

LEGAL LOCK JOURNAL

2583-0384

VOLUME 4 || ISSUE 5

2025

This Article is brought to you for “free” and “open access” by the Legal Lock Journal. It has been accepted for inclusion in the Journal after due review.

To submit your Manuscript for Publication at Legal Lock Journal, kindly email your Manuscript at legallockjounral@gmail.com.

CONSTITUTIONAL PROVISIONS FOR SCHEDULED TRIBE AREAS
IN NORTHEAST MIZORAM: A LEGAL AND DEVELOPMENTAL
PERSPECTIVE

Josephine Hnaihly¹

ABSTRACT

Mizoram, which is one of the highly tribal dominated states in India, is ruled by a unique constitutional structure that can be seen as an effort to maintain indigenous culture and in the same breath assimilate the area into the Indian Union. The paper will look at how the Sixth Schedule, Article 371G, Article 244(2), the Inner Line Permit (ILP) system and codification exercise of the Mizo customary law operate and analyze whether the instruments have evolved into effective autonomy and integrative development of the Scheduled Tribe communities. The paper provides both a doctrinal and analytical approach, through the use of constitutional text, case law and comments, in order to illustrate the development of Mizoram autonomy, operation of Autonomous District Councils (ADCs) and the relationship between customary and modern administration. It states that despite the fact that Mizoram is commonly touted as an effective experiment in negotiated peace and asymmetric federalism, fundamental implementation shortcomings, fiscal dependence, legal ambiguity and intra tribal disparities have still limited the transformative capabilities of its constitutional protections.

Keywords: Mizoram, Scheduled Tribes, Sixth Schedule, Article 371G, Customary Law, Inner Line Permit, Tribal Autonomy.

¹ The author is a student of LLM at ICFAI University, Dehradun.

INTRODUCTION

The state of Mizoram, the twenty third state in India, is often used as a classical example of the so-called asymmetric federalism², the type of engagement where certain areas are granted special constitutional protection according to their social and historical background but are still included in the federal system. Mizoram has a high proportion of tribally homogeneous population with almost 94 per cent of its population being Scheduled Tribes³, which places the state as one of the most homogeneous tribally in the nation and an important location in studying the interplay of tribal autonomy and constitutional design and constitutional development outcomes.

The modern position of the region cannot be discussed without the presence of insurgency and peace-making in the past. The grievances of neglect and identity led to the Mizo national front insurgency which eventually resulted in the Mizoram peace accord between the Mizo national front and the union government in 1986 leading to statehood in 1987. The Accord put in place a system of solid constitutional protections of Mizo identity, such as special legislation on customary law and land, and converted a conflict zone into one of the more peaceful states in India.

This paper answers three fundamental questions first, how the Sixth Schedule and Article 371G work in Mizoram concerning customary law, land and local governance; second, what are the institutional and socio-economic constraints on the effectiveness of the arrangements; and third, what do the Mizoram experience teach about the management of tribal autonomy elsewhere in India. It claims that Mizoram offers a high-order model of constitutional accommodation and peace-making, but needs to be enhanced by fiscal devolution, legal definition and comprehensive policy formulation in order to provide substantive self-governance.

HISTORICAL CONTEXT AND EVOLUTION

Pre-colonial Mizo society revolved around village-based chieftainship, with the Lal (chief) wielding authority over land distribution, dispute resolution and community welfare. Governance rested on unwritten customs enforced through social norms and collective

² “Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford University Press, 1999) 189–192”

³ “Census of India 2011, Ministry of Home Affairs, Government of India”

deliberation rather than formal legislation, and land was understood more as a communal resource than as an individual commodity. British annexation in the nineteenth century brought the region under colonial administration as the Lushai Hills, but the British largely retained the chieftainship structure while classifying the area as ‘Excluded’ or ‘Partially Excluded’, limiting the application of general Indian laws⁴.

After independence, the question of safeguarding tribal interests in the Northeast was examined by the North-East Frontier (Assam) Tribal and Excluded Areas Committee, commonly known as the Bordoloi Committee⁵. The Committee recommended the creation of Autonomous District Councils with substantial powers over land, forests, village administration and social customs in order to protect tribal autonomy within the new constitutional order, recommendations that eventually crystallised in the Sixth Schedule. The Lushai Hills District was accordingly brought under the Sixth Schedule in 1952, and the Mizo District Council and Pawi-Lakher Regional Council were established as key institutions of local self-government.

