

**Sixth Schedule Provisions and a case for Statehood.
Draft framework for Ladakh**

(A Sui Generis Model for Protected Statehood and Sixth Schedule)

Submitted by:-

**The leaders of the Apex Body Leh and Kargil Democratic Alliance.
On behalf of the people of Ladakh.**

Place:- Ladakh

Date:- 14th November 2025.

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BACKGROUND NOTE AND CONTEXT OF DEMAND FOR STATEHOOD AND SIXTH SCHEDULE.

The talks between the Apex Body and the Kargil Democratic Alliance with the Home Ministry have entered their fourth year, and in the many deliberations we have had so far, the Ministry has been largely accommodating and sensitive to the aspirations and concerns of the people of Ladakh. We are grateful to the Home Ministry for these initiatives.

In the meeting held on 27 May 2025, a significant understanding was reached on the issue of employment in Ladakh and the domicile law that shall be applicable for the jobs. It was agreed upon in the meeting that the eligibility cap for a person from outside of Ladakh to qualify for domicile, for the *limited purpose* of employment, would be 15 years of continuous residence in Ladakh. It was ensured that the period for the domicile would be applied prospectively from the year 2019 and for the purposes of employment *only*.

Following this consensus, the recruitments in Ladakh for the gazetted posts have begun, and for this we express our gratitude to the Home Ministry. The issue of employment for our youth which has lingered on for more than 5 years, was one of our four key agendas. It was also promised in the meeting by the Home Ministry that the next round of talks would be convened within a month. However, no such meeting was announced thereafter, and the prolonged silence led to widespread disappointment and concern among the people of Ladakh, compelling them to hold several peaceful protests in Leh and Kargil.

Tragically, however, on the 24th of September, an unfortunate and deeply distressing incident took place in which four Ladakhi young men lost their lives and more than 60 were injured, several of whom were critical. In the aftermath of the incident, more than 70 people were arrested on various charges, including several youth leaders from the Apex body, various religious organisations and other parties.

The killings that took place on the 24th of September and the various statements questioning the very integrity and nationalism of the Ladakhis by the Ladakh UT administration have caused deep anguish and mistrust among the people of Ladakh and as representatives of the people, we come to this meeting with a heavy sense of responsibility and renewed expectations.

We appreciate the announcement of the Judicial Inquiry headed by a Supreme Court Judge into the incident on the 24th of September, and we hope that the Home Ministry will approach the demand for statehood and sixth schedule with seriousness and urgency.

In light of the last meeting we have had between the Sub Committee of the Apex and KDA and the Home Ministry, we submit the draft for Statehood and Sixth Schedule.

General Amnesty to Sonam Wangchuk and all other detainees.

The people of Ladakh, for the last five years have consistently expressed their demands and aspirations within the four corners of the Constitution of India, and the people have demonstrated and manifested their faith in democratic and nonviolent methods of public engagement. What transpired on the 24th September 2025, and the subsequent events, is unprecedented in a place like Ladakh, and those incidents have shaken the fabric of the people. Keeping in consideration the conduct of the Ladakhis for the last many years and their peaceful means of protest, it is therefore important to release all the persons detained in connection with those activities and withdraw the cases against them unconditionally.

In order for the talks to go further in a smooth manner an unconditional withdrawal of all the cases against **Sonam Wangchuk** and his immediate release. The extension of such a general amnesty would serve as a huge confidence-building measure that would reinforce the spirit of dialogue and mutual trust between the people of Ladakh and the government of India.

Such a gesture would also be in keeping with India's long democratic tradition of reconciliation and goodwill. The Government of India has, in the past, adopted similar approaches in the North-east as well as in Jammu and Kashmir, where the withdrawal of cases and release of detainees played a pivotal role in restoring normalcy and strengthening public confidence in the Union's intentions. Such a healing hand approach in the case of Ladakh shall ensure that Ladakh always remains the peaceful place it has been known for in the Country as well as the sub-continent

A CASE FOR THE STATEHOOD FOR LADAKH WITH PROETCTIONS UNDER PART XXI AND ARTICLE 371 OF THE CONSTITUTION OF INDIA.

