

THE MANIPUR STATE HILL PEOPLES
(ADMINISTRATION) REGULATION, 1947

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**The Manipur State Hill Peoples (Administration)
Regulation 1947**

Preamble- Whereas it is expedient to consolidate and amend the law governing the administration of the Manipur State Hill Peoples; now therefore the Maharaja of Manipur is pleased to make the following Regulation:

Chapter 1: General

1. *Title, Extent, Commencement and Repeal* – (a) This Regulation may be called the Manipur State Hill Peoples (Administration) Regulation 1947.

(b) It shall apply to all the Hill Peoples of the Manipur State.

(c) It shall come into force on such date as the Maharaja may appoint and all previous rules of administration which are in conflict with this regulation shall be deemed to be repealed.

1. This Regulation has been repealed in part by section 58 of the Manipur (Village Authorities in Hill Areas) Act, 1956 (80 of 1956) reproduced below:

“58. *Repeal and Savings:* The Manipur State Hill Peoples (Administration) Regulation, 1947, insofar as it relates to the constitution and functions of Village Authorities and the administration of justice, both civil and criminal by courts of Village authorities is hereby repealed;

Provided that the said repeal shall not effect ----

- (a) the previous operation of the said Regulation or
- (b) any right obligation or liability acquired, accrued or incurred under the said Regulation or
- (c) any penalty, forfeiture or punishment in respect of any offence committed under the said Regulation, or
- (d) any investigation, legal proceeding or remedy in respect of any right, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, contained or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed.

Provided further that subject to the above provisions, anything done or any action taken (including any appointment or delegation made or any notification, instruction or direction issued or any rule, regulation or form made or framed) under the said Regulation shall insofar as such thing or action is not inconsistent with the provisions of this Act, continue in force, and be deemed to have been done or taken under the corresponding provisions of this Act, unless and until it is superseded by anything done or any action taken under the provisions of this Act.

2. *Definition:* In this Regulation except where the contrary appears for the context:

- (a) “Chief Court” shall mean the Chief Court of the Manipur State as constituted under the Manipur State Courts Act 1947 for the trial of cases or suits to which Hill men are a party.
 - (b) “Heinous Offence” shall mean and include any of the following: Murder, Culpable Homicide, Causing Grievous Hurt, Rape, Kidnapping or Abducting in order to subject to slavery, Disposing or Buying of persons as slaves, Habitual dealing in slaves, Dacoity, robbery, Rioting, House breaking, Mischief by Fire, or any explosive substance, any offence under Chapter VI or XII of the Indian Penal Code, any offence punishable under the Arms Act and any attempt to commit or abetment of any of the above offences.
 - (c) “Pleader” shall include a Mukhtar or any professional Agent.
 - (d) “Sub-Divisional Officer” shall mean the Officer appointed to be in executive charge of a Sub-Division.
 - (e) “Circle Officer” shall mean the Officer appointed to be in executive charge of a Circle.
 - (f) “Circle Bench” shall mean the circle Officer sitting with two more members of the Elected Circle Council selected by him at his discretion for the trial or any given case.
3. *Responsibility for Administration in the Hills:* The responsibility for the administration of the Hill Peoples is vested in the Maharaja in Council and shall be exercised in accordance with the Constitution Act of the State and the provisions of this Regulation as amended from time to time.
 4. Appointments to all executive posts in the Hill Administration shall be made in accordance with the Rules for the Manipur State Appointment Board excepting where specific provision shall be made for such appointment in this Regulation.

Chapter II
Local Authorities

5. For the purpose of administration all villages to which this Regulation applies shall be grouped into Circles and Sub-Divisions as provided in Schedule 1 to the Regulation.
6. In each village of 20 tax paying houses or over, there shall be constituted a Village Authority which shall be nominated in accordance with the custom of the village and shall consist of the Chief of Khullakpa of the Village with his council of elders, if any. The village authority so nominated shall be formally recognized by the Sub-Divisional Officer who shall be the final authority in all matters concerning the appointment and constitution of a village authority saving that an appeal shall lie to the Minister in charge of Hill Administration from the decision of the Sub-Divisional Officer in such matters.
7. In each Circle there shall be constituted a Circle Authority which shall comprise the Circle Officer and a Council of five Members elected by the Village Authorities falling within the Circle. The Circle Authority so constituted shall be formally recognized by the Sub-Divisional Officer who shall be the final authority in all matters concerning the election and constitution of the circle Authority saving that an appeal shall lie to the Minister in charge of Hill Administration from the decision of the Sub-Divisional Officer in such matters.
8. In each Sub-Division there shall be a Sub-Divisional Officer who shall exercise general executive control over the local authorities in the Sub-Division under the orders of the Minister in charge of Hill Administration.

