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# LADAKH

MUSTAFA HAJI\*

## Introduction

On August 5, 2019 the Union Home Minister of India moved two bills and two resolutions before the Lok Sabha with regard to Jammu and Kashmir (“J&K”).<sup>1</sup> The two bills which were supported by the majority of the members became Acts and altered the 70-year relationship of J&K with the Union of India. Not only was the special status of the state of J&K changed but the state was also bifurcated into two Union Territories making this a sole example of a state disintegrated into two union territories. Ladakh, a constituent unit of the erstwhile state was created as a separate Union Territory without a legislature, while the regions of Jammu and Kashmir were reorganised as a single UT with a legislature.

With the coming into effect of the Jammu and Kashmir (Reorganisation) Act, 2019 some laws were repealed, some amended and some Union laws were extended to J&K and Ladakh.<sup>2</sup> Quite expectedly the 2019 Act followed a string of petitions (21 petitions in total) before the Supreme Court challenging various aspects of the two Acts. The Supreme Court took four years to decide the matter, and pronounced judgment on December 11, 2023. The Court made several observations to the arguments raised. With regard to Ladakh, on the

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<sup>1</sup> Constitution (Application to Jammu & Kashmir) Order, 2019 (Ref. Article 370(1) of Constitution of India—issued by President of India to supersede the 1954 order related to Article 370); Resolution for Repeal of Article 370 of the Constitution of India (Ref. Article 370 (3)); Jammu & Kashmir (Reorganisation) Bill, 2019, 29 of 2019 (Ref. Article 3 of Constitution of India); Jammu & Kashmir Reservation (2<sup>nd</sup> Amendment) Bill, 2019, 28 of 2019 (Home Minister withdrew the Bill from both Houses as the provisions of this act would become applicable to J&K once article 370 gets repealed and the laws of Union of India become applicable there).

<sup>2</sup> Fifth schedule of the Reorganization Act 2019 lists all laws that shall be applicable in the newly formed UTs. It lists all laws made by the J&K State assembly that have been repealed (153) also the Governor’s Acts that have been repealed (11) and the ones that are allowed to continue ( 166) and also those which have been made applicable with some amendments and (7). All federal laws that shall become applicable (106 in number) and also all Federal laws which were applicable with special provisions are also mentioned in this Schedule. Available at <https://www.indiacode.nic.in/handle/123456789/12030> (Last visited 5<sup>th</sup> September, 2023).

one hand, it upheld the UT status for Ladakh and on the question of “Whether Parliament can extinguish the character of statehood by converting a state into one or more Union Territories in exercise of power under Article 3”,<sup>3</sup> the court left the question open.<sup>4</sup> The court further held that statehood should be restored for J&K in the interest of participatory and representative democracy, both of which, the court held are important aspects of the federal structure of the country. However, the Supreme Court remained silent with regard to Ladakh which lost six seats in the state assembly and the council of J&K. Although there was no petition on behalf of Ladakh against the abrogation of Article 370, the judgment of the Supreme Court does have an impact on Ladakh and puts the very legitimacy of the UT of Ladakh into jeopardy and leaves many questions on federalism unanswered.

This survey shall focus on the developments in Ladakh-the interplay of the administration and the Autonomous Hill Councils. And since the first few years of the UT administration were engulfed by the Covid 19, the author shall focus on the last two years, during which the major developments took place.

## **The Autonomous Hill Development Councils and the New Forms of Federalism**

The Hill Development Councils in Ladakh were a special arrangement which could not be found in any of the other regions of Jammu and Kashmir and this was a model that resembled the north-eastern states with Autonomous District Councils. However, in the case of Ladakh the Council was only statutory in nature and only had rule making powers and no power to enact legislation. The biggest advantage of the councils was that they allowed the people to choose local representatives alongside with seats that were already reserved for Ladakh in the Legislative Assembly and the Legislative Council of J&K.<sup>5</sup> There has rarely been a case in India where a region had autonomous councils within a bicameral legislative system with the protection of Article 370. Ladakh was, as such, the biggest beneficiary of Article 370.

