

# Autonomies and Self- Government in India

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# Broad Features of Governing System

- India as union of states has three broad structures of governance
- Central/Union
- State ( product of sub-national aspiration and result of movements)
- Local Self-government ( urban and Rural)

# Indigenous People and Forms of Autonomy and Self-government

- Struggle for autonomy by the Indigenous People dating to colonial period ( Nagaland for sovereign state; Jharkhand for state within India )
- Others especially in Northeast India were apprehensive of their identity and interest in independent India.
- creation of Autonomous District Council under 6<sup>th</sup> schedule of the constitution ( legislative, executive and judicial power on specified subjects in the schedule) in 5 hill districts . Today 10 such councils .
- Elevating Autonomous District Councils to states. In all 5 states; 4 in Northeast and 1 in Central India (indigenous for name's sake). Creation of states and new autonomous councils in Tripura and Bodoland in Assam result of movement.

# Other Forms Autonomous structure and Self-Government

- Autonomous Councils under state laws( Assam and Manipur), only executive power.
- Autonomous power vested in the executive of the state ( 5<sup>th</sup> schedule of the constitution). Governor of the state as custodian of Indigenous People and mandated under the constitution to protect them. 5<sup>th</sup> schedule areas in 10 states.
- Gram Sabha ( Village Assembly ) under Provisions of Panchayat ( Extension to Schedule Areas) Act 1996.

# Constraints in the Functioning of Autonomous Structure other than states

- Affected by the larger cleavages and politics in the state where indigenous people form minority.
- Legislative, executive and judicial power on limited range of subjects
- Inadequate raising of revenue , hence dependence on state for financial support for development activities . Such dependence had bearing on the functioning of autonomous institution
- Framing laws and rules without consultation with people at the grassroots and the traditional institutions of governance
- In case of other structures of self-government, autonomy is notional and symbolic.

# Emerging Issues for Discussion

- Autonomy and self-government has layers of meanings and structure of governance. It needs clearer conceptualization and articulation.
- What may be the minimum that an autonomous structure and self-government must have?
- The cleavage between indigenous peoples and non-indigenous at the state level is acute. Hence well-meaning acts passed in parliament are diluted through amendment and modification. The Indigenous people find themselves divided alongside the state thereby hindering greater solidarity of the Indigenous People.
- Non-Indigenous on the whole are opposed to any form autonomy for indigenous and create obstacles for its functioning.

# Contd.

- What may be structure of autonomy and self-governance? Indigenous Traditional Structure and its formal recognition or new structure of autonomy created by the state
- If the latter, what may be the unit of autonomous structure -specific indigenous group or agglomeration of indigenous groups living in contiguous territory.
- Blending of statutory autonomous institutions with traditional institutions. Presently do not formally recognize the traditional institution and take decisions without consulting them.
- Autonomous structure may be thought of both in terms of change and traditions keeping in mind the structure of inequality in tradition such as gender inequality and aspirational needs of the people .
- Nature and types of autonomy and self-governance in urban context