Elections

9. (i) Election to Circle Authorities shall be held triennially in the first week of November. The Sub-Divisional Officer acting through the circle Officer shall be responsible for carrying out the elections within each Circle. In all Electorate matters the decision of the Minister in charge of Hill Administration shall be final.

(ii) In the election of the Circle Authority no village of under 20 tax paying houses at the house counting immediately prior to the election, shall be eligible to vote. In villages with houses in excess of this number the following votes may be recorded:

20-50 Tax paying houses	---	One vote
51-100 Tax paying houses	---	Two votes
101-200 Tax paying houses	---	Three votes

In villages with more than 200 tax paying houses, one additional vote may be recorded for every 100 houses in excess of 200.

Chapter III

Executive Powers and Responsibilities

10. Subject to the provisions of this Regulation, the Minister of the State Council for the Hill Administration shall be responsible for the Administration of the Hill Peoples under this Regulation saving that in any matter concerning the exercise of executive functions in regard to Law and Order under this Regulation, the Levy, Assessment or collection of any tax on houses on land or on the produce of land, the settlement of any disputes regarding land or the produce of land and any questions regarding the ownership the recommendation in writing of the Circle Authority concerned shall first be obtained and no decision of the council which runs contrary to this recommendation shall have the force of Law unless it is supported by both the Hill Ministers on the Council.
11. The Minister in charge of Hill Administration may delegate such powers and functions and functions to the Sub-Divisional Officer and to the Circle Officers as may seem suitable saving that such delegation shall not derogate from his general responsibility under Section 10 above.
12. Notwithstanding the provisions of Section 10 above the Circle Authorities shall, subject to the specific provisions of this Regulation, exercise powers as under:
 - (a) Subject to general supervisions by the State Educational Department the Circle Authority shall be responsible for the administration of Lower and Upper Primary Education within the Circle, Middle English and Higher Education shall be administered by the State Education Department.
 - (b) Subject to general supervision by the State Public Works Department, the Circle Authority shall be responsible for the construction and maintenance of all bridle paths and bridges other than iron bridges, together with the construction and maintenance of all public buildings of Katcha or semi-Katcha type and the maintenance of Pucca buildings within the Circle. The construction and maintenance of iron and all major bridges and all Pucca Buildings shall be the responsibility of the State Public Works Department.
 - (c) The State Medical Department shall be responsible for the provision of Medical facilities in the Hills and for the administration of Hill Dispensaries and Hospitals, saving that all measures for the betterment of the Public Health and for the control of disease shall be carried out in collaboration with the Circle

Authority and that the Circle Authority shall have a special responsibility for the encouragement of personal hygiene and the provision of clear water supplies.

(d) Administration of all State Reserved Forests or Mahals shall be the responsibility of the State Forest Department who shall operate in collaboration with the Circle Authority in that area in which the Reserved Forest lies. No new area shall be demarcated as Forest Reserve without prior consultation with the Circle Authority concerned who shall be given an opportunity to record in writing any objection they may have to the formation of such reserve.

The Circle Authority shall have a special responsibility for the preservation of timber in the open reserves and no timber shall be cut from such reserves without a permit from the Circle Authority who shall levy such fees for the issue of such permits as may be laid down by the State Council from time to time.

It shall further be the special responsibility of the circle Authority to check wasteful and unnecessary firing of the Hill sides and to reduce the areas under Jhum cultivation to the minimum.

(e) Subject to the general supervision of the State Agricultural Department, the Circle Authority shall be responsible for the encouragement of better means of agriculture in the Circle, the introduction of improved seeds and the spread of wet rice and terraced cultivation with a consequent reduction of Jhuming. It shall be the particular responsibility of the Circle Authority to ensure that Jhum land once relinquished shall not in any circumstances revert to Jhum cultivation.