After the Reorganisation Act 2019, the Autonomous Hill Development Council (one in Kargil and one in Leh) were kept as is and at present the polity of Ladakh comprises UT

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<sup>3</sup> This argument was raised in the Yousuf Tarigami petition and several other petitions. See Mohammed Yusuf Tarigami v. Union of India, Writ Petition (Civil) No. 1210 of 2019, Supreme Court of India.

<sup>4</sup> In Re: Article 370 of the Constitution, 2023 INSC 1058, ¶1504.

<sup>5</sup> Ladakh had four Legislative Assembly seats and two Legislative Council seats and in the state of Jammu and Kashmir. At present there is only one member of the Parliament for Ladakh.

administration headed by the LG and the Hill Councils as the main elected bodies.<sup>6</sup> The Hill Councils of Leh<sup>7</sup> and Kargil<sup>8</sup> work alongside the UT administration and have control over 28 subjects<sup>9</sup> and at the district level play a significant role in the administration.<sup>10</sup>

## Resolutions of the Hill Council

Besides going on about the usual business, the Hill Councils of Leh<sup>11</sup> and Kargil<sup>12</sup> have passed interesting resolutions in the last two years. In the Leh Council a resolution was moved by Stanzin Chospel, executive councillor for the need of constitutional safeguard for Ladakh and the leader of opposing Tsering Namgyal seeking constitutional safeguard for Ladakh within the sixth schedule of the Constitution. Similarly, in the Kargil Hill Council, resolutions were passed for statehood, sixth schedule and making Ladakh Resident Certificate mandatory for government jobs. A common streak in both the resolutions is the assertion of the local identity and its preservation which amounts to seeking the restoration of powers and privileges Ladakh has lost after becoming a union territory.

## The Budget/ Fiscal Development

One of the sparkling features of the new Union Territory has been the huge increase in the budget. The budget for the UT Ladakh has been increased from 1135.56 Cr in 2018 to 5,958 Crores in 2023. A drastic increase in the budget has led to many new projects and work on

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<sup>6</sup> The autonomous councils have thirty members each and in both the councils seats are reserved for women and minorities, see Jammu and Kashmir Reorganization Act, 2019, §13 rw §57.

<sup>7</sup> DISTRICT LEH-LADAKH, *Ladakh Autonomous Hill Development Council, Leh*, available at <https://leh.nic.in/lahdcleh/> (Last visited on 30 September 2023).

<sup>8</sup> KARGIL-LADAKH, *Ladakh Autonomous Hill Development Council, Kargil*, available at <https://kargil.nic.in/lahdc/> (Last visited on 30 September 2023).

<sup>9</sup> Ladakh Autonomous Hill Development Council Act 1997, §23.

<sup>10</sup> Both Leh and Kargil have their respective websites and LAHDC Kargil also issues a yearly report namely Kargil Nama. See KARGIL-LADAKH, *Kargil Nama*, available at <https://kargil.nic.in/kargilnama/> (last visited on 6 October 2023).

<sup>11</sup> Constitutional safeguards for protection of Land; employment guarantee; protection of culture, trade and environment; and, extension of provisions of the Constitution to the hill councils. See Naseer Ganai, *BJP Led Ladakh Hill Council Seeks Article 371 Or Sixth Schedule, Passes Resolution Amid India-China Crises*, OUTLOOK INDIA, 17 January 2024, available at <https://www.outlookindia.com/website/story/india-news-bjp-led-ladakh-hill-council-seeks-article-371-or-sixth-schedule-passes-resolution-amid-india-china-crises/359782/>. (last visited on 12 August 2023).

