

## Scheduled and Tribal Areas

### Schedule & Tribal Areas – Fifth Schedule and Sixth Schedule of the Constitution

The two schedules entail the details about the control and management of the Scheduled and Tribal Areas:

Fifth Schedule of the Indian Constitution	Sixth Schedule of the Indian Constitution
<p>The provisions regarding the administration and control of Scheduled and Tribal Areas of any state except the four states are mentioned under this schedule:</p> <ul style="list-style-type: none"><li>• Assam</li><li>• Meghalaya</li><li>• Tripura</li><li>• Mizoram</li></ul>	<p>This schedule deals with the administration and control of the scheduled and tribal areas of the four states of the northeast, that are excluded in the fifth schedule:</p> <ul style="list-style-type: none"><li>• Assam</li><li>• Meghalaya</li><li>• Tripura</li><li>• Mizoram</li></ul>

Read about all the [Schedules of the Indian Constitution](#) in the linked article.

### Article 244 and Article 244 A of the Indian Constitution

The Scheduled and Tribal Areas are dealt with two articles:

Article 244	Article 244 A
<p>This article deals with the administration of the Scheduled and Tribal Areas</p>	<p>This article deals with the formation of an autonomous state that comprises certain tribal areas of Assam and having a council of ministers therefore</p>

Note: Article 339 of the Indian Constitution mentions the Union government's control over the Scheduled Areas administration and welfare of the Scheduled Tribes

Read about the [important articles of the Indian Constitution](#) in the linked article.

### Definition of Scheduled and Tribal Areas

The areas inhabited by the socially and educationally backward 'Aboriginals' are called Scheduled Areas.

## Quick Facts about Scheduled Areas

1. Part 10 of the Indian Constitution entails the provisions related to Scheduled and Tribal Areas with Articles 244 – 244 A.
2. President is empowered to declare an area as Scheduled Area
3. With the consultation of the governor of the state, the President can alter, add, diminish the boundary of a Scheduled Area
4. Both the Centre and the State have their roles to play in the administration of the Scheduled areas. While the governor of the state has to report annually to the President over the management of such area, the Centre gives directions to the state regarding the administration of such areas.
5. A tribal advisory council is a must for the states having scheduled areas
  - It has 20 members (Three-Fourth of which are Scheduled Tribes' representatives in that state legislative assembly.)
6. The power to decide whether any central or state legislation implies over the state having scheduled areas, lies in the hands of the Governor.
7. Governor can also repeal or amend any regulations w.r.t to the state having scheduled areas but only with the assent of the President of India
8. The first commission to report on the administration and welfare of the Scheduled Areas was established in 1960 and was headed by UN Dhebar
9. There are 10 states having 5th scheduled areas:
  - Andhra Pradesh
  - Chhattisgarh
  - Gujarat
  - Himachal Pradesh
  - Jharkhand
  - Madhya Pradesh
  - Maharashtra
  - Odisha
  - Rajasthan and
  - Telangana
10. Criteria for the declaration of the Scheduled Area:
  - Prominent numbers of tribal population, i.e. when tribal people are in majority in an area
  - Compactness and reasonable size of the area
  - A viable administrative entity such as a district, block or taluk, and
  - Economic backwardness of the area as compared to the neighbouring areas.

## Quick Facts about Tribal Areas

1. Sixth Schedule mentions the provisions related to the tribal areas of the four states – Assam, Meghalaya, Tripura and Mizoram

2. Sizeable amount of autonomy has been given to the people belonging to the tribal areas of these four states to govern themselves
3. The tribal areas in these four states come under the name of 'Autonomous Districts,' but the state still has its executive authority over them
4. The power to organise and reorganise the tribal areas as autonomous districts lie with the governor of the state. He can also alter the name, boundary of such tribal areas.
5. One autonomous district can have different tribes, which for better administration is divided into autonomous regions by the governor
6. There is a district council for each autonomous district:
  - It has 30 members
    - Four are nominated by the governor – They perform their duties during the pleasure of the governor
    - 26 are elected using the adult franchise – Their term of office is five years.
7. There is a separate regional council for each autonomous district
8. The laws related to the following can be made by the regional and autonomous councils with the assent of the governor:
  - Land
  - Forests
  - Canal water
  - Shifting cultivation
  - Village administration
  - Inheritance of property
  - Marriage and divorce
  - Social customs
9. The territorial jurisdictions of autonomous and regional councils may or may not have village councils and courts of trials of suits to mend issues rising between tribes. Such cases can also be taken over by the High Court but only after being specified by the governor.
10. The central and state acts do not apply to these autonomous and regional councils (unless modified and accepted.)
11. The tribal areas in the four states are given below:

<b>Assam</b>	<ul style="list-style-type: none"><li>• North Cachar Hills District</li><li>• The Karbi Anglong District</li><li>• The Bodoland Territorial Areas District</li></ul>
<b>Meghalaya</b>	<ul style="list-style-type: none"><li>• Khasi Hills District</li><li>• Jaintia Hills District</li><li>• The Garo Hills District</li></ul>

<b>Tripura</b>	Tripura Tribal Areas District
<b>Mizoram</b>	<ul style="list-style-type: none"><li>• The Chakma District</li><li>• The Mara District</li><li>• The Lai District</li></ul>

Candidates reading, 'Scheduled and Tribal Areas,' are suggested to also read the following topics:

<a href="#">National Commission for Scheduled Castes</a>	<a href="#">National Commission for Scheduled Tribes</a>
<a href="#">National Commission for Backward Classes</a>	<a href="#">Important Amendments in the Indian Constitution</a>

## Frequently Asked Questions on Scheduled and Tribal Areas

### Q 1. What is the difference between Scheduled Areas and Tribal Areas?

Ans. Scheduled Areas as such areas as the President may by order declare to be Scheduled Areas after consultation with the Governor of that State. Whereas, those areas in the States of Assam, Meghalaya, Tripura and Mizoram which provide for District or Regional Autonomous Councils for such areas are called Tribal Areas.

### Q 2. Scheduled and Tribal areas are defined under which article of the Indian Constitution?

Ans. The Fifth Schedule under Article 244(1) of Constitution defines Scheduled Areas. On the other hand, the Sixth Schedule under Article 244 (2) of the Constitution defines Tribal areas.

### Q 3. What are the criteria for declaring a Scheduled Area?

Ans. Given below are the criteria which are used to declare an area as a Scheduled Area:

- The preponderance of tribal population
- Compactness and reasonable size of the area
- A viable administrative entity such as a district, block or taluk
- Economic backwardness of the area as compared to the neighbouring areas

### Q 4. Which are the four Indian states with tribal areas?

Ans. Assam, Meghalaya, Tripura and Mizoram are the four Indian states with tribal areas.