(f) Subject to such Rules and Regulations as may be issued by the State Council, the Circle Authority shall be responsible for the maintenance of Land Records within the circle and for the assessment and collection of such taxes on the land or other immovable property as may be levied from time to time. It shall be the responsibility of the Circle Officer to ensure that all such collections are accounted for in a correct manner and are credited to the State Accounts in accordance with the State Account Rules.

13. Where any specific responsibility is vested in the Circle Authority under the provisions of Section 12 above, the Circle Authority shall have full power to determine how such responsibility shall be carried out and shall issue such orders in this regard as it may consider necessary, saving that in any case where such orders run contrary to public policy or are likely to lead to a breach of the peace or a break-down in the administration, the State Council may require the Minister in charge of Hill Administration to intervene and revoke the order issued by the Circle Authority.

Chapter IV

Law and Justice and the Maintenance of Public Order.

14. The Circle Authorities shall be responsible for the maintenance of Law and Order within the Circle and shall exercise this authority wherever such authorities exist.

(15) (a) The ordinary duties of the Police in respect of crime shall discharged by the Village Authorities where such exist and by the Circle Authority where there is no village Authority. They shall maintain peace and order within their jurisdiction.

(b) The Village Authorities shall not be deemed to be Police for the purposes of Section 25 and Section 26 of the Indian Evidence Act 1872 or of Section 162 of the Code of Criminal Procedure 1898.

(c) The Village Authorities shall watch and report on any vagrant or any bad or suspicious character found within their jurisdiction and may apprehend any such person if they have reasonable grounds for suspecting that he has committed or is about to commit an offence and shall hand him over to the Circle Officer without delay.

16 On the commission of any heinous offence within their jurisdiction, the inhabitants of the village shall at once, if possible, apprehend the offender and hand him over with a report on the crime to the Circle Officer. If the culprit is not apprehended the Village Authority shall proceed to the scene of the occurrence and having enquired into it shall forward a report to the Circle Officer.

17. It shall be the duty of the Village authority to report to the Circle Officer as soon as is possible all Crimes, Violent Death and Serious Accidents occurring with its jurisdiction and all occurrences whether within or beyond that jurisdiction which come to their knowledge and are likely to affect the Public Peace; and to arrest and to deliver up offenders as soon as may be, to the court having jurisdiction to try them.

18. The Village Authority may pursue beyond their jurisdiction any offender or vagrant or any bad character or suspicious character whom they consider it necessary to apprehend under the provision of Sub-Section (c) of Section 15. They shall not however ordinarily arrest the offender or such person without informing the Village Authority within whose jurisdiction he is found, and inviting their assistance, but may do so if there is reasonable apprehension that he may otherwise escape.

19. When the Village Authority is unable to arrest an offender, they may apply to the Circle Officer or a Head Lambu for assistance.

20. (a) All inhabitants of the areas, or any person, to which or to whom this regulation applies are bound to aid the Village Authority when required to do so, for the maintenance of order or apprehending offenders and are liable to a fine for tailing to give such assistance.

(b) Such fine if imposed by a Village Authority shall not exceed Rs. 200/- if imposed by a Circle Authority shall not exceed Rs. 500.

(c) An appeal shall lie from an order passed by a Village Authority under sub-Section (b) to the Circle Authority provided the fine imposed is not less than Rs. 20/- and from such a fine passed by a Circle Authority to the Hill Bench at Imphal provided the fine imposed is not less than Rs. 100/-

(d) If it should appear in any case arising under Sub-Section (a) above, that whole community is to blame and that particular offenders cannot be discovered the matter may at the discretion of the Sub-Divisional Officer be submitted to the Hill Bench at Imphal who shall consider the case and may impose a fine not exceeding Rs. 5,000 on the community. An appeal against such order may lie to the Chief Court whose decision shall be final.

(e) Any fine levied under Sub-Section (b) or (d) of this Section may be recovered by distraint of the property of the persons or person on whom it is imposed.

21. Without prejudice to any punishment to which he may be liable under any other law a member of a Village Authority shall, for any misconduct in exercise of his functions under this chapter, be punishable with a fine which may extend to Rs. 1,000/- or with imprisonment of either description for a term which may extend to six months, on conviction by the circle Authority. An appeal shall lie against any order passed under this section to the Hill Bench at Imphal, whose decision shall be final.