<sup>12</sup> Statehood status for Ladakh, Sixth Schedule status for Ladakh, increase in the number of Parliamentary seats to two from Ladakh instead of one currently; and, Job security and early job recruitment. Peerzada Ashiq, *Kargil hill council passes resolution for Ladakh's statehood, jobs for locals, special status*, THE HINDU, 26 November 2022, available at <https://www.thehindu.com/news/national/other-states/kargil-hill-council-passes-resolution-for-ladakhs-statehood-jobs-for-locals-special-status/article66187239.ece>. (last visited on 16 August 2023).

the projects which were pending earlier have been expanded.<sup>13</sup> The work on the construction of the roads has been quite fast.<sup>14</sup> In a very recent announcement the central government has sanctioned an unprecedented number of roads for Ladakh.<sup>15</sup> As per the reports of the UT administration 224 projects worth ₹ 3,155 Cr have been approved for roads under UT budget” which is the major chunk of the Budget.”<sup>16</sup> Apart from the roads there has been a significant investment in other areas such as water connection <sup>17</sup> under the Jal Jeevan Mission,<sup>18</sup> infrastructure of the Courts,<sup>19</sup> bridges, and libraries.<sup>20</sup>

## Spending Powers

While this move of the government has been appreciated, there are two major reservations the people on the ground have shown against this. The members of the Hill Councils have lamented that the budget for the UT Ladakh has increased in terms of the numbers however the powers of the councils to spend the funds has diminished. As per the LAHDC Act 1997 and Rules, there used to be an arrangement of a plan and a non-plan budget system and

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<sup>13</sup> Ministry of Road Transport and Highways, *Shri Nitin Gadkari inspects Zojila Tunnel , Asia's longest tunnel to establish all weather connectivity for Ladakh with Lieutenant Governor of Jammu and Kashmir Shri Manoj Sinha*, PIB, 10 April 2023, available at <https://pib.gov.in/PressReleasePage.aspx?PRID=1915271> (last visited on 1 September 2023).

<sup>14</sup> Ministry of Defence, *Major Road Projects launched in Ladakh to be constructed by BRO*, PIB, 1 October 2021, available at <https://www.pib.gov.in/PressReleaselframePage.aspx?PRID=1760110> (last visited on 20 October 2023).

<sup>15</sup> Ministry of Road Transport and Highways, *Shri Nitin Gadkari sanctions 29 road projects in Ladakh worth Rs 1170.16 crore*, PIB, 29 December 2023, available at <https://pib.gov.in/PressReleaselframePage.aspx?PRID=1991429> (last visited on 8 January 2024).

<sup>16</sup> THE ADMINISTRATION OF THE UNION TERRITORY OF LADAKH, *Ladakh: From Potential TO Prosperity The 4-Year Journey*, available at <https://ladakh.gov.in/publication/ladakh-from-potential-to-prosperity-the-4-year-journey-2019-2023-english-bhoti/> (last visited on 13 October 2023).

<sup>17</sup> INDUS DISPATCH, *JJM: Ladakh tops large UTs in tap water connections, tenth overall*, 1 January 2024, available at <https://indusdispatch.in/jjm-ladakh-tops-large-uts-in-tap-water-connections-tenth-overall/> (last visited on 15 September, 2023).

<sup>18</sup> Ministry of Jal Shakti, *Every household in North-West India to get tap water connection by 2022, Impact of 100 Days Campaign: all schools and anganwadi centres in Punjab, Haryana & Himachal Pradesh now have tap water supply, More than 5 Crore people to benefit from four-fold increase in Central allocation*, 5 June 2021, available at <https://pib.gov.in/PressReleaselframePage.aspx?PRID=1724713> (last visited on 20 August 2023).

<sup>19</sup> INDUS DISPATCH, *New District Court Complex Coming Up in Kargil*, 16 April 2022, available at <https://indusdispatch.in/new-district-court-complex-coming-up-in-kargil/> (last visited on 20 August 2023); REACH LADAKH, *Chief Justice, Pankaj Mithal lays foundation stone of new District Court Complex, Leh*, 21 July 2021, available at <https://www.reachladakh.com/news/social-news/chief-justice-pankaj-mithal-lays-foundation-stone-of-new-district-court-complex-leh> (last visited on 20 August 2023).