The post-independence period nevertheless saw growing discontent among Mizos, leading to the formation of the Mizo National Front and an armed movement demanding greater autonomy or independence. In 1986, Mizoram Peace Accord⁶ was a turning point. MNF was ready to become unarmed and accept the Indian constitutional order in exchange of complete statehood, of special constitutional guarantees and of very great autonomy in culture and land issues. Article 371G was established by the Constitution (53rd Amendment) Act, 1986, but the institutions of the Sixth Schedule were rearranged, establishing statehood of Mizoram with three remaining Autonomous District Councils of Chakma, Lai and Mara.

The path that Mizoram has followed is thus unique even in the Northeast in which it had passed along chiefly to marginality under colonial rule, and having been granted the district council autonomy under Sixth Schedule, and then full statehood with yet one more constitutional safeguard under Article 371G. Such compounded evolution is what supports the sophisticated legal environment the paper discusses later in the paper.

⁴ “B. Pakem, *Tribal Autonomy in North-East India* (Omsons Publications, 1993) 61–64”

⁵ “Report of the North-East Frontier (Assam) Tribal and Excluded Areas Committee (1947)”

⁶ “Memorandum of Settlement between the Government of India and Mizo National Front (1986)”

CONSTITUTIONAL FRAMEWORK

The constitutional system of Mizoram can be considered a four-pillar system comprising of the Sixth Schedule, Article 244(2), Article 371G and the Inner Line Permit system. The Sixth Schedule applies to certain tribal areas in Assam, Meghalaya, Tripura and Mizoram, establishing Autonomous District Councils and Regional Councils with legislative, executive and limited judicial powers over defined subjects, including land, forests (other than reserved forests), shifting cultivation, village administration and social customs. These councils may make regulations on land tenure, use of forest produce and management of village markets, subject to the assent of the Governor, and may also constitute courts for the trial of specified offences and disputes among Scheduled Tribe members.

In Mizoram, the Sixth Schedule presently operates through three Autonomous District Councils, the Chakma, Lai and Mara Councils, covering specific areas, while the rest of the state is under the direct jurisdiction of the State government and its regular institutions. Article 244(2) clarifies that administration of areas specified in the Sixth Schedule shall be in accordance with that Schedule, thereby giving constitutional recognition to the special arrangements for tribal areas. This two-tier system of state-level institutions as well as sub-state ADCs influences the governance in Mizoram differently than do either a typical state or a typical Sixth Schedule district in Assam or Megalaya.

Article 371G is the distinctive feature of Mizoram's constitutional position. Inserted by the Constitution (53rd Amendment) Act, 1986, it provides that no Act of Parliament in respect of (i) religious or social practices of the Mizos, (ii) Mizo customary law and procedure, (iii) administration of civil and criminal justice involving decisions according to Mizo customary law, and (iv) ownership and transfer of land, shall apply to the State of Mizoram unless the Legislative Assembly of the State, by a resolution, decides so. The provision therefore operates as a state-level veto over the automatic application of central laws in highly sensitive domains, reinforcing the protection of customary institutions and land from external interference.

At the same time, Article 371G does not completely remove Mizoram from the operation of Union and Concurrent List legislation. Courts have emphasised that where central laws

concern concurrent subjects such as land acquisition, repugnancy⁷ and fundamental rights analysis continue to apply, and that the State cannot rely on Article 371G to enforce fewerprotective laws that violate equality under Article 14. This interpretive stance is particularly visible in recent litigation on land acquisition, discussed later, and illustrates how the special status of Mizoram must be harmonised with the broader constitutional scheme.

Finally, the Inner Line Permit system⁸, continued in Mizoram under the Bengal Eastern Frontier Regulation, 1873, restricts the entry of non-indigenous persons into the state, thereby seeking to preserve demographic stability and protect tribal land from indirect pressures. The ILP system complements the Sixth Schedule and Article 371G by controlling migration and economic penetration, although it has also attracted debate about its economic impact and compatibility with internal freedom of movement.

TRADITIONAL GOVERNANCE AND CUSTOMARY LAW

The customary law continues to play the primary role in organising Mizo society especially on family, inheritance and land. Traditionally, these norms were passed orally by means of village institutions under the framework of chieftainship, in the post-colonial era, they have been codified and become part of the formal legal framework, but they still have a significant normative power. One of these was the codification of Mizo customary norms in the books like Mizo Hnam Dan: Mizo Customary Law⁹ that organised rules regarding marriage, divorce, inheritance, clan duties and responsibilities of the community.

