. The formation of the New Bhil State will lead to the alteration of the

geographical boundaries existing in four states of India (Rajasthan, Madhya Pradesh, Gujarat, and Maharashtra). This will not only result in new geographical arrangements but the administrative restructuring will also required to a very great extent. Notably, the nature and discourse of non-tribal politics of these four states are very different from each other; there are visible linguistic, ethnic and cultural differences, and any such idea of alteration of their existing dimension might also result in major political issues.

The above analysis of Rajasthan Tribal politics also poses severe challenges to implementing the Fifth Schedule of the Indian Constitution.

4. THE REGIONAL ASPIRATIONS AND TRIBAL FEDERAL POLITY OF LADAKH

In its historic design, taken on 31 October 2019, the Union government of India rewrote Ladakh's fate. In a significant federal re-adjustment, the government of India removed one of the very prominent federal asymmetries known in Indian federalism, Article 370. Under Article 370, there was a provision for the constitutional accommodation of special rights, such as protection and preservation of customary laws, preferential federal financial assistance and land ownership for the federal subunit of Jammu and Kashmir (J&K), by the dissolution of the statehood of J&K, Ladakh and J&K formed separate Union Territories. The political demand for territorial autonomy of Ladakhi is lesser known to the world; the Tribals dominate the majority population of Ladakh, and in terms of their Cultural and linguistic identities and geographical conditions, they are very different from each other (J&K and Ladakh). Kashmir's political and federal issues are prominent in the world media, as it is also one of India's significant political and security concerns. However, the tribal aspiration of the Ladakh is less discussed in the Indian and world Academia. In this section of the research paper, the demand for implementing the Sixth Schedule in Ladakh will be addressed in terms of tribal aspirations and the Federal context of Indian politics.

Historically, Ladakh was the former Buddhist Kingdom; later, in the 19th Century, it was invaded by the Army of Dogra and merged into the more significant princely state of J&K. Together, they became part of India in 1947. The way the British conceptualised the North-Eastern region of India and Ladakh continued even post-independence; the colonial masters termed these regions as 'Mongolian Fringe', and such perception remained crucial for Indian Union policies towards Ladakh and the North-Eastern States of India.

Due to the raised religious tensions, Ladakh was divided into two districts in 1979; the Buddhist majority region was defined as Leh and the Muslim majority region as Kargil, a decade after Ladakh was also granted the Autonomous Hill Development Council.

The Contemporary Issue

Civil society groups in Ladakh have been protesting certain special rights that need to be preserved in the newly formed Union Territory (UT) for the last two to three years. The prominent face of the recent aspirational upsurge in Ladakh, Sonam Wangchuk, argued in its various social media presentations that the region is more vulnerable than ever because the area is open for 'development' in the absence of Article 370. This might result in irrational damage to its natural environmental and cultural heritage. Post 370, the Union government of India constituted a high- power committee to ensure that the employment and the land rights of the people of Ladakh be preserved. Even in 2019, the National Commission for the Scheduled Tribes, in its recommendations, has suggested the implementation of Ladakh in the Sixth Schedule on the ground that the majority of the population of Ladakh is tribal, and it also holds a distinct cultural and regional identity. The Commission also suggested that under the Sixth Schedule, the Ladakh region will be able to promote their tribal culture along with the protection of agrarian rights and land rights, the sixth schedule will also help the region in the devolution of Power more democratically, and the funds can be transferred more swiftly from Union government to the region of Ladakh. They will lead its smooth development along with employment generation.

The real dilemma of the date is that for a long time, Ladakhi were agitating for the UT status, and now they have it. Still, the special constitutional shield used to protect the region from outside interference has gone with the recent development. Hence, the people of Ladakh have started a movement for the implementation of the Sixth Schedule to protect their Social, Cultural, ethnic- linguistic tribal and environmental identities.

In terms of distribution of the tribal population of Ladakh, more than 97 % per cent of the population belongs to the Schedule Tribe category; the prominent tribes of the region include Garra, Mon, Purigpa, Balti, Beda, Bot, Boto, Brokpa, Drokpa, Dard, Shin, Changpa tribal communities. In terms of distribution of Tribal population region, the Leh region has 66.8 %, Nubra has 73.35 %, Khalsti 97.05%, Kargil 83.49 %, Sanku 89.96 %, and Zaskar region has 99.16% of the tribal

population (excluding the Muslim tribal population of the area). (NCST Writes to Union Home Minister & Union Tribal Affairs Minister Conveying Its Recommendation to Include Union Territory of Ladakh under 6th Schedule of Constitution of India, n.d.2024) With the government's intervention in 2020, the Ladakh Autonomous Hill Development Council, Leh (LAHDC) passed the resolution with an option formula, either sixth Schedule, Article 371 or a law with domicile status. However, later in the same, the Leh District president of BJP signed and passed the resolution unanimously to Vith LAHDC, Leh, to boycott the election till the implementation of the Sixth Schedule like the Bodo Territorial Council. The government's reluctance to include Ladakh in the Sixth Schedule is because this constitutional protection is not extended to the entire State or the Union territory, but only part of it.

5. CRITICAL ANALYSIS AND CONCLUSION

Recently, on March 6, 2024, hundreds of civil society members in Leh joined the mega protest for the demand of implementation of the Sixth Schedule in Ladakh after the latest-various round of negotiations with the union government had failed. Ladakh's activist Sonam Wangchuk launched his 21-day fast unto death for the demands related to the preservation of tribal identity (Staff, 2024). Similarly, the BAP (Bhartiya Adivasi Party) has increased the pace of their election rally and tribal voters' mobilisation for the 2024 Lok Sabha election.

The references to these two incidents at different places in India suggest that tribes from Ladakh and Rajasthan might be protesting at the entirely different geo-political setup, and their methodology of protest might also be very diverse from each other. Still, they both tell the story that tribes in the contemporary federal polity of India are much more conscious and aware of their legal, constitutional and political rights. They no longer required the support of mainstream non-tribal political parties and other organisations, and even though they had received very little attention from the print and electronic media, these new tribal movements were strong enough to place their demand. Interestingly, this new tribal movement also holds a constitutional character; for instance, the tribal political parties in Rajasthan are demanding the better implementation of the Fifth Schedule of the Constitution, while the tribal protests in Ladakh are demanding the implementation of the Sixth Schedule of the Constitution. As discussed in the first portion of the paper, both the Fifth and Sixth Schedule of the Indian Constitution deal with the tribal-orientated administration within the existing federal units of the country, with extraordinary power given to the Governor of the state to maintain the direct and autonomous administration in the tribal region.

The future federal polity of India will decide the fate of these two different and yet similar tribal aspirations. Still, with their new methods of mobilisation, they were successfully able to bring this tribal aspiration into the mainstream polity of India. This suggests that India is witnessing the democratic upsurge of Tribal polity with the intention to restructure India's already asymmetrical federal discourse. Here, asymmetries should be seen as the core aspect of India's plural democratic polity.

CONFLICT OF INTERESTS

None.

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