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Ladakh Seeks Belonging Through Representation

 THE HINDU

22 May 2026

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INTERVIEW ANGLE



"If Ladakh is granted Sixth Schedule status, what specific constitutional powers would change for its tribal councils, and would the Centre's national-security control over a border UT be diluted?"

The creation of five new districts in Ladakh on April 27, 2026 is administrative decentralisation, not constitutional belonging. The MHA-Ladakh dialogue resumed on May 22 must move beyond district maps to the substantive demands of a legislative assembly, Sixth Schedule protections under Article 244, a separate Public Service Commission and enhanced Lok Sabha representation — the only architecture capable of safeguarding a tribal-majority Trans-Himalayan UT and its fragile ecology.

A NOTIFICATION THAT DOES NOT SETTLE THE QUESTION

On April 27, 2026, the Lieutenant Governor of Ladakh approved the notification of five new districts in the Union Territory — Sham, Nubra, Changthang, Zaskar and Drass — taking the total from two (Leh and Kargil) to seven. The notification, which followed the Ministry of Home Affairs' August 2024 approval, came weeks ahead of a renewed round of dialogue between the MHA and the joint Ladakhi leadership on May 22, 2026.

District-creation is a tool of administrative reach. It shortens travel to a deputy commissioner's office for a Changpa pastoralist in eastern Ladakh and it brings government services closer to Drass, the second-coldest inhabited place on earth. But it does not answer the political question Ladakh has been asking since October 31, 2019, when the Jammu and Kashmir Reorganisation Act, 2019 carved out Ladakh as a UT *without legislature* — the only tribal-majority UT in the country in that constitutional position.

From Article 370 to the LAB-KDA Charter

The abrogation of Article 370 in August 2019 was, initially, welcomed in Leh. Within a year, the celebration had turned to anxiety. The Leh Apex Body (LAB), drawn largely from the Buddhist-majority Leh district, and the Kargil Democratic Alliance (KDA), drawn from the Shia-majority Kargil district, came together — an unusual

cross-sectarian convergence — around a four-point charter:

- ❶ Statehood for Ladakh.
- ❷ Sixth Schedule protection under Article 244(2).
- ❸ A separate Public Service Commission and dedicated recruitment for Ladakhis.
- ❹ Enhanced Lok Sabha representation — at present the entire UT, spread over 59,000 sq km, returns a single Member of Parliament.

The climate activist and engineer Sonam Wangchuk’s 21-day fast in Leh in March 2024 brought national attention to this charter and reframed the issue from a regional grievance to a constitutional question.

WHAT SIXTH SCHEDULE COVER WOULD ACTUALLY MEAN

The Sixth Schedule, read with Articles 244(2) and 275(1), is presently applied to the tribal areas of Assam, Meghalaya, Tripura and Mizoram. It creates **Autonomous District Councils (ADCs)** with substantive powers — not symbolic ones.

FEATURE	SIXTH SCHEDULE ADCS	SCHEDULED AREAS	PRESENT LAHDC FRAMEWORK (LADAKH)
Constitutional source	Article 244(2), 275(1)	Article 244(1)	J&K Hill Areas Development Act, 1995 / 1997
Lawmaking power	Over land, forest (non-reserved), customs, marriage, inheritance	Governor regulates; no legislative council	None — executive devolution only
Judicial power	Village and district courts under ADC	Regular courts; Governor adapts laws	Regular courts
Protection of customary law	Statutory	Through Governor’s notification	Not protected
Revenue powers	Council can levy certain taxes	Limited	Limited

Ladakh’s two Autonomous Hill Development Councils — Leh (1995) and Kargil (1997) — function under State Acts inherited from undivided Jammu and Kashmir. Their powers are executive, not legislative; their land powers are advisory; and they enjoy no constitutional protection against being amended or wound down. The National Commission for Scheduled Tribes (NCST) recommended in 2019 that Ladakh be brought under the Sixth Schedule, citing the UT’s tribal demography — over 97 per cent — and its distinctive customary land tenure systems.