<sup>20</sup> *Supra* note 16.

the same used to be non-lapsable.<sup>21</sup> This basically meant that in the previous arrangement there was a concept of carrying forward of the budget, which meant that the council had more funds at their disposal. Now having a lapsable budget keeps the LAHDC at the mercy of the UT administration.<sup>22</sup> Secondly, there is apprehension in the minds of the people that the budget for Ladakh and especially on the road and infrastructure is increased keeping in mind the border security which has always been the case and this had led to a certain alienation of the people of Ladakh.<sup>23</sup>

## Education

### Higher Education

Ladakh did not have a university of its own for the longest time and one of the major developments of the UT administration has been to operationalise the University in Ladakh which came into existence in the year 2018<sup>24</sup> The university has six colleges under its umbrella and offers courses which are specific to the Himalayan regions.<sup>25</sup>

### Primary and Secondary Education

Apart from the university of Ladakh there have been many changes at the primary and secondary education level. The state board of Jammu and Kashmir has been changed to the Central Board of Secondary Education and in the year 2023, hostels are being run for the students who shall be facing the 10<sup>th</sup> board of the CBSE for the first time.<sup>26</sup> For the year

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<sup>21</sup> In the previous arrangement there was a concept of carrying forward of the budget, which meant that the council had more funds at their disposal. Not having a lapsable budget keeps the LAHDC at the mercy of the UT administration.

<sup>22</sup> This has been brought up by the Chief Executive Councillors of both Leh and Kargil in the meetings with the Ministry of Home.

<sup>23</sup> “The image of the border manifests itself in popular representations of Ladakh that tend to portray it as a remote land located at the edge of modernity. Ladakh is described in binary terms, either as a self-sustaining and unique paradise open for adventure, sport, and tranquil spiritual self-discovery, a surviving remnant of the glory and mysticism of an unsalvageable Tibet, or else as a backward border on the fringes of India, a stark, hazard-filled wilderness where men of courage battle nature and enemies.<sup>14</sup> Government directives, academic writings, and travel literature have all spawned images that add to the region’s marginalization.” Ravina Aggarwal, *BEYOND LINES OF CONTROL*, 232 (Duke University Press, 2004).

<sup>24</sup> The University of Ladakh Act 2018.

<sup>25</sup> Although the University of Ladakh Act was passed in the year 2018, the University came into being in the year 2019 and since then there have been many developments. See UNIVERSITY OF LADAKH, *About University of Ladakh*, available at <https://uol.ac.in/about> (last visited on 19 August 2023).

<sup>26</sup> Nusrat Habib, *DSE UT Ladakh Launches 45-days Winter Coaching Program for CBSE Board Exams*, VOICE OF LADAKH, 26 December 2023, available at <https://www.voiceofladakh.in/2023/12/dse-ut-ladakh-launches-45-days-winter-coaching-program-for-cbse-board-exams/> (last visited on 14 December 2023).

2023-24 the budget for Higher Education has been increased to Rs 104.05 crores.<sup>27</sup> There has also been recruitment by the Service Selection Committee for the first time for the divisional posts and many non-gazetted posts have been referred to the SSC.<sup>28</sup> The UT administration has further reserved the jobs for the residents of Ladakh and only the residents with Ladakh Resident Certificates (LRC) can apply for the jobs.<sup>29</sup> Similarly the reservation rules have also been amended which among other steps has done away with the Other Social Caste and the reduction in the Schedule Caste percentage resulting in the distribution of the percentage as per the existing population of the STs and the SCs.<sup>30</sup> The new education policy is being implemented in its letter and spirit.<sup>31</sup>

## Recruitment

There is resentment among the people for not having any recruitments to the gazetted posts for the last four years.<sup>32</sup> Until the Reorganization Act of 2019, the recruitment for the gazetted jobs in J&K was done by the J&K Public Service Commission. The Reorganization Act of Jammu and Kashmir provides for a public service commission for the UT of J&K but the same provisions have not been extended to Ladakh.<sup>33</sup>

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<sup>27</sup> *Supra* note 16.