22. The Chief Court may at any time call for the proceedings in any matter arising under Sections 20 and 21 where it appears that grave injustice has been done and may modify or set aside an order passed by a Village Authority under Section 20 (b) or an order original or appellate passed by a Circle Authority or the Hill Bench under either of these Sections.

Chapter IV B

Hill Courts and Criminal Proceedings.

23. Criminal Justice shall be administered by the Court of the Village Authority, the Court of the Circle Authority, the Hill Bench at Imphal and the Chief Court of the Manipur State as constituted for the trial of Hill cases under the Manipur State Courts Act 1947. In any area for which there is no Village Authority, Original Criminal Powers shall be exercised by the Circle Bench of

that area provided always that the Chief or Elders of any village may try any case which it is customary for them to try and may pass such sentence as is customary.

24. The Court of a Village Authority shall try any case involving any of the undermentioned offence in which the person or persons accused is or are resident within their jurisdiction.

- (a) Theft including theft in a building.
- (b) Mischief not being mischief by fire or any explosive substance.
- (c) Cattle theft and illegal slaughter of cattle.
- (d) Simple hurt.
- (e) Assault or using criminal forces.

25. The Circle Bench shall exercise the powers of a Magistrate of the first class as defined in the Criminal Procedure Code and shall comprise the Circle Officer and any two members of the Circle Council.

26. The Hill Bench at Imphal shall exercise the powers of a Sessions Court under the Criminal Procedure Code and shall comprise a bench of which a Judge of the Chief Court shall be chairman sitting with two Hill men as Judges.

27. A Village Authority may impose a fine not exceeding Rs. 200/- for any offence which they are competent to try and may also award payment in restitution or compensation to the extent of the injury sustained. Such fines and payments may be enforced by distraint of the property of the offender.

Where a Village Authority is of the opinion that the sentence they are competent to pass is insufficient in the circumstances of the case they shall without a further delay produce the offender before the Circle Authority who shall hear the evidence and pass sentence.

28. The Hill Bench may order compensation to be paid to any person in a Criminal Case out of the proceeds of fines imposed in the case.

29. The Village Authorities shall decide all case in open Darbar in the presence of at least three witnesses who shall be independent the complainant and the accused. They are empowered to order the attendance of all the foregoing and of the witnesses to be examined in the case and to impose a fine not exceeding Rs. 100/- on any person failing to attend when so ordered.

30. If any person on whom a fine has been imposed by a Village Authority fails to deposit the amount at once or within such further time as the Village Authority may allow, that Authority shall send him to the Circle Officer to be dealt with in such manner as he may deem fit unless the accused person gives

notice to appeal against such decision and appeal is permissible under this Regulation.

31. Any person aggrieved by the decision of a Village Authority may appeal within fifteen days to the Circle Bench who on the receipt of the appeal shall try the case *de novo*, provided always that no appeal shall lie in any case where the sentence imposed is the payment of a fine of Rs. 20/- or less.

32. An appeal shall lie from an original or appellate order of the circle Bench to the Hill Bench provided always that no appeal shall lie from an original or appellate order in which the sentence involved is a fine of Rs. 100/- or less or a term of imprisonment of one month or less.

33. An appeal shall lie to the Chief Court of the State from a sentence of the Hill Bench imposing imprisonment for any term exceeding one year, or a fine exceeding Rs. 500/- or from an order imposing a sentence of death or transportation of life. In all other cases no appeal shall lie from an order of the Hill Bench saving that in any case where a person other than a Hill man is a party, an appeal shall lie from a sentence of imprisonment or a fine exceeding Rs. 100/-.

34. All appeals under Sections 32 and 33 above, must be presented within 30 days from the date of the order appealed against, excluding the time taken in obtaining a copy of the order, provided that an appeal from a sentence of death shall be preferred within seven days from the date of the sentence excluding the time taken in obtaining a copy of the order. The Hill Bench shall on passing a sentence of death, inform the person sentenced, or the above provision.