Article 371 — A Lesser Alternative

Some have suggested that Ladakh be granted special provisions analogous to Article 371 entries for north-eastern States. Article 371 protections are real but procedural — they limit how Parliament can legislate on land and customary law for a State. They do not create autonomous councils with lawmaking power. For a Union Territory without a legislature, an Article 371-type provision is even thinner: there is no State legislature whose powers are being preserved.

WHY DISTRICTS ARE NOT ENOUGH

The five new districts are organised around natural and cultural sub-regions that Ladakhis have long recognised:

- **Sham** — the lower Indus valley west of Leh, the agricultural belt.
- **Nubra** — north of Leh across Khardung La, opening to the Siachen sector.
- **Changthang** — the high-altitude plateau east of Leh, home to the Changpa pastoralists and the Pangong-Tso Moriri lake systems, abutting the LAC.
- **Zaskar** — south of Kargil, cut off by snow for six months each year.
- **Drass** — within Kargil, the Kargil War sector, the second-coldest inhabited place on earth.

Each carries cultural specificity. But none receives a new constitutional power. A district headquarters in Zaskar does not give the Zanskari council the right to protect customary inheritance, regulate land transfer to non-Ladakhis, or recognise village jurisdiction over forest use. Only Sixth Schedule cover, or statehood, can do that.

The Comparative UT Picture

UNION TERRITORY	LEGISLATURE	TRIBAL MAJORITY	SPECIAL CONSTITUTIONAL COVER
Delhi (NCT)	Yes (Art. 239AA; NCT Govt. Act 2023)	No	NCT-specific
Puducherry	Yes (Art. 239A)	No	Puducherry-specific
Jammu and Kashmir	Yes (post-2024 elections)	No	None
Ladakh	No	Yes (~97 per cent ST)	None
Andaman and Nicobar	No	Yes (specific islands)	Tribal reserves under PAT regulation, 1956
Lakshadweep	No	Yes	Scheduled Tribe protections
Chandigarh	No	No	None
Dadra and Nagar Haveli, Daman and Diu	No	Partial	Local Acts

Ladakh is the only tribal-majority UT without a legislature *and* without Sixth Schedule cover — a constitutional anomaly the 2026 dialogue must resolve.

ECOLOGY, SECURITY AND BELONGING

Ladakh is not only a polity; it is an ecosystem. The Pangong Tso, Tso Moriri and Tso Kar are brackish high-altitude lakes that host the bar-headed goose and the black-necked crane. The snow leopard, Himalayan ibex, Tibetan antelope and the kiang (Tibetan wild ass) make Ladakh part of the Trans-Himalayan biogeographic zone. Cold deserts recover slowly from disturbance; unregulated tourism and industrial-scale land acquisition can be irreversible.

The Centre's apprehension about devolving powers in a border UT — Galwan in June 2020, the Pangong Tso disengagement, the Demchok face-off — is legitimate. But Sixth Schedule cover does not divest the Union of its responsibilities over defence, foreign affairs and public order. The model can be calibrated: ADC powers over land, customs and forest; the Union retaining defence acquisitions and strategic infrastructure through standing exceptions, as in north-eastern States.

UPSC MAINS ANALYSIS

GS Paper 2 – Polity and Governance. Ladakh raises three interlocking questions: (a) whether Indian federalism can accommodate a tribal-majority UT through Sixth Schedule cover; (b) how Article 244 protections interact with strategic imperatives on a contested border; © whether the absence of a legislative assembly in a tribal UT is constitutionally sustainable. The case sharpens the larger debate on UT governance — Delhi (Art. 239AA), Puducherry (Art. 239A) and J&K all have legislatures; Ladakh does not.

GS Paper 1 – Indian Society and Geography. The Trans-Himalayan tribal society of Ladakh — Buddhist, Shia Muslim, Sunni Muslim, with distinct customary land tenure — is a case study in how geography shapes society. Cold deserts, glaciated valleys, and lake basins create economies (pastoralism, agriculture, tourism) that demand locally accountable governance.

Conceptual bridge. The Ladakh debate is best understood as a question of *constitutional belonging*: a community feels secure not only when administration is efficient, but when it knows that its land, language and customary practices are protected by law that it has a hand in making.