Historical Precedence

Ladakh has been a part of the state of Jammu and Kashmir, and has had representation in not just the state's assembly and council, but also was a party to the constituent assembly with Kushok Bakula Rinpoche and Syed Ibrahim Shah as members of the drafting committee. However, Ladakh has now become the only state that has been demoted to a Union Territory. And after the Reorganisation Act of 2019, the central government has assured statehood for J&K, while Ladakh continues to be a Union Territory, that too without a Legislature. This situation has created a deep sense of disappointment among the people of Ladakh who have lost their voice in the new set-up and feel disenfranchised.

Political Representation and Governance

In the last 20 years, since the autonomous councils were formed, Ladakh has proved that the elected bodies can function well and in the interest of the people. There is enough study to demonstrate that the Hill Councils in Ladakh have been one of the most honest and efficient institutions compared to many other councils. Therefore, there is already a case in favour of Ladakh that the elected representatives can run the government efficiently, honestly and within the spirit of the constitution of India. Granting statehood and an assembly shall strengthen democratic governance and encourage more local, inclusive participation. The formation of the new districts has also made it more imperative to have a legislative body that represents all the regions of Ladakh under one roof.

Strategic and National Importance

Ladakh is one of the strategic areas with immense importance for the nation and the Indian Army and the people of Ladakh have always proven to be its great protectors and custodians. The camaraderie between the people of Ladakh and the Army has always played a significant role in the security and stability of the region of Ladakh. The understanding of the locals of the harsh terrain and the geography of Ladakh has always proved helpful in the military and logistic operations, and empowering the locals further could prove more vital for internal security and peace in the region.

Geographical and Demographic Basis

Ladakh is a vast region with a unique and diverse population. Its geographical expanse and distinct socio-cultural identity justify a full-fledged state structure. There are several examples, such as

Sikkim and Mizoram, in the Country, wherein Union Territories have been upgraded to states, and therefore Ladakh, with its unique identity and history, holds all the qualifications to become a state.

THE STATE OF LADAKH ACT, 2025

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THE STATE OF LADAKH ACT

2025 ACT No. ____ OF

2025

[____th ____, 2025.]

An Act to provide for the establishment of the State of Ladakh and for matters connected therewith.

BE it enacted by Parliament in the Seventy-Fourth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. Short title.—This Act may be called the State of Ladakh Act, 2025.

2. Definitions.— In this Act, unless the context otherwise requires,—

(a) “Administrator” means the administrator appointed by the President under Article 239 of the Constitution;

(b) “appointed day” means the day which the Central Government may, by notification in the Official Gazette, appoint;

(c) “article” means an article of the Constitution;

(d) “Election Commission” means the Election Commission appointed by the President under Article 324;

(e) “existing Union territory of Ladakh” means the Union territory of Ladakh as existing immediately before the appointed day;

(f) “law” includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having, immediately before the appointed day, the force of law in the whole or any part of the existing Union territory of Ladakh;

(g) “sitting member”, in relation to either House of Parliament or of the Legislative Assembly of the existing Union territory of Ladakh, means a person who, immediately before the appointed day, is a member of that House or that Assembly;

(h) “treasury” includes a sub-treasury.

PART II

ESTABLISHMENT OF THE STATE OF LADAKH

3. Establishment of the State of Ladakh.— On and from the appointed day, there shall be established a new State, to be known as the State of Ladakh, comprising the territories which immediately before that day were comprised in the existing Union territory of Ladakh.

4. Amendment of First Schedule to the Constitution.— On and from the appointed day, in the First Schedule to the Constitution,— (a) Under the heading “I. THE STATES”, after entry 22, the following entry shall be inserted, namely:— “29. Ladakh the territories specified in section 3 of the Jammu and Kashmir Reorganization Act, 2019.” (b) Under the heading “II. THE UNION TERRITORIES”, entry 8 relating to Ladakh shall be omitted.

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

5. **Amendment of Fourth Schedule to the Constitution.**— On and from the appointed day, in the Fourth Schedule to the Constitution, in the Table, the following entry shall be inserted, namely:- “32.Ladakh.....1;

The House of the People

6. Allocation of seat in the existing House of the People.—(1) On and from the appointed day, the allocation of seats to the State of Ladakh in the House of the People shall be two; and the First Schedule to the Representation of the People Act, 1950 (43 of 1950), shall be deemed to be amended, accordingly.

(2) On and from the appointed day, the parliamentary constituency of the existing Union territory of Ladakh shall be deemed to be the parliamentary constituency of the State of Ladakh and the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, shall be construed accordingly.