35. The Hill Bench or the circle Bench may call for the proceedings of any subordinate court and may reduce, enhance or cancel any sentence passed or may remand the case for retrial if in the opinion of the Hill Bench or the Circle Bench gross injustice has been done. The Chief Court may in any case where they consider gross injustice has been done, exercise the same power with regard to a sentence passed by the Hill Bench. The Minister in charge of Hill Administration may also require the Chief Court to call for any proceedings and pass such orders as may be deemed necessary in review.

36. When final orders involving the death sentence have been passed by the Chief Court, a petition of Mercy may lie to the Maharaja who shall take the advice of the Council as to the orders which shall be passed thereon. Final orders of any death sentence shall be subject to confirmation by His Excellency the Agent to the Crown Representative as laid down in section 12 of the Manipur State Courts Act. On rejection of such petition the sentence of death shall be executed at the Manipur State Jail in accordance with the rules and procedure in force the State from time to time.

37. The Chief Court, the Hill Bench and the Circle Bench shall be guided in regard to procedure by the principles of the Code of Criminal Procedure, 1898 so

far as they are applicable to the circumstances of the tribes and consistent with the principles of this Regulation. The chief exceptions are:

(a) Verbal orders or notice shall only be requisite in any case except when a regular Lambu is employed or when the person concerned is not a resident of, or not present in the Tribal Area at the time, but orders of summons shall in every case be for a fixed day and the order shall be made known to the person concerned or to some adult member of his family or failing this, shall he openly proclaimed at the place he was last known to be, in time to allow him if he sees fit to appear,.

(b) The proceedings of the Village Authorities need not be recorded in writing but the Hill Bench and the circle Bench may require the Village authorities to report their proceedings in any way which appears suitable.

(c) There shall be no preliminary enquiries by Lambus unless a Sub-Divisional Officer, a circle Officer or the Hill Bench sees fit to direct one.

(d) Recognizance to appear shall not be taken unless it appears necessary to the Circle Officer or the Hill Bench.

(e) Proceedings before the Circle Bench or the Hill Bench may be in English or Manipuri.

38. No pleader shall be allowed to appear in any case before a Circle Bench or Village Authority and may only appear before the Hill Bench with the permission of that Bench.

Chapter IVC

Civil Courts and Proceedings

39. Civil Justice shall be administered by the Chief Court, the Hill Bench, the Circle Bench and the Village Authorities.

40. The Village authority may try suits the value of which does not exceed Rs. 500/- in which both the parties reside within their jurisdiction. The Village Authority may appoint one or more assessors to assist them in coming to a decision and when they do so shall record, but shall not be bound by, the opinion of such assessor or assessors.

41. (a) All suits tried by the Village Authority shall be decided in open Darbar in the presence of the parties and at least three independent witnesses.

(b) The Circle Officer may direct a Village Authority to report their proceedings in any case or class of case in any way which may appear to him to

be suitable. Save as required by such direction no record of any proceeding need be maintained.

(d) After hearing the parties and their witnesses if any, the Village Authority shall pronounce a decision.

42. Any person aggrieved by the decision of a Village Authority may appeal to the Circle Bench provided that no appeal shall lie where the value of the suit does not exceed Rs. 35/-.

43. (a) Unless any party having a right of appeal against a decision of a Village Authority give notice when such decision is announced of his intention to appeal, the Village Authority shall carry out the decision forthwith and for such purpose may proceed by distraint of any property belonging to any person liable to pay any sum under the decision, unless such person furnishes security to the satisfaction of the Village Authority.

(b) If notice of intention to appeal is given, the Village Authority shall send the parties and witnesses to the Appellate Authority at once, and one of the members of the Village Authority or one the independent witnesses shall accompany them.

44. The Circle Bench shall try all suits the value of which does not exceed Rs. 1000/- in which both the parties reside within the circle which do not fall within the competence of a Village Authority.

45. Any person aggrieved by the decision of a Circle Bench may appeal to the Hill Bench provided that no appeal shall lie where the value of the suit does not exceed Rs. 100/-.

46. The Hill Bench shall try all suits which do not fall within the competence of the Village Authority or the Circle Bench.

47. Any person aggrieved by the decision of the Hill Bench may appeal to the Chief Court provided that no appeal shall lie where the value of the suit does not exceed Rs. 1000/-.

48. All Civil courts operating under this Regulation shall have power to order attendance of the parties and witnesses and to levy a fine up to Rs. 100/- against person failing to attend when ordered to do so.