This codification eventually led to Mizo Customary Law (Codification) Act, 2006 that formally recognised and codified most of the issues of customary law regarding marriage, divorce, inheritance and other personal matters. Though codification increases the predictability of the law and helps them be applied when a court is called upon to do so, academics warn that codification can also solidify dynamic practices, making them sometimes fix aspects of custom that are patriarchal or otherwise inequitable¹⁰ (which might otherwise have changed over time). This tension can be traced in the arguments on gender

⁷ “State of Mizoram v. R. Lalthanzaauva & Ors., 2024”

⁸ “Bengal Eastern Frontier Regulation, 1873”

⁹ “Lalrinawma, *Mizo Customary Law* (Mizoram Law Institute, 2004)”

¹⁰ “Samipya Mahanta, ‘Understanding the Dynamics of the Sixth Schedule of the Indian Constitution’ (2024) 30(3) *Educational Administration: Theory and Practice* 1032”

equality in inheritance according to the Mizo law, where written regulations tend to prefer sons as heirs to family property.

Judicial practice demonstrates that Mizo customary law is not merely symbolic but actively shapes outcomes in concrete disputes. In *Ralliani and Others v. Kaithuami and Others*¹¹, the Gauhati High Court, dealing with a dispute over intestate inheritance, accepted that Section 109 of the Mizo Customary Laws promulgated by the Mizo District Council governed succession to the property of a Mizo dying without a will. The court examined the customary provision that identified the legal heir and also recognised circumstances in which a widow or family member who continues to head the household could enjoy inheritance rights, illustrating the nuanced role of customary principles in determining ownership.

The experience of judicial practice shows that Mizo customary law does not exist on paper only but also has an active influence on the results in the context of specific disputes. In *Kaithuami through L.Rs v. Ralliani and Others*¹² The Gauhati High Court, in a case involving intestate inheritance took cognizance of the Section 109 of the Mizo Customary Laws issued by the Mizo District Council that determined heirship to the property of a Mizo who died without any will. The court considered the traditional clause that described who was the legal heir as well as the conditions that existed where a widow or a relative who still heads the family could have.

The village councils established under the Lushai Hills District (Village Councils) Act,1953 (then under the state law) remain an important institutional level that plays an important role as a traditional institution enhanced by democratic election. They have the same local governance roles, as that of developing local planning, resolving of minor disputes, handling of village resources, and in the rural regions, it is still considered the main source of contact between citizens and the state. Reforms like the introduction of one-third female reservation in the village councils in 2014 have increased female participation in politics albeit in a modest way as more fundamental questions of equality between genders in customary norms.

¹¹“*Ralliani and Ors v. Kaithuami and Ors.2006*”

¹²“*Kaithuami Through L.Rs. v. Ralliani And Others (S) (2022 INSC 474)*”

TRIBAL LAND RIGHTS AND PROTECTION MECHANISMS

Mizo communities value land as a cultural reference and as an economic resource since it has been seen that land is the most threatened by alienation through constitutional provisions. The combined effect of the Sixth Schedule, Article 371G and state legislation such as the Mizoram (Land Revenue) Act, 2013¹³, is to maintain community-oriented landholding systems while providing for individual pattas in urban and semi-urban areas. In practice, land in Mizoram falls into several categories' village common land, clan holdings, unclassed forests under ADC management, and individual pattas mainly in towns, creating a complex mosaic of entitlements and administrative responsibilities.

Article 371G directly protects "ownership and transfer of land" by requiring that any central law on this subject be made applicable to Mizoram only if the State Assembly so resolves. This clause has been invoked both to resist perceived encroachments, such as proposed amendments to forest legislation, and to justify selective application of central land laws. However, recent case law reveals the limits of this immunity.

In a 2024 decision concerning land occupied by the Assam Rifles at Lunglawn in Lunglei district, the Gauhati High Court dismissed appeals by the State of Mizoram and affirmed that land acquisition proceedings must continue under the Central Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013¹⁴. The State had sought to rely on its own Mizoram Land Acquisition Act, enacted without Presidential assent and providing less generous terms, and argued that Article 371G prevented the automatic application of the 2013 Act, which relates to ownership and transfer of land. The court held that land acquisition falls within the Concurrent List, that the more beneficial central statute prevails in the absence of valid Presidential assent for the repugnant state law, and that applying the less favourable state regime would violate Article 14 by discriminating among landowners in similar situations.