7. Provision as to sitting member. —The sitting member of the House of the People representing the constituency which, on the appointed day, by virtue of the provisions of section 6 becomes the constituency of the State of Ladakh, shall be deemed to have been elected under sub-clause (a) of clause (1) of article 81 to the House of the People by that constituency.

The Legislative Assembly

8. Provision as to Legislative Assembly. — (1) On and from the appointed day, the total number of seats in the Legislative Assembly of the State of Ladakh to be filled by persons, chosen by direct election from assembly constituencies shall be thirty; and the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), shall be deemed to be amended accordingly.

(2) Out of the thirty assembly constituencies in the Legislative Assembly of the State, twenty eight constituencies shall be reserved for the members of the Scheduled Tribes of Ladakh.

9. Delimitation of constituencies. (1) The Election Commission shall, before the appointed day, and in the manner herein provided, distribute the seats assigned to the Legislative Assembly of the State of Ladakh under section 8 to single-member territorial constituencies and delimit them, having regard to the provisions of the Constitution and to the following provisions, namely:—

(a) all constituencies shall, as far as practicable, be geographically compact areas, and in delimiting them regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience; and

(b) constituencies in which seats are reserved for the Scheduled Tribes shall, as far as practicable, be located in areas where the proportion of their population to the total population is the largest.

(2) For the purpose of assisting it in the performance of its functions under sub-section (1) the Election Commission shall associate with itself as associate members, —

(a) the sitting member of the House of the People referred to in section 7; and

(b) six members of the Hill Councils constituted under the Ladakh Area Hill Development Councils Act

Provided that none of the associate members shall have a right to vote or to sign any decision of the Election Commission.

(3) If owing to death or resignation, the office of an associate member falls vacant, it shall be filled, if practicable, in accordance with the provisions of sub-section (2).

(4) The Election Commission shall—

(a) publish its proposals for the delimitation of constituencies together with the dissenting proposals, if any, of any associate member who desires publication thereof, in the Official Gazette and in such other manner as the Commission may consider fit, together with a notice inviting objections and

suggestions in relation to the proposals and specifying a date on or after which the proposals will be further considered by it;

(b) consider all objections and suggestions which may have been received by it before the date so specified;

(c) after considering all objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the Official Gazette; and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any Court.

10. Power of Election Commission to maintain delimitation orders up-to-date.—(1) The Election Commission may, from time to time, by notification in the Official Gazette,—

(a) correct any printing mistake in any order made under section 9 or any error arising therein from inadvertent slip or omission;

(b) where the boundaries or name of any territorial division mentioned in any such order are or is altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(2) Every notification under this section relating to an assembly constituency shall be laid, as soon as may be after it is issued, before the Legislative Assembly of the existing Union territory of Ladakh.

11. Amendment of Scheduled Tribes Order:— The entries 9, 10, 11, 12 in the schedule to the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989 shall be omitted.

PART IV

HIGH COURT

12. Common High Court for Jammu and Kashmir and Ladakh.—

(1) On and from the appointed day,—

(a) there shall be a common High Court for the Union Territory of Jammu and Kashmir and State of Ladakh to be called the High Court of Jammu and Kashmir and Ladakh (hereinafter referred to as the common High Court);

(b) the Judges of the High Court of Jammu and Kashmir and Ladakh and holding office immediately before that day shall, unless they have elected otherwise, become on that day the Judges of the common High Court.

(2) The expenditure in respect of the salaries and allowances of the Judges of the common High Court shall be allocated amongst the Union Territory of Jammu and Kashmir and State of Ladakh, and the Union in such proportion as the President may, by order, determine.

13. Provision as to advocates.—(1) On and from the appointed day,—

(a) in the Advocates Act, 1961 (25 of 1961), in section 3 in sub-section (1), for clause (g), the following clause shall be substituted, namely:—

“(g) for the Union Territory of Jammu and Kashmir and State of Ladakh, to be known as the Bar Council of Jammu and Kashmir and Ladakh;”

(b) the Bar Council of Jammu and Kashmir and Ladakh shall be deemed to be the Bar Council of Jammu and Kashmir and Ladakh.

(2) Any person who, immediately before the appointed day, is an advocate entitled to practise in the High Court of Jammu and Kashmir and Ladakh, and shall be entitled to practise as an advocate in the common High Court.

(3) All persons who, immediately, before the appointed day, are advocates on the roll of the Bar Council of Jammu and Kashmir and Ladakh and shall as from that day, become advocates on the roll of the Bar Council of Jammu and Kashmir and Ladakh.