Districts are drawn on maps; belonging is drawn in the Constitution. The MHA-Ladakh dialogue of May 22, 2026 will be judged not by how many new headquarters were notified in April, but by whether the elected assembly, the Sixth Schedule cover and the additional Lok Sabha seat finally arrive — together.

Sources: [The Hindu](#), [PRS](#), [PIB](#)

• KEY ARGUMENTS AT A GLANCE

Five new districts in Ladakh notified on April 27, 2026 represent administrative decentralisation; they do not substitute for the constitutional belonging that an elected legislature, Sixth Schedule cover and enhanced parliamentary representation alone can offer to a tribal-majority Trans-Himalayan border UT.

✓ SUPPORTING

- Ladakh became a UT without legislature on October 31, 2019 under the J&K Reorganisation Act, 2019, leaving its 97 per cent tribal population without an elected lawmaking forum.
- The joint charter of the Leh Apex Body and Kargil Democratic Alliance demands statehood, Sixth Schedule status, an exclusive Public Service Commission and enhanced

Lok Sabha representation — not merely more districts.

- Sixth Schedule areas under Article 244(2) enjoy Autonomous District Councils with legislative, executive and judicial powers over land, forest, customs and inheritance — protections absent in the present LAHDC framework.
- The National Commission for Scheduled Tribes recommended Sixth Schedule inclusion for Ladakh in 2019; the fragile cold desert ecology and snow-leopard habitat require ecologically sensitive local governance.

COUNTER

The Centre argues that as a strategic border UT facing the LAC, Ladakh requires direct administrative control; granting an assembly or Sixth Schedule autonomy may complicate national security coordination and land acquisition for defence infrastructure.

WAY FORWARD

A negotiated constitutional package — statehood with carve-outs analogous to Telangana, Sixth Schedule cover via Article 244 amendment, devolved LAHDCs with full subject lists, and at least one additional Lok Sabha seat for Kargil — can balance belonging with border security.

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MAINS ANSWER FRAMEWORK

QUESTION

Critically examine the constitutional and political case for extending Sixth Schedule protections to the Union Territory of Ladakh. How can tribal autonomy be reconciled with the strategic imperatives of a border region? (250 words)

INTRODUCTION

The Centre's notification of five new districts in Ladakh — Sham, Nubra, Changthang, Zaskar and Drass — on April 27, 2026, ahead of resumed MHA-Ladakh dialogue, has reopened the constitutional question first raised when Ladakh became a Union Territory without legislature under the Jammu and

Kashmir Reorganisation Act, 2019. Decentralisation through districts is welcome; but it does not address the political vacuum at the heart of Ladakhi demands.

BODY

The Leh Apex Body and Kargil Democratic Alliance, in a rare cross-religious convergence, have placed four demands on the table: statehood, Sixth Schedule protection under Article 244(2), a separate Public Service Commission, and enhanced Lok Sabha representation. Sixth Schedule cover, applied currently to tribal areas of Assam, Meghalaya, Tripura and Mizoram, would create Autonomous District Councils with legislative powers over land, forest, customs, marriage and inheritance — substantive protections for a UT where over 97 per cent of residents are Scheduled Tribes.

The Ladakh Autonomous Hill Development Councils of Leh (1995) and Kargil (1997) operate under State Acts with limited powers and no statutory protection of customary law. The fragile Trans-Himalayan ecology — Pangong Tso, Tso Moriri, snow leopard habitats — and proximity to a contested LAC make ecologically sensitive, locally accountable governance not a luxury but a necessity.

The Centre's concern that legislative devolution may complicate strategic coordination is genuine but not insurmountable: Article 371 special provisions in north-eastern States, and the Delhi NCT Government Act, 2023, show that the Union can retain control over public order and land where required while permitting representative governance.

CONCLUSION

Districts alone cannot heal a sense of political exclusion. A calibrated package combining Sixth Schedule cover, a phased path to statehood, and at least one additional Lok Sabha seat would convert administrative decentralisation into constitutional belonging — a transition Ladakh's people have asked for, peacefully, since 2019.

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