49. All Civil Courts shall have power to award cost as well as compensation which shall not exceed Rs. 100/- to the defendants in any case brought against them where the case is found to be vexatious or unfounded.

50. In any case where it appears that a grave injustice has been done the Chief Court, the Hill Bench or a Circle Bench may on application by the aggrieved party, call for the records from the immediately subordinate court and

may direct that a case shall be retried. In every such case the attention of the lower court shall be drawn to the defects in the case and advice shall given on the action which requires to be taken in the alternative a court exercising powers under this Section may amend or cancel the decree.

51. Every petition or application under Section 50 above shall be accompanied by a copy of the order against which the application is made and shall be filed within 30 days of the date of such order excluding the time taken in procuring a copy of the order.

52. All Courts shall be guided by the spirit but shall not be bound by the letter, of the Code of Civil Procedure 1908, and shall follow the **State Limitation Act**.

53. (a) If any decree is modified or amended as a result of an appeal or an order under Section 50 above, the decree as so modified or amended shall for the purpose of execution be deemed to be the decree of the Original Court.

(b) Decrees against persons resident beyond the jurisdiction of a court, if satisfaction cannot be obtained within that jurisdiction, shall be transferred for execution to a court having jurisdiction.

54. Houses, necessary clothing, cooking utensils or implements whereby the owner or his family subsist, shall not be attached, sold or transferred in execution of a decree, unless the house or other thing so exempted is the actual subject matter of the suit, land may be sold or temporarily transferred where custom admits of individual rights in it being recognized.

55. No person shall be imprisoned for debt except when the Circle or Hill Bench is satisfied that he has made a fraudulent disposition or concealment of property. In such case the debtor may be detained for a period not exceeding six months.

56. No pleader shall be allowed to appear in any case before the village authorities or Circle Bench. The Chief Court and the Hill Bench may at their discretion allow a pleader to appear before them when hearing a case in which Hill men are involved.

Chapter IV D

Evidence and General Provisions

57. (a) In Criminal Cases before the Circle and Hill Bench, oaths shall be administered to all witnesses.

(b) In Civil suits before the circle and Hill Benches oaths shall not be administered to the parties and witnesses unless either party so require or the court so determine.

(c) When an oath is administered it shall be in the form in which the court considers most binding on the person making it.

(d) In any case where the parties so elect, whether civil or criminal, decision shall be made by oath or ordeal and such decision shall be binding on the parties. Where any party refuses to take such oath or undergo such ordeal when challenged to do so, judgment may be passed against him without further proceedings.

58. The Circle and the Hill Benches shall be guided by the principles of the Indian Evidence Act 1872 in all Criminal Cases and Civil Suits but shall not be bound by the letter of the Act.

59. (a) All Civil Suits and Criminal Proceedings to which both Hill men and Manipuri's of the Valley are a party shall be tried by the Hill Bench as a Court of Original Jurisdiction.

(b) In all cases where the parties reside in different circles the case shall be tried by the Circle Bench under whose jurisdiction the cause of action arises.

Chapter IV E

Cases regarding Land and Village Settlement

60. Where any dispute arises regarding the ownership of land or the right of cultivation over land, the Village Authority shall where the land in dispute falls within their jurisdiction and where both parties to the dispute reside within their jurisdiction, take all steps necessary to effect a compromise between the parties. If compromise proves impossible or if the parties to the dispute reside within the jurisdiction of two or more Village Authorities, the dispute shall be placed before the Circle Bench who shall decide the case.

61. (a) An appeal shall lie against any decision of the Circle Bench under Section 60 above, to the Sub-Divisional Officer and a second appeal shall lie from the decision of the Sub-Divisional Officer to the Hill Bench, whose decision shall be final.

(b) The Hill Bench may call for the proceedings of any Subordinate Court and may amend any decision of that court if in the opinion of the Hill Bench gross injustice has been done.

62. Where the matter in dispute is in regard to the Settlement of a Village or in any case where Village Boundaries are involved, the case shall invariably be placed before the Circle Bench by the Village Authorities concerned. The Circle Bench shall enquire into the case and shall submit a report with their recommendations to the Sub-Divisional Officer who shall pass orders thereon.

