

Autonomous District Councils in Manipur

Why in news?

The Manipur State has proposed the Centre to give more autonomy to the existing autonomous hill councils in solving the ongoing [conflict in Manipur](#).

What is Autonomous District Council?

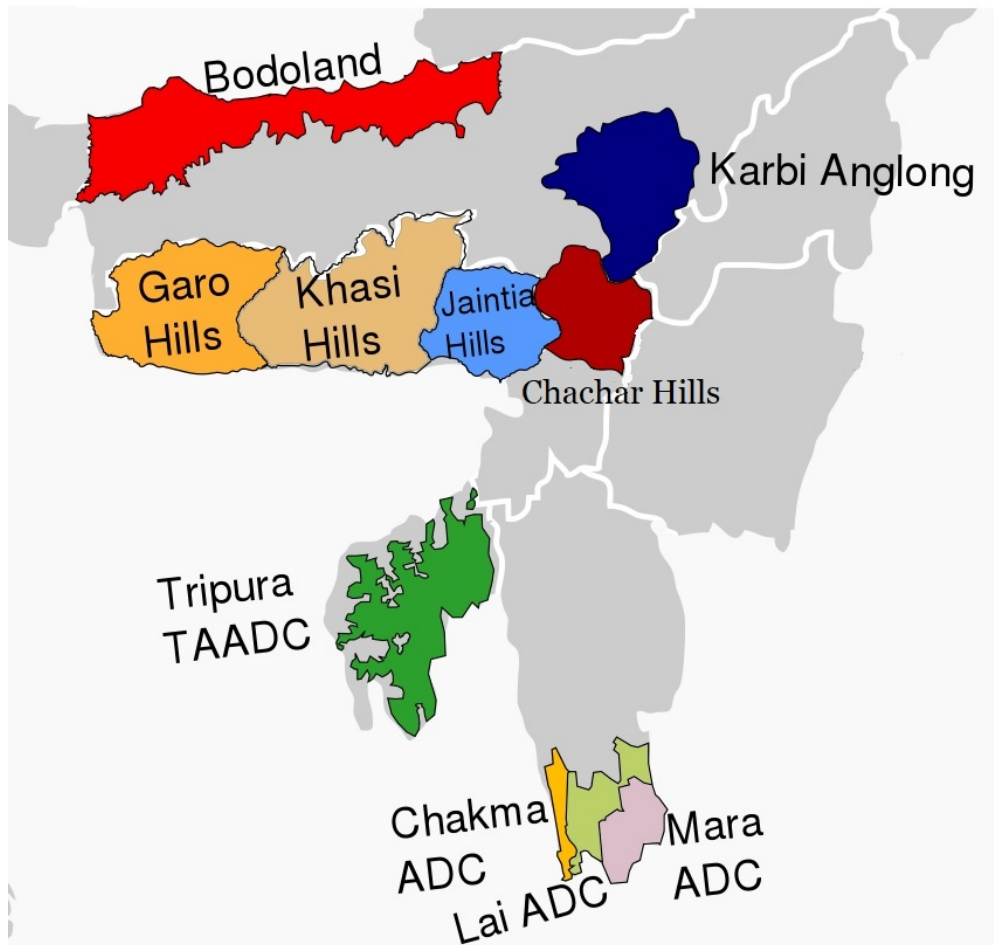
Pre-Independence

- **Colonial rule**- When the British took over the-then Assam, their imposition of formal laws on the land was resisted ferociously by tribal populations living in the hills, who had their own customary laws.
- **Government of India Act 1935**- To avoid confrontation the British divided the hill regions of Assam into “excluded” and “partially excluded” areas as they were only interested in economic exploitation of the region.
- **Limitations**- In these areas, federal or provincial laws would not apply until the Governor felt they were needed for peace and development.
- **Aim**- To allow tribal populations to govern themselves.

Post-Independence

- **Bardoloi committee**- It recommended to adopt GoI Act 1935 with improvements into the Sixth Schedule of the Constitution.
- It had recommended creation of autonomous district councils (ADCs) in the 6 hill districts of Assam.
- The Committee recommended creation of regional councils under ADCs to cater to the needs of minor tribes in the jurisdiction of those ADCs.
- **Sixth Schedule**- It contains provisions related to the administration of tribal areas in the states of *Assam, Meghalaya, Tripura and Mizoram*.
 - Currently, there are 10 ADCs under the Sixth Schedule in the North East.