(4) The right of audience in the common High Court shall be regulated in accordance with the like principles as, immediately before the appointed day, are in force with respect to the right of audience in the High Court of Jammu and Kashmir and Ladakh and :

Provided that as among the Advocate General of the States of Jammu and Kashmir; and Advocate General of Ladakh, and the right of audience shall be determined with reference to their dates of enrolment as advocates.

14. Practice and procedure in the common High Court. — Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High Court of Jammu and Kashmir and Ladakh shall, with the necessary modifications, apply in relation to the common High Court.

15. Custody of seal of the common High Court. — The law in force immediately before the appointed day with respect to the custody of the Seal of the High Court of Jammu and Kashmir and Ladakh and shall, with the necessary modifications, apply with respect to the custody of the seal of the common High Court.

16. Form of writs and other processes. — The law in force immediately before the appointed day with respect to the form of writs and other processes used, issued or awarded by the High Court of Jammu and Kashmir and Ladakh and shall, with necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the common High Court.

17. Powers of Judges. — The law in force immediately before the appointed day with respect to the powers of the Chief Justice, single Judges and division courts of the High Court of Jammu and Kashmir, and Ladakh and with respect to all matter, ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the common High Court.

18. Principal seat and other places of sitting of the common High Court. — (1) The principal seat of the common High Court shall be at the same place at which the principal seat of the High Court of Jammu and Kashmir and Ladakh and is located immediately before the appointed day.

(2) The President shall, by notified order, provide for the establishment of a permanent bench or benches of the common High Court at one or more places within the territories to which the jurisdiction of the High Court extends, other than the principal seat of the High Court, and for any matters connected therewith:

Provided that before issuing any order under this sub-section, the President shall consult the Chief Justice of the common High Court and the Governor of the State in which the bench or benches is or are proposed to be established.

Provided further that at least one bench of the common High Court shall be established in the State of Ladakh within a period of one year from the appointed date.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (2), the Judges and division courts of the common High Court may also sit at such other place or places in the States of Jammu and Kashmir, and Ladakh as the Chief Justice may, with the approval of the Governor of the State concerned, appoint.

19. Procedure as to appeals to Supreme Court. — The law in force immediately before the appointed day relating to appeals to the Supreme Court from the High Court of Jammu and Kashmir and Ladakh and the Judges and division courts thereof shall, with the necessary modifications, apply in relation to the common High Court.

20. Transfer of proceedings from the High Court of Jammu and Kashmir, and Ladakh to the common High Court.—(1) All proceedings pending in the High Court of Jammu and Kashmir and Ladakh immediately before the appointed day shall, from such day, stand transferred to the common High Court.

(2) Every proceeding transferred under sub-section (1) shall be disposed of by the common High Court as if such proceeding was entertained by the High Court.

21. Interpretation.—For the purposes of section 20,—

(a) proceedings shall be deemed to be pending in a court until that court has disposed of all issues between the parties, including any issues with respect to the taxation of the costs of the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for review, petitions for revision and petitions for writs; and

(b) references to a High Court shall be construed as including references to a Judge or division court thereof; and references to an order made by a court or a Judge shall be construed as including references to a sentence, judgment or decree passed or made by that court or Judge.

22. Right to appear or to act in proceedings transferred to the common High Court.—Any person who, immediately before the appointed day, is an advocate entitled to practise in the High Court of Jammu and Kashmir, and Ladakh and was authorised to appear or to act in any proceedings transferred from the said High Court to the common High Court under section 20 shall have the right to appear or to act, as the case may be, in the common High Court in relation to those proceedings.

23. Saving.—Nothing in this Part shall affect the application to the common High Court of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the appointed day with respect to that High Court by any Legislature or other authority having power to make such provisions.

PART V

AUTHORISATION OF EXPENDITURE AND DISTRIBUTION OF REVENUES

24. Authorisation of expenditure pending its sanction by the Legislature. — (1) The President may, at any time before the appointed day, authorise by order such expenditure from the Consolidated Fund of the State of Ladakh as he deems necessary for a period of not more than six months beginning with the appointed day, pending the sanction of such expenditure by the Legislative Assembly of the State of Ladakh:

Provided that the Governor of Ladakh may, after the appointed day, authorize by order such further expenditure as he deems necessary from the Consolidated Fund of the State of Ladakh for any period not extending beyond the said period of six months.

