

Empowering Ladakh

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Empowering Ladakh: Legal Safeguards for Culture, Jobs, and Representation

Context

After the **abrogation of Article 370 in 2019**, Ladakh was carved out as a **Union Territory without a legislature**, unlike Jammu & Kashmir. This transition raised long-standing concerns among Ladakhi civil society over **loss of legislative autonomy, threats to cultural identity, and job insecurity**. To address these demands, the **Central Government introduced five new regulations in 2025**, aiming to provide a tailored governance framework for the region.

Key Features of the 2025 Regulations

1. Domicile-Based Government Job Reservation

Regulation: *Ladakh Civil Services Decentralization and Recruitment (Amendment) Regulation, 2025*

- Introduces **domicile-based reservation** for government jobs in Ladakh.
 - A person is considered a **domicile** if:
 - **Resident of Ladakh for 15 years**, or
 - Studied for **7 years** and appeared in **Class 10 or 12** in Ladakh, or
 - Child of a **Central Government employee** serving in Ladakh for 10 years, or
 - **Spouse or child of a Ladakh domicile**.
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2. Domicile Certificate Issuance Procedure

Regulation: *Ladakh Civil Services Domicile Certificate Rules, 2025*

- Specifies process and required documents for applying for a domicile certificate.
 - **Tehsildar** will issue the certificate; **Deputy Commissioner** will serve as appellate authority.
 - Applications can be filed **both online and offline**.
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3. Expanded Reservation in Education and Jobs

Regulation: *Union Territory of Ladakh Reservation (Amendment) Regulation, 2025*

- Total reservation for **SC, ST, OBC, and other backward classes capped at 85%**, excluding **10% EWS quota**.
 - **Reservation extended to professional institutions**, including engineering and medical colleges.
 - Earlier, educational reservation was limited to **50%**, now increased to **85%**.
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4. Promotion of Local Languages

Regulation: *Ladakh Official Languages Regulation, 2025*

- Recognizes **English, Hindi, Urdu, Bhoti, and Purgi** as official languages.
 - Provides support for **Shina, Brokskat, Balti, and Ladakhi** for cultural preservation.
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5. Women's Reservation in Local Governance

Regulation: *Ladakh Autonomous Hill Development Councils (Amendment) Regulation, 2025*

- Reserves **one-third of seats for women** in both Leh and Kargil Hill Development Councils through rotation.
- Aims to enhance **gender representation in local decision-making**.

Significance of the New Legal Framework

- These regulations form the **first tailored administrative structure for Ladakh post-2019 bifurcation**.
 - Reflect a shift from previously applied **J&K laws** like the **Reservation Act, 2004** and **Recruitment Act, 2010**.
 - Serve as an **executive alternative to Sixth Schedule autonomy**, without requiring constitutional amendment.
 - Address **core local concerns**: jobs for locals, language preservation, gender inclusion, and transparent recruitment.
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Long-Standing Demands and Concerns of Ladakh

1. Demand for Sixth Schedule Status

- Ladakhi groups demanded inclusion under the **Sixth Schedule**, which offers **constitutional autonomy and protection** through autonomous district councils.
- Demand backed by the fact that **over 90% of Ladakh's population belongs to Scheduled Tribes**.

2. Loss of Legislative Autonomy

- After becoming a UT, Ladakh was placed under **direct Central rule**, unlike J&K which has a legislative assembly.
- Raised concerns over **reduced local decision-making powers**.

3. Fear of Cultural and Ecological Erosion

- Citizens feared exploitation of **tribal identity**, **fragile ecology**, and **natural resources** due to increasing external influence and lack of constitutional safeguards.

Limitations of the New Regulations

1. Lack of Constitutional Protection

- Regulations are framed under **Article 240**, making them **executive orders**, not constitutional provisions.
- These can be **amended or withdrawn unilaterally** by the Centre, unlike the Sixth Schedule which offers permanence.

2. No Land Ownership Safeguards

- Regulations do **not restrict non-domiciles from purchasing land** in Ladakh.
- A significant gap in a region with **high ecological sensitivity** and limited land resources.

3. Absence of Legislative Authority

- The **Ladakh Autonomous Hill Development Councils (LAHDCs)** remain **administrative bodies** with no law-making powers.
- In contrast, Sixth Schedule bodies have legislative control over **land, forests, customs, and education**.

4. No Implementation Roadmap for Language Use

- While local languages are recognized, there's **no framework for their integration** into education, governance, or judiciary.
- May remain **symbolic without institutional backing**.

Conclusion

The 2025 regulations reflect a **serious attempt by the Centre** to meet Ladakh's region-specific needs by protecting **jobs, culture, and gender rights**. However, the absence of **constitutional safeguards, land protection, and legislative autonomy** limits their long-term impact. For sustainable governance and inclusive development, Ladakh requires a **comprehensive legal and institutional framework**, potentially aligned with **Sixth Schedule provisions**.