<sup>28</sup> ADMINISTRATION OF UNION TERRITORY OF LADAKH, *SSC Corner*, available at <https://ladakh.gov.in/ssc-corner/> (last visited on 18 October 2023).

<sup>29</sup> Department of Law and Justice, Leh–Ladakh, Union Territory of Ladakh Grant of Resident Certificate (Procedure) Order, 2021, Order No: 18-LA (LD) of 2021 (8 October 2021) available at, <https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2021/10/2021100893.pdf> (last visited on 20 October, 2023).

<sup>30</sup> Social Welfare Department, Ladakh, Amendments in the Jammu and Kashmir Reservation Rules, 2005, S.O.14 (Notified on 23 April 2023), available at <https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2020/04/2020042714.pdf> (last visited on 22 October 2023).

<sup>31</sup> National Education Policy, 2020, available at [https://www.education.gov.in/sites/upload\\_files/mhrd/files/NEP\\_Final\\_English.pdf](https://www.education.gov.in/sites/upload_files/mhrd/files/NEP_Final_English.pdf) (last visited on 1 December 2023).

<sup>32</sup> Ummul Huda, *Ladakh's Silent Struggle for a Secure Future Yields Little Progress*, VOICE OF LADAKH, 22 March 2025, available at <https://voiceofladakh.in/2025/03/ladakhs-silent-struggle-for-a-secure-future-yields-little-progress/> (last visited on 22 October 2023); ETV BHARAT, *Halted Recruitment And Domicile Deadlock: Ladakh's Youth Left In Limbo*, 19 December 2024, available at <https://www.etvbharat.com/en/!state/ladakhs-youth-caught-in-limbo-stalled-and-halted-recruitmentand-domicile-deadlock-fuel-unemployment-crisis-enn24121906607> (last visited on 22 October 2023).

<sup>33</sup> In the last exams conducted in the year 2019, there were four officers (3 Kashmir Police Service and 1 Account Officer) from Ladakh, however, for the last five years, there have not been any gazette-level recruitments. On the other hand, in the Union Territory of Jammu and Kashmir, two more batches have come up and one exam is in process. See Section 93 of the Reorganization Act, 2019, §93.

## Land

The state of Jammu and Kashmir had many laws for land which made the state very unique in the Indian federal system. This uniqueness could be seen in the several land reforms acts such as the Jammu and Kashmir Alienation of Land Act, 1938, the Big Landed Estates Abolition Act, 1950, the Jammu and Kashmir Land Grants Act, 1960, and the Jammu and Kashmir Agrarian Reforms Act, 1976 which among other rights gave the tillers the rights over land and democratized and decentralized ownership of land.<sup>34</sup> The LAHDC Acts further transferred the land to the Councils which gave the people of Ladakh more powers over land.<sup>35</sup> After the abrogation of Article 35A and Article 370 one of the biggest changes in the UT Ladakh has been that with regard to land and the first step of the UT administration was to change the registration powers of the Courts and transfer the same to the Administration.<sup>36</sup> This led to two things mainly: the administration now has hegemony over land. Secondly, this step led to a disappointment of the lawyers<sup>37</sup> who had a huge part of their earnings from the registration.<sup>38</sup>

Similarly the UT administration's order which took away the powers of the Tehsildar to attest 'Nautor mutations' under Alin No. 38.<sup>39</sup> Nautor refers to barren land which is owned by the

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<sup>34</sup> Vishwadeepak, *Economist Jean Dreze: Article 370 helped reducing poverty in Jammu and Kashmir*, NATIONAL HERALD, 9 August 2019, available at <https://www.nationalheraldindia.com/india/economist-jean-dreze-jandk-more-developed-than-gujarat-special-status-helped-reducing-poverty> (last visited on 22 October 2023).

