

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(a)

Scheduled areas

UPSC Civil Services Mains 2023 · Anthropology GS 2 · 10 marks · Evolution of the Indian Culture and Civilization

1.1 Evolution of the Indian Culture and Civilization-Prehistoric (Palaeolithic, Mesolithic, Neolithic and Neolithic-Chalcolithic), Protohistoric (Indus Civilization). Pre-Harappan, Harappan and post-Harappan cultures. Contributions of the tribal cultures to Indian civilization.

Core demand of the question

- Write a note on Scheduled Areas
- State the constitutional basis, geography, and administration
- Distinguish Fifth and Sixth Schedule devices
- Keep the note within a 10-mark length

Revision summary

Scheduled Areas are Fifth Schedule territories notified for tribal protection under Article 244.

The Governor, Tribes Advisory Council, and land regulations are the core devices.

PESA 1996 tries to put Gram Sabha at the centre of local resources.

They are distinct from Sixth Schedule autonomous councils in four North-Eastern states.

Samata and Xaxa show the gap between paper protection and mining practice.

Introduction

Scheduled Areas are territories listed under the Fifth Schedule of the Constitution because they have a large tribal population and a history of distinct land and custom. They are a protective geography inside the states, not a separate country.

Body**Constitutional basis**

- Article 244(1) and the Fifth Schedule provide for Scheduled Areas in states other than the four Sixth Schedule states of Assam, Meghalaya, Tripura, and Mizoram.
- The President notifies and can re-schedule areas. A Tribes Advisory Council must be set up; the Governor may make regulations for peace and good government, including land transfer.
- PESA, 1996, after the Bhuria Committee, extends panchayats to these areas and names Gram Sabha powers over land, minor forest produce, and intoxicants.

Where they are

- Large blocks sit in Gujarat, Rajasthan, Maharashtra, Madhya Pradesh, Chhattisgarh, Jharkhand, Odisha, Andhra Pradesh, Telangana, Himachal Pradesh, and smaller pockets elsewhere as notified.

- They are not identical with every ST hamlet. Many tribal people live outside Scheduled Areas and lose this extra shield.

How they differ from the **Sixth Schedule**

- **Sixth Schedule** uses **Autonomous District Councils** in parts of the North-East.
- **Fifth Schedule** uses Governor, TAC, and now PESA Gram Sabha. **Samata** (1997) restricted transfer of tribal land in Scheduled Areas, including some mining leases.

Limit

- Notification lags settlement. Mining and dams often proceed while TAC advice is weak, as the **Xaxa Committee** recorded.

Flow diagram

Article 244 -> Fifth Schedule

Fifth Schedule -> Governor TAC regulations

Fifth Schedule -> PESA Gram Sabha

Fifth Schedule -> Land transfer limits

Conclusion

Scheduled Areas are **Fifth Schedule** tribal territories with special land and governance rules. PESA and Samata are the living tests. They protect only the notified map, not every Adivasi household.

Facts & figures

Article 244(1)

Applies the **Fifth Schedule** to Scheduled Areas in states other than Assam, Meghalaya, Tripura, and Mizoram.

Tribes Advisory Council

Fifth Schedule body that the state must constitute to advise on tribal welfare in Scheduled Areas.

PESA 1996

Panchayats (Extension to Scheduled Areas) Act that names Gram Sabha powers in **Fifth Schedule** areas.

Samata 1997

Supreme Court ruling restricting transfer of tribal land in Scheduled Areas to non-tribals, including certain mining leases.

Bhuria Committee

Recommended tribal self-rule that shaped PESA.

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

<https://wrapexams.com/upsc/mains-answers/anthropology-gs-2/2023/scheduled-areas/> · ask@wrapexams.com · wrapexams.com

WRAP Exams