This finding reiterates the argument that Article 371G cannot be construed as absolute protection against central legislation that touches on land particularly when there is an issue of fundamental rights and repugnancy in Article 254. It implies that Mizoram is free not to impose on its land some of the central laws, but once it adopts legislation in a parallel field or

¹³"Mizoram (Land Revenue) Act, 2013"

¹⁴"Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013"

utilizes central law in some cases, then it has to follow the constitutional norms of equality and law priority. In the case of the land-based tribal societies, this jurisprudence has had a two-sided effect on the one hand, it guarantees the legitimacy of just compensation according to the standards of the country, but on the other hand, it shows that the autonomy of the states is not unlimited.

Meanwhile the plural land tenure system in Mizoram creates its problems of its own. Land records are not consistent, the claims between village common land and the forests managed by the ADC overlap, and the relationship between shifting cultivation (jhum) and either settled agriculture or conservation, makes both planning and compensation complex. These institutional problems exert pressure on conflicts and may destroy the security in which constitutional guarantees are expected to offer, particularly to smaller or politically disadvantaged tribal groups like the Chakmas.

IMPLEMENTATION CHALLENGES AND ISSUES

Although the adoption of tribal autonomy in Mizoram is seen to have a strong constitutional and statutory basis, it is not evenly spread out. These Autonomous District Councils, which have both legislative and administrative authority, are chronically financially reliant on the State government and the Union as well as they have little own-source revenue in local taxes and fees. Their ability to plan and implement development projects is hampered by delays and unpredictability in the flow of funds and thus limits the potential of decentralised self-governance that is the promise of the Sixth Schedule.

Another problem that has been ongoing is coordination between the State government and ADCs. Lapsing jurisdictions, such as in a land classification, forest management and the execution of centrally sponsored schemes, may be sources of bureaucratic friction, duplication or omission. Accountability in ADCs is not also always strong and cases of administrative inefficiency are reported and there are also allegations of corruption among others which hinder confidence of the people and delivery of services. Unless the functions are well demarcated, there will be no predictable financing and effective control, the constitutional autonomy will turn more formal than substantive.

The situation is complicated by developmental inequalities in Mizoram. Areas such as the Chakma Autonomous District Council area have been recorded to be behind the rest of the

state in terms of literacy rates, health rates and infrastructure and therefore there has been a concern of whether the fruits of constitutional protections are equally distributed among all the tribal communities. The need of interventions of specific kind in education, healthcare and livelihood assistance of such areas has been pointed out in NCST and other tests, yet the actual implementation is sporadic. Such intra-state inequalities highlight that the structures of autonomy should be supplemented with inclusive social policy in case it helps promote the substantive equality.

NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST)

Article 338A, under which the National Commission for Scheduled Tribes is established, gives it the responsibility to oversee the execution of the protective measures against Scheduled Tribes, to participate in planning by developing solutions to their socio-economic progress as well as investigating into individual grievances of right deprivation. It is in jurisdiction all over India and as such, it covers Mizoram and all its tribal groups, including the small communities.

Engaging NCST in Mizoram is usually in the form of reviewing the policies of the state, looking into the uses of funds allocated to the welfare of the tribes and offering recommendations regarding education, health and employment programmes. Cases of failures between formal protections that are legalized in the Constitution and ground levels have been constantly reported and consulted especially in the remote areas and among communities like Chakmas. The recommendations of NCST are not binding, but they offer an essential source of review and institutional avenue through which the tribe can be heard by the Union government to supplement the more formal protection of the Sixth Schedule and Article 371G.

SPECIAL PROVISIONS AND THEIR IMPLEMENTATION

The application of Article 371G has particularly been felt in Mizoram when it comes to forest and environmental laws. In November 2019, the Mizoram Legislative Assembly enacted a resolution rescinding the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) in the state on the ground that the law interfered with the special status of the state and went against Mizo customary laws and practices. The resolution made use of Article 371G to state that any central laws

concerning land and customary practices must be approved by the Assembly and made the withdrawal an essential action to maintain the traditional land ownership patterns and forest management.

Opponents, such as activists and policy analysts have been concerned that the reversal of FRA would erode the individual and community forest ownership especially to vulnerable populations and it might be used to turn forest areas into industrial or infrastructure development without due consultation. They claim that Article 371G is being selectively invoked the state has invoked it to block central initiatives perceived to threaten local initiatives such as suggested amendments to the Indian Forest Act, and to repeal the rights-based initiative such as the FRA that might empower local communities compared to state and commercial forces.