<sup>35</sup> Ladakh Autonomous Hill Development Council Act 1997. §42.

<sup>36</sup> Revenue Department, Ladakh, Assigning of duties of Registrar/Sub-Registrar for the purpose of Registration Act, 1908 (Central Act), Order No. 01- Rev (UTL) of 2019 (18 December 2019).

<sup>37</sup> A run Sharma, *Jammu: Lawyers protest Art 370, want registration powers back*, THE INDIAN EXPRESS, 20 November 2019, available at <https://indianexpress.com/article/india/jammu-lawyers-protest-art-370-want-registration-powers-back-6127827/>; Pallavi Sareen, *Jammu Lawyers Go on Indefinite Strike to Protest Administrative Council's Move*, THE WIRE, 2 November 2019, available at <https://thewire.in/politics/in-jammu-bjp-lawyers-support-indefinite-strike-against-centres-move> (last visited 20 July 2023).

<sup>38</sup> The judiciary in Jammu and Kashmir was responsible for handling the registration of papers pertaining to immovable property prior to the establishment of a new department. The chief judge of the J&K high court was designated by the state government as inspector general of registrations, and land registration was carried out in accordance with the J&K Registration Act SVT 1977 (1920 AD). Sub-registrars (sub-judges, munsiffs, and judicial magistrates) at the district and tehsil levels supported the chief district and sessions judges in their roles as district registrars. Under the commissioner secretary of law, the state law department maintained overall administrative supervision.

<sup>39</sup> Alin No. 38, dated 31st Har., 1989 (1932 A.D) allowed Nautor (breaking of barren land and waste land for cultivation purpose) and it provided that the mutation of 'Nautor' shall be attested by officer of Revenue Department not below the rank of Tehsildar. The new order transfers the powers to the Deputy Commissioner without any solid rationale. See INDUS DISPATCH, *Ailan 38: Ladakh withdraws 'nautor' mutation powers from Tehsildars, confers upon DCs*, 18 April 2022, available at <https://indusdispatch.in/ailan-38-ladakh-withdraws-nautor-mutation-powers-from-tehsildars-confers-upon-dcs/> (last visited on 27 September 2023).

government and which is brought under cultivation for the first time by individuals who are the “kaashtgars” (meaning tillers of that land in Urdu). This land can be used for cultivation purposes only.<sup>40</sup>

## Land Industrial Policy

The UT administration also passed the Land Industrial Policy in the year 2023.<sup>41</sup> The Industrial Policy among other things speaks about strengthening economic growth, entrepreneurship, investment and generation of jobs etc.<sup>42</sup> This policy was flagged by the civil society organizations for being a step to bring in big industrialists to Ladakh,<sup>43</sup> reserving 40 % of the land for the priority sectors and the decision making for larger projects being in the control of people outside of Ladakh.<sup>44</sup>

## Ecology and Environment

Ladakh has severe weather and is a semi-arid region. Water has never been an abundant resource. The primary source of water in the past has been glacier melts, but due to the region's notable population growth in recent decades, these melts are no longer adequate. A considerable reduction in snowfall throughout the winter months has made the situation worse.<sup>45</sup> Numerous glaciers in the region have receded as a result of the negative effects on climate change. Keeping in view the vulnerability of the ecology of Ladakh the administration has taken various initiatives to make Ladakh carbon neutral,<sup>46</sup> and electric buses and vehicles for government purposes have been introduced.<sup>47</sup> The largest solar plant

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<sup>40</sup> Justice Hakim Imtiaz Hussan, REVENUE MANUAL: LAND LAWS JAMMU AND KASHMIR, Vol. 3, 230.

<sup>41</sup> Department of Industries and Commerce, Ladakh Industrial Land Allotment Policy 2023, available at <https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2023/10/20231026111643071.pdf> (last visited on the 23 November 2023).

<sup>42</sup> *Mission & Objective of The Draft Industrial Policy*, p. 3.