63. An appeal shall lie from an order passed by a Sub-Divisional Officer under Section 62 above, to the Hill Bench.

64. No new settlement, nor the formation of any Machet shall be permitted without the authority in writing of the Sub-Divisional Officer. Any party aggrieved by the order of such authority may petition the Member in charge of Hill Administration for redress.

Chapter V

Financial Provisions

65. The Sub-divisional Officer shall in February of each year direct the Circle Officers to frame a budget for the Circle comprising the Sub-Division, in which provision shall be made for funds for the Circle administration during the ensuing financial year in those matters which are the particular responsibility of the Circle Authority. Provision of funds for all other matters shall be made in the budget of the State Department concerned by the Minister in charge of that Department in consultation with the Minister in charge of the Hill Administration. The Budgets for the Circle when complete shall be forwarded by the Sub-divisional Officer to the Minister in charge of the Hill Administration who shall pass them with his comments to the State Finance Department.

66. (a) On the receipt side of the Circle Budget, shall be shown all anticipated receipts of the State Revenue including all Judicial fines levied by the Circle Bench, proceeds from the sale of Court fee stamps and all miscellaneous receipts.

(b) Where a fine is levied by a Village Authority the customer village fine may be retained by the Authority and the balance shall be credited to the State Revenue.

67. On the Expenditure side shall be shown all expenditure required for the administration of those subjects which are the particular responsibility of the circle Authority and for the day to day administration of the Circle Headquarters and staff provided that no provision shall be made for any item for which the approval of competent authority has not first been obtained.

68. The Sub-Divisional Officer shall be competent to sanction expenditure on any item for which provision is made in the Circle Budget, but he may in no case sanction expenditure in excess of the Budget provision or re-appropriation

from any head without the express sanction of the Minister in charge of Hill Administration according to Rule.

69. In all financial and account matters the principles laid down in the State Account Rules shall so far as is possible be followed. Accounts shall be maintained in accordance with instructions to be issued by the State Finance Department and shall be subject to Audit by the State Audit Officer.

70. All Bills for payments to be made by a Circle Officer shall be drawn by the Circle Officer and shall be submitted to the Minister in charge of Hill Administration through the Sub-Divisional Officer who shall countersign the bill. All State Revenues collected by a Circle Officer shall be brought into the Circle Accounts and credit shall be made to the Treasury through the Sub-Divisional Officer who shall be held responsible for the full collection of such revenues within the Sub-division.

71. The Budget for the Hill Administration shall be dealt with according to rule provided that in no financial year shall the total expenditure on Hill Administration under all heads fall below a figure **equal to 711/2% of the average** real revenues of the State for the immediately preceding three years.

72. A Circle Authority may, with the previous sanction of the Minister in charge of the Hill Administration, levy such local rate or cess within the circle as may seem suitable for the provision of funds for local improvement schemes subject to the proviso that the levy of such rate or cess shall not be made in such manner as to adversely affect the assessment or collection of the State Revenues. Where any such rate or cess is levied, regular accounts shall be maintained and an annual budget framed, for the fund which shall be subject to scrutiny by the Sub-Divisional Officer. Where in any such case the accumulated balances are in excess of Rs. 300/- an account shall be opened with the Post Office Savings Bank at Imphal and the excess balance invested therein.

Chapter VI

General Clauses.

73. It shall be the responsibility of the Circle Authority to arrange accommodation of Officers of the State traveling on duty where no State bungalow exist and to provide for the carriage of the baggage of such officials and their servants and for the carriage of such State goods as the Minister in charge of Hill Administration may require. It shall further be the responsibility of the Circle Authority to arrange labour when required to do so by the Minister for the execution of State works in the Hills.

74. (a) To meet the responsibility laid on the Circle Authority by Section 73 above, a tax of Rs. 3/- shall be levied on each tax paying house and shall be credited to State Revenues. For the purpose of this Section no exemption from

forced labour granted before the introduction of this Regulation shall be valid unless confirmed subsequent to the date of this regulation by the Minister in charge of Hill Administration.

(b) The tax collected under Sub-Section (a) above, shall be credited to State Revenues and provision shall be made annually in the Circle Budget:- (i) For expenditure necessary on the carriage of State Goods and Officers' Baggage, (ii) For expenditure on labor charges involved in the construction of camps and public works other than work on bridle paths and bridges.