Mizoram too has been forced to enact certain Assembly resolutions to adopt certain central land related enactments or amendments to the same highlighting the practical importance of the consent mechanism under Article 371G. The power enables the state to fine tune the entry of central laws however it also imposes a big burden on the Legislative Assembly to critically evaluate whether the acceptance or rejection of a statute is going to benefit the interest of tribal communities in the long term. The FRA episode demonstrates that special status can be used both to shield communities from harmful interventions and, controversially, to block reforms with potential redistributive benefits.

COMPARATIVE ANALYSIS

Mizoram's autonomy framework gains analytical clarity when compared to other constitutional arrangements for tribal areas in India. The Fifth Schedule covers "Scheduled Areas" in states such as Jharkhand, Odisha and Chhattisgarh, providing for Tribal Advisory Councils that must be consulted on welfare and legislative matters affecting Scheduled Tribes but that have mainly recommendatory powers. By contrast, the Sixth Schedule applicable in parts of Assam, Meghalaya, Tripura and Mizoram creates Autonomous District and Regional Councils with legislative powers over land, forests (excluding reserved forests), shifting cultivation, village administration and social customs, and the authority to establish courts for tribal disputes.

Nagaland's Article 371A and Mizoram's Article 371G are often discussed together because both protect customary law and land from automatic application of central laws. However, their institutional settings differ: Nagaland does not have Sixth Schedule ADCs but relies on state institutions and customary village and tribal councils, whereas Mizoram combines state-level special status with the continued existence of ADCs in certain areas. Consequently, Mizoram exhibits a more explicitly decentralised sub-state structure in its tribal areas, while also operating as a full-fledged state with a veto over central laws in core domains.

Aspect	Fifth Schedule State (e.g., Jharkhand)	Nagaland (Article 371A)	Mizoram (Article 371G + Sixth Schedule)
Constitutional article/base	Fifth Schedule to the Constitution (Scheduled Areas in states such as Jharkhand).	Article 371A of the Constitution (special provision with respect to the State of Nagaland).	Article 371G of the Constitution read with the Sixth Schedule (special provision with respect to the State of Mizoram and specified Autonomous District Councils).
Tribal body / institution	Tribal Advisory Council (TAC) constituted to advise the Governor on matters concerning Scheduled Tribes; essentially an advisory body.	Village and tribal councils recognised under state law as customary institutions of self-governance.	State Legislature with special status under Article 371G plus three Autonomous District Councils (Chakma, Lai, Mara) under the Sixth Schedule.
Nature of authority	TAC has advisory and consultative role; no independent legislative power.	Customary village and tribal councils exercise quasi-judicial and administrative functions	ADCs possess legislative, executive and limited judicial powers over specified

		in accordance with Naga custom; legislative power rests in the State Assembly.	subjects; State Assembly enjoys a veto over application of certain central laws.
Protection of customary law and religion	Governor may make regulations for peace and good government of the Scheduled Areas and can modify or exclude laws; protection of customs is largely mediated through such regulations and state statutes.	Parliamentary laws on religious or social practices of Nagas, Naga customary law and procedure, and administration of civil and criminal justice according to Naga customary law apply only with State Assembly consent.	Parliamentary laws on religious or social practices of Mizos, Mizo customary law and procedure, and administration of civil and criminal justice according to Mizo customary law apply only with State Assembly consent.
Land/resource protection	Governor's regulation-making power and requirement of Presidential notification for declaring or altering Scheduled Areas; land protection depends on state laws and regulatory practice.	Parliamentary laws relating to ownership and transfer of land and its resources apply only if approved by the Nagaland Legislative Assembly, giving strong constitutional protection to customary land tenure.	Parliamentary laws relating to ownership and transfer of land apply only if approved by the Mizoram Legislative Assembly; plural land tenure (common, clan and individual holdings) is insulated by Article 371G and Sixth Schedule.
Fiscal autonomy	Very limited; TAC has no revenue powers, and	Fiscal arrangements are negotiated at the state-Union level; no separate	ADCs have narrow own-source revenues (local taxes, fees) and

	Scheduled Areas remain fiscally dependent on state decisions and general central transfers.	Sixth Schedule ADC finance structure, though customary bodies influence local decisions.	depend heavily on grants from the State and Union; the State uses its consent power under Article 371G when evaluating central laws with fiscal or land implications.
--	---	--	---

This comparison highlights both commonalities protection of custom and land—and Mizoram's distinctive hybrid model of state-level and sub-state autonomy.