AUTONOMOUS DISTRICT COUNCILS



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| Assam | <ul style="list-style-type: none">• North Cachar Hills District• Karbi Anglong District• Bodoland Territorial Areas District |
| Meghalaya | <ul style="list-style-type: none">• Khasi Hills District• Jaintia Hills District• Garo Hills District |
| Mizoram | <ul style="list-style-type: none">• Chakma District• Mara District• Lai District |
| Tripura | <ul style="list-style-type: none">• Tripura Tribal Areas District |

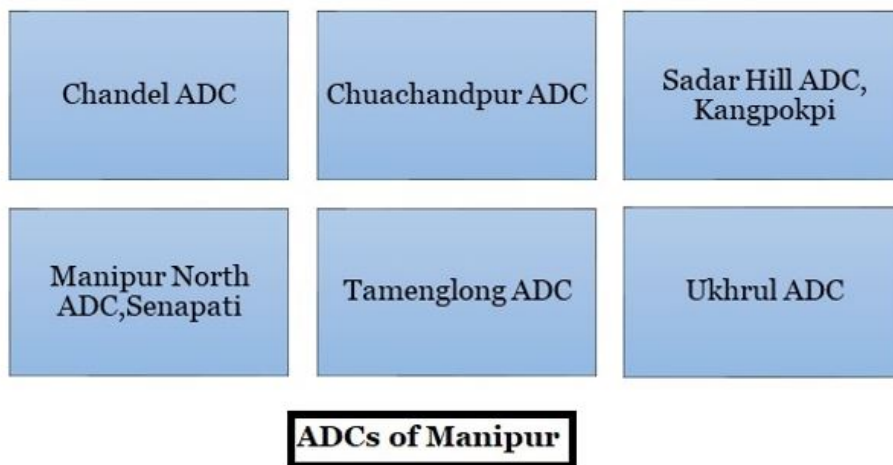
How was it adopted in the Constitution?

- **Article 244**- The Sixth Schedule was adopted under *Article 244* of the Constitution.
- It has the provisions for formation of autonomous administrative divisions within a state.
- **Autonomy**- The ADCs were granted certain legislative, judicial and administrative autonomy within the state.

- **Composition-** ADCs within a state have *30 members* with a term of *5 years*.
- **Powers-** It can make laws, rules and regulations with regard to land, forest, water, agriculture, village councils, health, sanitation, village and town level policing, inheritance of property, marriage and divorce, social customs, and mining, among other issues.
- They have the judicial power to form court to hear cases where
 - Both parties are members of Scheduled Tribes
 - Maximum sentence is less than 5 years in prison
- **Exception-** *The Bodoland Territorial Council in Assam* is an exception to this with more than 40 members and rights to make laws on 39 issues.
- **Purpose-** To protect the tribal life which was free from gender inequality, castesim and communalism, etc.

What is Manipur Hill Council?

- Manipur has *6 ADCs*, these came into existence in 1971 under an act of Parliament.



- **Colonial rule-** The hill areas of Manipur went through the same phase of governance division when the British took over the region in 1891.
- **Administration-** The Maharaja of Manipur had in 1939 agreed with the British to exclude the hill areas of the region from his direct control and governance.
- The demand for a separate administration for hill areas has been raised in the region since the early 1960s.
- **The Manipur (Hill Areas) District Council Act 1971-** It paved the way for creation of ADCs in Manipur's hill areas. At that time Manipur was a Union Territory.
- These regions constituted 90% of its geographical area, inhabited by tribes such as Nagas, Kukis, Zomis, Hmars, etc.
- **Aim-** To grant the hill people a chance at self-governance, protect their identity and culture, and to give them rights over the management of their resources.
- **Composition-** The councils are to have *not more than 18 members* who are to be elected.
- **Power-** They have the powers of taxation, maintenance of properties, allotment of land, management of forests, regulation of cultivation, and legislative authority on matters of marriage, inheritance, social customs and appointment of chiefs.

How Manipur ADCs differ from 6th Schedule?

| About | Manipur ADCs | 6 th Schedule ADCs |
|---|---|---|
| Power | They are dependent on the state assembly due to provision of the act. | They derive power from Article 244 of the Constitution. |
| Legislative powers | Their power is limited to personal matters of marriage, divorce and social customs | They have far wider legislative powers spanning several matters of governance |
| Financial powers | It is dependent on the state government for financial devolution. | They get central grants through the state |
| Role of Deputy Commissioner (DC) | Deputy Commissioner, is appointed by the state government. In almost all matters, the DC's decision is final unless overruled by the Governor. The DC can even dissolve the ADCs with the assent of the Governor. | They are not dependent on Deputy Commissioner |

How have the ADCs evolved in Manipur?

- **Inclusion in 6th schedule**- The tribals in Manipur have long agitated for inclusion in the Sixth Schedule, and thus, the creation of ADCs through a special Act was protested.
- **Boycott of elections**- Disappointed with the provisions and the alleged non-cooperation of the state government, the hill people boycotted the ADC elections between 1990 and 2010.
- **Haphazard amendments**- Attempts to bring amendments either fizzled out or were stalled in the Assembly.
- Since 2021, a Bill proposing amendments to grant more autonomy to the ADCs has not been introduced in the Assembly due to resistance from sections in the Valley.
- **Poor power devolution**- Many powers enshrined in the act were not devolved to the ADCs after Manipur became a state in 1972.
- **Ministry of Home Affairs (MHA)** - It said the ADCs in Manipur never functioned properly.
- It has been so disorganized and the budgetary allocation by the state has been so poor at times that some ADCs have not even been able to pay salaries.
- For all practical purposes, ADCs in Manipur are non-functional.

References

1. [Indian Express- What are Autonomous District Councils in Manipur](#)
2. [Manipur- Manipur Government Annexure](#)