(2) The President or, as the case may be, the Governor of Ladakh shall make separate

orders under sub-section (1) in respect of periods falling in different financial years.

25. Reports relating to the accounts of the existing Union territory of Ladakh.—(1) The reports of the Comptroller and Auditor-General of India relating to the accounts of the existing Union territory of Ladakh in respect of any period prior to the appointed day, shall be submitted to the Governor of Ladakh who shall cause them to be laid before the Legislative Assembly of the State.

(2) The Government may, by order,—

(a) declare any expenditure incurred out of the Consolidated Fund of the existing Union territory of Ladakh on any service in respect of any period prior to the appointed day during the financial year 2023-24 or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (1) to have been duly authorised, and

(b) provide for any action to be taken on any matter arising out of the said reports.

26. Allowances and privileges of Governor of Ladakh.—The allowances and privileges of the Governor of Ladakh shall, until provision in that behalf is made by Parliament by law under clause (3) of Article 158, be such as the President may, by order, determine.

27. Distribution of revenues.—The President shall, by order, determine the grants-in-aid of the revenues of the State of Ladakh and the share of that State in the Union duties of excise, estate duty and taxes on income and for that purpose make necessary reference to the finance commission as he thinks fit.

PART VI

ASSETS AND LIABILITIES

28. Property, assets, rights, liabilities, obligations, etc.—(1) All such property and assets within the existing Union territory of Ladakh as are held immediately before the appointed day by the Union for purposes of governance of that Union territory shall, on and from that day, pass to the State of Ladakh unless the purposes for which such property and assets are so held are Union purposes:

Provided that the cash balances in the treasuries in the Union territory of Ladakh before the appointed day shall, as from that day, vest in the State of Ladakh.

(2) All rights, liabilities and obligations (other than those relatable to, or in connection with, a Union purpose), whether arising out of any contract or otherwise, which are, immediately before the appointed day,—

(a) the rights, liabilities and obligations of the Central Government arising out of, or in connection with, the governance of the Union territory of Ladakh; or

(b) the rights, liabilities and obligations of the Administrator of the existing Union territory of Ladakh in his capacity as such, or of the Government of that Union territory, shall, on and from the appointed day, be the rights, liabilities and obligations of the Government of the State of Ladakh.

(3) The right to recover arrears of—

(a) any tax or duty being a tax or duty enumerated in the State List in the Seventh Schedule to the Constitution; or

(b) any duty referred to in article 268; or

(c) any tax under the Goods and Services Tax Act, 2017

which have fallen due in the existing Union territory of Ladakh shall pass to the State of Ladakh.

(4) The provisions of this section shall not apply to or in relation to—

(a) any institution, undertaking or project the expenditure in relation to which is immediately before the appointed day, met from and out of the Consolidated Fund of India;

(b) any property which has been placed by the Union at the disposal of the administration of the existing Union territory of Ladakh subject to the condition that the ownership thereof will continue to vest in the Union.

Explanation.—For the purposes of this section—

(a) “liability” includes liability in respect of any civil deposit, local fund deposit, charitable or other endowment, provident fund account, pension or actionable wrong;

(b) “Union purposes” means the purposes of Government relatable to any of the matters mentioned in the Union List.

PART VII

PROVISIONS AS TO SERVICES

29. Provision relating to All India Services.—Every member of the Indian Administrative Service, the Indian Police Service and the Indian Forest Service who, immediately before the appointed day, is holding any post in the existing Union territory of Ladakh shall, until otherwise directed by the Central Government, be deemed to be on deputation, on and from the appointed day, to the Government of the State of Ladakh on the same terms and conditions of service as are applicable to him under the relevant cadre rules:

Provided that the period of such deputation shall in no case extend beyond a period of three years from the appointed day.

Explanation.—In this section, “cadre rules” means the Indian Administrative Service (Cadre) Rules, 1954, the Indian Police Service (Cadre) Rules, 1954 or the Indian Forest Service (Cadre) Rules, 1966, as the case may be.

30. Provisions relating to other services.—(1) Every person who immediately before the appointed day is serving in connection with the affairs of the Union under the administrative control of the Administrator of the Union territory of Ladakh shall, unless otherwise directed by an order of the Central Government, be deemed to have been allocated for service as from that day in connection with the affairs of the State of Ladakh:

Provided that no directions shall be issued under this section after the expiry of a period of one year from the appointed day.