RECENT DEVELOPMENTS AND FUTURE DIRECTIONS

Recent developments in Mizoram reflect both efforts to modernise governance and continuing contestation over the scope of special provisions. On the one hand, the state has tried the implementation of digital management platforms, increased connectivity and specific development packages to enhance infrastructure and service delivery in far-flung regions including under the jurisdiction of ADC. Conversely, there is still an argument whether the Sixth Schedule needs to be renewed or reformed elsewhere in the Northeast and the interpretation of Article 371G concerning national policies on forests, environment and land acquisition.

Third, a continued struggle to be represented in the multi tribal setting of Mizoram can be seen in demands by smaller communities to have increased autonomy such as demands to have more powers or independent councils. At the same time, the national processes like the suggestions to amend the forest laws, the construction works of the main infrastructure and environmental lawsuits in the Gauhati High Court and the National Green Tribunal have helped to focus the special status of Mizoram, as the courts and policy makers attempt to balance the priorities of regions and countries. These pressure factors will have a great impact on how the state reacts to them and the course of its autonomy structure.

CRITICAL ANALYSIS

An analytical overview of the constitutional fabric of Mizoram shows that there is an intricate set of successes and failures. On the bright side, a mixture of the 1986 Peace Accord, Article 371G, the Sixth Schedule councils and the empowered village councils has made a comparatively peaceful assimilation of a once-insurgent territory, even though it conserved a lot of space to the Mizo cultural practices and traditional governance. The establishment and enshrinement of customary law, the preservation of land against unchecked alienation and long-term maintenance of village-level institutions are indications of the ability of the Constitution to adapt flexibly and through negotiation.

Nevertheless, these institutional structures are not necessarily associated with substantive autonomy or social justice. The example of the Mizoram Forest Rights Act being withdrawn in 2019 is an attempt to use special status as a pretext to undo central legislation aimed at acknowledging the right of forest-dwelling communities, raising concern that autonomy in the state may in practice be an act of concentration over the local population. The 2024 land acquisition litigation, in its turn, demonstrates courts insisting on the impossibility of interpreting Article 371G to permit the less protective state law to override the beneficial central law as it restricts state power.

Tensions are also created by legal pluralism. The codified Mizo customary law brings about certainty, but has been criticized as reinforcing gender biased rules of inheritance, and as failing to keep up with the evolving roles of women, which now conflict with constitutional promises of equality. As exemplified by the case of Kaithuami, courts have tried to make use of custom in a way that puts more emphasis on the obligations between people and less on the strictness of bloodline claims, suggesting potential internal dynamic development of customary practices. However, the long-term change will need a conscious effort on the part of community institutions, legislators and the courts to fix custom to suit current conceptions of dignity and equality.

Lastly, independence and bureaucratic frailties are huge in undermining the independence that is on paper. The absence of predictable financial devolution and capacity building can also ensure that the ADCs and village councils are not very much enabled to design and implement development strategies that are responsive to the local demands but the level of executive at the state level remains as the leading actor. Inequality within a state, including

the underdevelopment in the Chakma regions, indicates that internal power inequalities can put a dent on the egalitarian visions of the constitutional plan.

CONCLUSION

Mizoram is an outstanding exception in the constitutional landscape of India, where peace was established through creative legal protection of culture, custom and land. The interaction of the Sixth Schedule, Article 371G, village councils and codified customary law has provided a singular form that demonstrates the strengths of asymmetric federalism as well as its weaknesses. In order to fulfil the full potential of this model, there are a few reforms that seem to be required. Enhancing fiscal devolution and the capacity to plan at the ADCs and village councils' level would take autonomy out of symbolism and allow development at local levels. It would be more effective to establish, by way of legislation and judicial direction, what exactly Article 371G means by reference to central welfare statutes so that the special status was not selectively invoked against rights-enhancing reforms. Similar attempts to reconsider codified customary law in conversation with institutions of the community, especially gender equality and intergenerational equity, would go in assisting to bring tradition into line with constitutional values.

Such measures pursued in good faith may enable the autonomy structure of Mizoram to be transformed into an effective peace settlement mechanism and a further experiment on democratic self-governance and inclusive development one providing important lessons to the management of diversity in other tribal and conflict-torn regions of India.