<sup>43</sup> Safwat Zargar, *Why a proposed industrial policy is being seen as an assault on rights of Ladakh residents*, THE SCROLL, 24 November 2023, available at <https://scroll.in/article/1059522/why-a-proposed-industrial-policy-is-being-seen-as-an-assault-on-rights-of-ladakh-residents> (last visited 29 January 2024).

<sup>44</sup> *Id.*

<sup>45</sup> Alind Chauhan and Amitabh Sinha, *Why Kashmir and Ladakh are without snow this winter, its implications*, THE INDIAN EXPRESS, 19 January 2024, available at <https://indianexpress.com/article/explained/explained-climate/kashmir-ladakh-without-snow-why-implications-9110841/> (last visited on 29 January 2024).

<sup>46</sup> THE ENERGY AND RESOURCES INSTITUTE, *Carbon Neutral and Climate Resilient Ladakh: A strategy document– Action plan and Roadmap*, available at <https://www.niti.gov.in/sites/default/files/2023-03/Carbon%20Neutral%20Resource%20Efficient%20Strategy%20for%20Ladakh%20UT.pdf> (last visited on 15 August, 2023).

<sup>47</sup> HINDUSTAN TIMES AUTO, *Electric Buses in Ladakh Complete One Year, Cover Over 10 Lakh Kilometres*, 19 December 2023, available at <https://auto.hindustantimes.com/auto/news/electric-buses-in-ladakh-cover-over-10-lakh-kilometres-complete-one-year-41702878782462.html> (last visited on 24 September 2023).

in India is currently under construction at Pang near Leh,<sup>48</sup> which has been a bone of contention between the locals and the government.<sup>49</sup>

## Tourism

Ladakh is heavily dependent on the tourism industry and a big chunk of the revenue comes from tourism.<sup>50</sup> The administration in collaboration with the Councils has taken various initiatives such as opening of new areas for tourism,<sup>51</sup> organizing festivals<sup>52</sup> and inner permits have been scrapped for the local tourists.<sup>53</sup> The administration has also come up with a Homestay Policy for Ladakh and as of now 1253 homestays have been given benefits.<sup>54</sup>

## Politics and the Emergence of Popular Voices

The fact that the UT setup has not been able to strike a chord with the people of Ladakh even after its promise of development and financial package is best manifested by the emergence of two major groups in Ladakh: the Apex Body in Leh and the Kargil Democratic Alliance in Kargil.<sup>55</sup> These two groups represent all religious and political bodies of Ladakh.

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<sup>48</sup> THE ADMINISTRATION OF UNION TERRITORY OF LADAKH, *Clean Transport UT Ladakh*, available at <https://heyzine.com/flip-book/6dbcb680fe.html#page/55>, 107; See also Ministry of New and Renewable Energy, *Cabinet approves Green Energy Corridor (GEC) Phase-II – Inter-State Transmission System (ISTS) for 13 GW Renewable Energy Project in Ladakh*, PIB, 18 October 2023, available at <https://pib.gov.in/PressReleasePage.aspx?PRID=1968733> (last visited on 12 December 2023).

<sup>49</sup> Vaishnavi Rathore, *What's driving the protests against the Centre in Ladakh?* THE SCROLL, 12 February 2023, available at <https://scroll.in/article/1043580/whats-driving-the-protests-against-the-centre-in-ladakh> (last visited on 10 December 2023).

<sup>50</sup> DISTRICT LEH-LADAKH, *Tourism*, available at <https://leh.nic.in/tourism/> (last visited on 5 December 2023).

<sup>51</sup> Prateek Prabhat, *Ladakh Sustainable Tourism: Balancing Economic Development and Environmental Preservation*, GREEN TOURISM, 20 February 2023, available at <https://greentourism.world/ladakh-sustainable-tourism/> (last visited on 5 December 2023).