(2) The provisions of this section shall not apply in relation to persons to whom the provisions of section 29 apply.

31. Other provisions as to services.—(1) Nothing in this section or section 33 shall be deemed to affect on or after the appointed day the operations of the provisions of Chapter I of Part XIV of the Constitution in relation to determination of the conditions of service of persons serving in connection with the affairs of the State of Ladakh:

Provided that the conditions of service applicable immediately before the appointed day in the

case of any person referred to in section 29 shall not be varied to his disadvantage except with the previous approval of the Central Government.

(2) All services prior to the appointed day rendered by a person deemed to have been allocated under section 33 in connection with the administration of the Union territory of Ladakh, shall be deemed to have been rendered in connection with the affairs of the State of Ladakh for the purposes of the rules regulating his conditions of service.

32. Provisions as to continuance of officers in same posts.—Every person who immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the Union territory of Ladakh shall continue to hold the same post or office and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, the State of Ladakh on the same terms and conditions of appointment and on the same tenure as he was holding the post or office immediately before that day:

Provided that nothing in this section shall be deemed to prevent a competent authority on or after the appointed day from passing in relation to such person any order affecting his continuance in such post or office.

33. Public Services Commission.—A Public Service Commission shall be constituted for the State of Ladakh. The provisions relating to the constitution, selection, powers, and procedure of the Jammu and Kashmir Public Service Commission, as applicable prior to the Jammu and Kashmir Reorganization Act, 2019, shall be applicable *mutatis mutandis* to the Public Service Commission of the Union Territory of Ladakh.

PART VIII

LEGAL AND MISCELLANEOUS PROVISION

34. Continuance of existing laws and their adaptations.—(1) All laws in force, immediately before the appointed day, in the existing Union territory of Ladakh shall continue to be in force in the State of Ladakh until altered, repealed or amended by a competent Legislature or other competent authority.

(2) For the purpose of facilitating the application in relation to the State of Ladakh of any law made before the appointed day, the appropriate Government may, within two years from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.—In this section, the expression “appropriate Government” means, as respects any law relating to a matter enumerated in the Union List in the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the Government of the State of Ladakh.

35. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 43 for the adaptation of a law made before the appointed day, any court, tribunal or authority required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of Ladakh, construe the law in such manner not affecting the substance as may be necessary or proper in regard to the matter before the court, tribunal or authority, as the case may be.

36. Provisions as to continuance of courts, etc.—All courts and tribunals and all authorities discharging lawful functions throughout the existing Union territory of Ladakh or any part thereof immediately before the appointed day shall, unless their continuance is inconsistent with the provisions of this Act or until other provision is made by a competent

legislature or other competent authority, continue to exercise their respective functions.

37. Effect of provisions of Act inconsistent with other laws.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

38. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the President may, by order, do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall be laid before each House of Parliament.

39. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

(2) Every rule made under the section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and it, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE CONSTITUTION 129th AMENDMENT ACT, 2025

ARRANGEMENT OF SECTIONS

1. **Short title.**
2. **Amendment of Article 244**
3. **Amendment of Article 243M**
4. **Amendment of Article 243ZC**
5. **Amendments to the Sixth Schedule.**
6. **Land to Vest in the Council**
7. **Annulment or suspension of acts and resolutions of the Autonomous District Councils**
8. **Amendment to Article 280 of the Constitution**
9. **Amendments to part XXI and Article 371 of the Constitution.**

SIXTH SCHEDULE STATUS FOR LADAKH

Ladakh is a predominantly tribal area with more than 90 per cent of its population comprising scheduled tribes. Changpa, Balti, Beda, Bot, Brokpa, Dard, Gara, Mon, and Purigpa. Based on this demography, Ladakh should be declared a *Tribal Area* and be included in the Sixth Schedule.

Constitutional grounds

The Constitution of India under Article 244, read with Article 275, as well as the Sixth Schedule, grants protections to the tribal communities and has led to the formation of autonomous district councils in the tribal regions of Assam, Meghalaya, Tripura, and Mizoram. These ADCs have further been empowered with legislative, executive and financial powers and with subjects which are of immense importance to the tribal communities, such as land, water and identity. The sixth schedule envisages and protects tribal rights over land, other resources, and promotes self-governance. The objectives of the Sixth Schedule, therefore, resonate very closely with the needs of the people of Ladakh, especially now, in a scenario when various tribal protections that were applicable in the state of Jammu and Kashmir are no longer there, anymore. There is a huge legal vacuum right now in Ladakh that could protect its demography, land and cultural identity, and these demands are at the core of the agenda of the apex body and the democratic alliance.

