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Q5(e)

Role of Governor in Fifth Schedule Areas.

UPSC Civil Services Mains 2015 · Anthropology GS 2 · 10 marks · History of administration of tribal areas, tribal policies, plans, programmes of tribal development and their implementation. The concept of PTGs (Primitive...

9.1 History of administration of tribal areas, tribal policies, plans, programmes of tribal development and their implementation. The concept of PTGs (Primitive Tribal Groups), their distribution, special programmes for their development. Role of N.G.O.s in tribal development.

Core demand of the question

- Write a note on Role of Governor in **Fifth Schedule** Areas
- Keep the note to a 10-mark length of about 150 words

Revision summary

The **Fifth Schedule** gives the Governor special law and land powers in Scheduled Areas.

A **Tribes Advisory Council** and a report to the President are mandatory tools.

The aim is to stop tribal land alienation.

In practice the powers are under-used.

PESA and FRA still need that gubernatorial watch.

Introduction

In **Fifth Schedule** areas the Governor is not a ceremonial copy of the state Governor elsewhere. The Schedule gives special legislative and reporting duties for tribal protection.

Body**Powers on paper**

- The Governor may restrict or modify central and state laws in Scheduled Areas, especially on **land and money-lending**.
- A **Tribes Advisory Council** must be consulted. Annual reports go to the President.
- These tools are the constitutional brake on land alienation that **Article 244** promised.

Practice

- Most Governors rarely use the law-making power. State cabinets still drive mines and acquisition.
- **PESA** and **FRA** need the Governor's watch if gram sabhas are ignored.
- **The role is therefore a dormant shield:** strong in the text, weak unless politically invoked.

Flow diagram

Governor -> Modify laws land credit

Governor -> Tribes Advisory Council

Governor -> Report to President

Conclusion

The **Fifth Schedule** Governor is the Union's tribal trustee in Scheduled Areas. The office matters when it actually restricts harmful law and land transfer.

Facts & figures

Article 244

Applies the **Fifth Schedule** to Scheduled Areas in listed states.

Tribes Advisory Council

Body the Governor must consult on Scheduled Area administration.

Land and money-lending

Core subjects on which the Governor may restrict ordinary law.

Presidential report

Annual account of Scheduled Area administration by the Governor.

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