

WRAP Exams · wrapexams.com

Prelims PYQ, Mains model answers, and copy evaluation. Write to the desk for this paper, a doubt, or the AI waitlist.

ask@wrapexams.com · +91 85951 84903 · wrapexams.com

Q5(d)

Role of the Governor in the Fifth Schedule areas

UPSC Civil Services Mains 2022 · 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 the role of the Governor in the **Fifth Schedule** areas
- Keep the note to a 10-mark length of about 150 words

Revision summary

The Governor is the **Fifth Schedule**'s special law-maker for Scheduled Areas.

Regulations may cover land, allotment, and money-lending after TAC consultation.

PESA adds Gram Sabha but does not delete the Governor's scale.

Samata showed what land rules can do; **Xaxa** showed weak use.

Paper power exceeds political practice.

Introduction

The Governor is the constitutional hinge of the **Fifth Schedule**. The office can make special law for Scheduled Areas and must work with a **Tribes Advisory Council**.

Body**What the Schedule gives**

- **Article 244(1)** and the **Fifth Schedule** apply to notified tribal tracts outside the four **Sixth Schedule** states.
- The Governor may make **regulations** for peace and good government, including land transfer, allotment, and money-lending, even if they alter an Act of Parliament for that area.
- A **Tribes Advisory Council** must be constituted. The Governor is to consult it on such regulations.

What practice shows

- **PESA, 1996**, after the **Bhuria Committee**, added Gram Sabha powers, but the Governor remains the regulation-maker at state scale.
- **Samata** (1997) used Scheduled Area land rules against some mining leases. Governors did not always convert that judgment into tight regulations.
- The **Xaxa Committee** found weak TAC advice and rare use of the regulation power. Discretion exists on paper more than in weekly government.

Limit

- The Governor is still a Union appointee in a partisan state field. Role and political will are not the same thing.

Flow diagram

Governor -> Fifth Schedule regulations

Governor -> Tribes Advisory Council

Fifth Schedule regulations -> Land money-lending peace

Conclusion

In **Fifth Schedule** areas the Governor can shield land and peace through regulations and TAC advice. The role is large in the text and often small in use.

Facts & figures

Fifth Schedule

Constitutional scheme for Scheduled Areas, with the Governor as regulation-maker.

Tribes Advisory Council

Body the state must set up; the Governor is to consult it on regulations.

PESA 1996

Extends panchayats to Scheduled Areas and names Gram Sabha resource powers.

Xaxa Committee

Recorded that Governors rarely use the full **Fifth Schedule** regulation power.

WRAP Exams · Write. Read. Analyse. Practice. ·

<https://wrapexams.com/upsc/mains-answers/anthropology-gs-2/2022/role-of-the-governor-in-the-fifth-schedule-areas/> ·
ask@wrapexams.com · wrapexams.com