Replacing Hill Councils with ADCs under the Sixth Schedule.

As of date, Ladakh has two autonomous Hill development councils, in Leh as well as Kargil. These institutions play a significant role in the governance and representation of the people. However, they have various limitations due to being just statutory bodies. Despite there being two hill councils with 60 local representatives, most of the power still lies with the UT administration, headed by the Lieutenant Governor, due to which there is a huge void in the legislative autonomy, participatory governance, financial autonomy, and the powers to make legislation on customary and traditional laws. There is therefore a need to replace these Councils with ADCs on the lines of ADCs under the Sixth Schedule.

Recommendations and promises for inclusion in the sixth schedule.

The National Commission for Scheduled Tribes (NCST) made a formal recommendation to the government of India in the year 2019 for the inclusion of Ladakh in the Sixth Schedule owing to Ladakh's predominant tribal population.

Moreover, representatives of the current ruling party made commitments in their manifestos for granting the Sixth Schedule to Ladakh, and these promises reinforced the demand for the Sixth Schedule for Ladakh, and people voted in favour of the ruling party. Bringing the Autonomous Hill Councils under the Sixth Schedule would give them legislative powers in order to frame laws in the specific context of Ladakh and also boost participatory democracy. As of date, the councils are structurally very similar to the hill councils in the six schedule areas; however, their powers are very limited to only rule-making. The removal of the assembly and the council vis-à-vis Article 370 and 35A has further disempowered the councils.

The Constitution (129th Amendment)

Bill, 2025 ACT No. ____ OF 2025

[__th ____, 2025.]

An Act to further amend the Constitution of India and for matters connected therewith.

BE it enacted by Parliament in the Seventy-Fifth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Constitution (129th Amendment) Act, 2025. It shall come into force at once.

Autonomous District Councils

2. Amendment of Article 244 – In Article 244 of the Constitution, after Clause (2), the following clause shall be inserted:

“(3) – The Provisions of Schedule VI shall apply to the administration of the State of Ladakh.”

3. Amendment of Article 243M – In Article 243M, after sub-clause (b) of clause (2), the following sub-clause shall be inserted:

“(c) – The State of Ladakh”

4. Amendment of Article 243ZC – In Article 243ZC, after Clause (3), the following clause shall be inserted:

“(4) Nothing in this Part shall apply to the State of Ladakh”

5. Insertion of Schedule VI A – After Schedule VI, the following Schedule shall be inserted

“SCHEUDLE VIA

1. Subject to the provisions of this Schedule, the districts of Leh and Kargil shall be autonomous districts.

2. Constitution of Ladakh Autonomous District Councils:-

(1) There shall be an autonomous district council for each district of the State of Ladakh.

(2) The total number of seats in the Council to be filled by persons chosen by direct election on the basis of adult suffrage from territorial constituencies shall be twenty six.

(3) The Government of the State of Ladakh may nominate not more than four persons from amongst the principal religious minorities and women in the district to be members of the Council.

(4) Each autonomous district council shall be a body corporate by the name of

Kargil Autonomous district council and Leh Autonomous district council respectively and shall have perpetual succession and a common seal and shall by the said name sue and be sued.

3. Territorial Constituencies. – (1) The Government of the State of Ladakh shall, by notification in the Government Gazette, determine: –

(a) the constituencies (which shall be single member constituencies) into which a Council area shall be divided for the purpose of election of members to the Council of that district; and

(b) the extent of each constituency.

(2) The Government of the State of Ladakh may, from time to time, by notification in the Government Gazette, alter or amend any notification issued under sub-section (1).

4. Power to make rules:- The Government of the State of Ladakh shall make rules for the first constitution of Autonomous District Councils and such rules shall provide for—

(a) the qualifications for being elected at such elections as members of such Councils;

(b) the term of office of members of Councils;

(c) any other matter relating to or connected with elections or nominations to such Councils;

(d) the procedure and the conduct of business including the power to act notwithstanding any vacancy in the Councils;

(e) the appointment of officers and staff of the District and Regional Councils.