<sup>52</sup> THE INDIAN EXPRESS, *Ladakh's Apricot Blossom Festival to enthrall tourists from April 13; know more about it*, 31 March 2022, available at <https://indianexpress.com/article/lifestyle/destination-of-the-week/ladakh-apricot-blossom-festival-april-2022-kargil-leh-chuli-mentok-details-7845600/> (last visited on 3 October, 2023).

<sup>53</sup> Zulfiqar Majid, *Indian citizens no longer need Inner Line Permit to visit protected areas in Ladakh*, DECCAN HERALD, 7 August 2021, available at <https://www.deccanherald.com/india/indian-citizens-no-longer-need-inner-line-permit-to-visit-protected-areas-in-ladakh-1017167.html> (last visited 12 November 2023).

<sup>54</sup> Department of Tourism & Culture, Ladakh, *Ladakh Homestay Policy 2023 for Promotion of 'Rural/Border' Tourism Including Protected Areas (Wildlife Sanctuaries/Parks), UT of Ladakh*, No. LA(Trm)/Homestay/2023/(53)/3748-55, (Notified on 22 October 2023) available at <https://cdnbbsr.s3waas.gov.in/s395192c98732387165bf8e396c0f2dad2/uploads/2023/10/202310221128165803.pdf> (last visited on 10th November, 2023); *Ladakh Homestay Policy, 2023*.

<sup>55</sup> The author is also a member of these groups and has been advising them for the last two years.

The Apex and the KDA came into being through different sets of demands, however, on August 1, 2021, in a historic turn of event both the groups came up with a common agenda of statehood. The joint group has since then been advocating for a statehood status for Ladakh along with other constitutional safeguards on the lines of the North East and had another round of meeting with the Ministry of Home on the 4<sup>th</sup> of December 2023.<sup>56</sup> The Ministry of Home has formed a High-Powered Committee to address the demands of the people of Ladakh.<sup>57</sup>

## Conclusion

The last two years have been very productive in terms of the investment in numerous projects and UT administration's focus has been on the development of Ladakh. The developmental work on the ground is unprecedented and purely as per the aims and objectives of the "overall development"<sup>58</sup> of Ladakh. However, in the last few years the resentment on ground<sup>59</sup> has also become more prominent and it appears that the increase in budget alone will not be able to solve the anxieties of the people which are more oriented towards participatory democracy, de-centralisation of power and preservation of the distinct tribal identity and ecology of Ladakh.

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<sup>56</sup> THE KASHMIR LIFE, *KDA, Apex Body Leh to Hold Deliberations Ahead of HPC Meet in Delhi*, 2 December 2023, available at <https://kashmirlife.net/kda-apex-body-leh-to-hold-deliberations-ahead-of-hpc-meet-in-delhi-334380/> (last visited on 10 December 2023).

<sup>57</sup> Vijaita Singh, *Explained | Why has a high-power Ladakh committee been formed?*, THE HINDU, 5 January 2023, available at <https://www.thehindu.com/news/national/explained-why-has-a-high-power-ladakh-committee-been-formed/article66339539.ece> (last visited on 20 January 2024).

<sup>58</sup> DAILY EXCELSIOR, *Modi Govt committed for overall development of Ladakh: Koul*, 21 December 2023, available at <https://www.dailyexcelsior.com/modi-govt-committed-for-overall-development-of-ladakh-koul/> (last visited 26 January 2024).

<sup>59</sup> Anando Bhakto, *Ladakh's struggle for identity and survival*, FRONTLINE, 7 September 2023, available at <https://frontline.thehindu.com/the-nation/ladakh-struggle-for-identity-and-survival-demand-for-statehood-sixth-schedule-status-border-security-environment/article67263184.ece>; Mustafa Haji, *Protests on the rise in Ladakh as push for statehood gains momentum*, FRONTLINE, 7 September 2023, available at <https://frontline.thehindu.com/the-nation/slow-burn-anger-ladakh-sees-protests-over-denial-of-political-empowerment-ladakhis-frustrated-as-home-ministry-drags-feet-over-statehood-and-sixth-schedule/article67262960.ece> (last visited on 26 January 2024).