(c) Any person wishing to do so, may elect to render service free all charge, to the State and in so doing, may gain exemption from payment of tax under sub-section (a) above, provided that such person shall agree to give a maximum of six days labour to the State when called on to do so. Provided that further that when person elects to give labor an allowance of annas two, shall be required to travel to or from his village to the site where the work is required of him.

(d) Where a person wishes to elect to do labor in any one year notice of his intention shall be given to the Circle Authority at the time of House counting and in the absence of such notice the tax shall be paid.

75. The construction and maintenance of bridle paths and bridges which are not the responsibility of the State Public Works Department shall be arranged by agreement between the Circle Authority and the Villages which benefit from the Path or Bridge. Such agreement may provide either: - (a) That the work shall be executed voluntarily and free of charge by the villages or (b) That the work shall be arranged by the Circle Authority by contract and that the shall be apportioned as may seem suitable between the villages and that the charge so made shall be recoverable as if it were State Revenue.

Where the cost of executing any such original work is more than the villages can reasonably be expected to pay, a representation shall be made by the Circle Authority to the State Council who may at their discretion sanction assistance by way of a grant-in-aid.

76. Except as is provided under Section 74 above and except as may be ordered by the Minister in charge of Hill Administration by way of penalty, no forced labour of any kind shall be exacted by any person whatever in the Hill Areas of the State.

77. Any person or persons or any community refusing to obey a lawful order issued by a competent authority shall be liable on conviction by the Minister in charge of Hill Administration to a fine which may extend to Rs. 3,000/- or to a term of forced labour which may extend to thirty days. Any person aggrieved by such an order may within fifteen days from the date of the order appeal to the State Council provided that no appeal shall lie where the fine extends to Rs. 200 or less or the forced labour extend to seven days or less.

78. In any case where action has been taken under Section 77 above and the person or the persons or the community persists in their refusal to obey the State Council shall have power to order that the house or houses of the recalcitrant party be destroyed.

SCHEDULE

SADAR CIRCLE No. 1 List of villages in Sadar Central circle 1946-47

Sl. No	Village No.	Name of Village	Name of Chief	No. of Houses	No. of Taxable Houses
1	2	3	4	5	6

MOMBI AREA

1.	67	Hiyangthang	Kabui	16	12
2.	404	Wangoi	do	15	14
3.	164	Laisangkhong	do	13	10
4.	27	Charoibung	do	15	13
5.	394	Uchiwa	do	12	7
6.	186	Kakching Mantak	Kom	43	28

AYAPUREL

7.	107	Kwarok Khudek Khunou	Maring	19	14
8.	320	Saram Tangkhul	Tangkhul	7	7
9.	33	Chnugkham	Kabui	24	22
10.	22	Chaopok	do	9	8
11.	109	Nongpok Koikhu	do	35	33
12.	114	Keirao Chingdong	do	3	3

13.	396	Uran Chiru	Chiru	14	9
14.	318	Sandang Senba	Kabui	35	26
15.	359	Tombi Hangbu	Kom	10	6
16.	248	Nongkot	do	8	6
17.	460	Nungkot Khuman	Kuki	10	10
18.	253	Nongmaipal	do	8	8
19.	352	Thayong	Kom	43	34
20.	450	Molnom Penek	Kuki	8	4
21.	397	Ukha	do	4	3
22.	24	Changningpokpi	Tangkhul & Kuki	13	11
23.	459	Kamu Khunow	Kuki	39	32
24.	90	Karpur Sungba	Kabui	17	16
25.	173	Lemba Khul	Tanghul	21	16

the area of Manipur, *status quo* should be maintained.

- (5) Existing system of export, import, transport and other present and future industrial business should be maintained in favour of the bona fide Manipuri's (Hill and Valley)
- (6) Cantonment area should be removed outside the radius of 5 miles from the present Post Office.
- (7) Final appeal against Manipur Courts will lie to the Governor of Assam; in the capacity of Agent to the Centre.
- (7) Existing system of prohibition of cow slaughter should be maintained both in peace and war.

Article VIII (3) was not in the original draft; it was added in the final draft.

[Note: The importance of the provisions originally found in the original draft lies in the fact that they reflect the original intention of the Maharaja and the spirit has to be noted. (Ed.)]