5. Term of the Council - The term of the Autonomous District Councils shall be five years from the date of election.

6. Power of the Autonomous District Councils to make Laws:- The Autonomous District Councils, in respect of the districts for which they have been constituted, shall have the power to make laws with respect to:-

(i) allotment, use and occupation of land vested in the Council by the Government under this Act;

(ii) alienation of land; non-transferrable and non-alienation to the non-tribals and non-permanent residents of Ladakh.

(iii) management and conservation of community land; *kahcharaii*, *shamiliyat*, grazing routes, etc.

(iv) regulation of mining, quarrying and extraction of minerals, stones and other local materials.

(v) environmental protections and management of renewable energy sources.

(vi) preservation of cultural heritage; promotion of local languages, scripts, dialect, music, and literature;

- (vii) Protection and management of cultural monuments, monasteries, shrines, and other traditional and archaeological sites.
- (viii) Protection and regulation of traditional village institutions such as *Tsogspa*, *Goba*, *Nambardars*, *Anjuman/majlis* or equivalent bodies.
- (ix) Succession to property;
- (x) formulation of development programme for the district in respect of District Component Schemes as notified by the Government and Centrally Sponsored Schemes and indicate priorities for various schemes and consider issues relating to the speedy development and economic upliftment of the district;
- (xi) periodical review of the progress and achievements of developmental plans and schemes;
- (xii) formulation and finalisation of the Budget (Plan and Non-Plan);
- (xiii) laying down guidelines for implementation of schemes at gross root level;
- (xiv) special measures for employment generation and the alleviation of poverty;
- (xv) promotion of co-operative institutions;
- (xvi) supervision and constitution of notified area committees;
- (xvii) formulation of periodical and annual plans for the district;
- (xviii) use of canal or water courses for the purpose of agriculture;
- (xix) desert development;
- (xx) public health and sanitation, hospitals and dispensaries;
- (xxi) tourism;
- (xxii) vocational training;
- (xxiii) recruitment to posts under public employment up to the level of Group B/Class II.
- (xxiv) construction and maintenance of roads except highways;
- (xxv) preservation, protection and improvement of livestock and prevention of animal diseases;
- (xxvi) education;
- (xxvii) works, lands and buildings vested in or in the possession of the Council;
- (xxviii) preservation of the environment and ecology of the area;
- (xxix) local road transport and its development;
- (xxx) small scale and cottage industries;

(xxvii) non-conventional energy;
any other matter within the executive power of the State which may be entrusted by
notification in the Government

7. Power to levy and collect taxes and fee. – (1) Notwithstanding anything contained in any law for the time being in force the Council shall have the power to– (i) collect within the district such taxes payable under any law as may be prescribed by the Government and credit the same to the Consolidated Fund of the State: Provided that the tax or taxes as aforesaid shall be collected by the Council from such date as may be appointed by the Government in this behalf by notification in the Government Gazette; (ii) establish toll bars on any road or any bridge vested in it and under its management and levy toll on grass, vehicles, animals and ferries.

(2) The Council shall also have powers to impose any of the following taxes and fees, namely: –

TAXES:

(i) taxes on any trade, calling or profession within jurisdiction of the Council subject to the maximum limit as indicated: –

(a) on persons up to Rs. 500/- per annum;

(b) in the case of theatre, cinema and other places of entertainment up to Rs. 250/- per day;

(ii) a tax payable by the owner thereof on animals and vehicles kept within the district and plied for hire at the following maximum rates:

–

(a) in the case of animals, not exceeding Rs. 20/- per animal per annum;

(b) in the case of vehicles not exceeding Rs. 100/- per vehicle per annum;

(c) in the case of tractors, not exceeding Rs 100/- per tractor per annum;

(iii) tax on boards;

(vi) pilgrim tax;

(vi) tax on hawkers and pheriwalas;

(vii) such other tax as may be approved by the Government.

Fees:

(viii) fees on person exposing goods and animals for sale in the market or Melas;

(ix) fees for the use of slaughter houses and camping grounds;

(x) fees for temporary occupation of village sites, roads and other similar public places or parts thereof in the district;

(xi) fees on application for erection or re-erection of buildings;

(xii) Adda fee;

(xiii) fees for grazing of cattle in the grazing lands vested in the Council;

(xiv) fee of cattle ponds;

(xv) such other fees as may be approved by the Government.

(3) The scales of taxes, tolls or rates and terms and conditions for the imposition thereof shall be such as may be provided by bye-laws.