CHAPTER III
Administrative Changes
Chapter- III

ADMINISTRATIVE CHANGES

Change, for various reasons, is inevitable and all human societies have been changing, slow or fast since time immemorial. Like other societies, the Mao society has been undergoing a sea change in all aspect of life. Their indigenous system of administration had also undergone certain changes as a result of encounter with diverse influences and policies. Changes are also introduced in the process of growth and development. Although changes are introduced, incorporated and diffused into the traditional system, such changes do not diminish the importance and necessity of indigenous system of administration. So the modern system has been adapted and interwoven into the traditional village political framework without disturbing or doing away with the customary and traditional ways of village governance.¹

ADMINISTRATION DURING THE PRE-BRITISH RULE

The Mao Naga tribe established small village-states similar to those of the Greek city-states. Each village-state was a self-sufficient isolated unit. The self-sufficient village-state had its own sovereign form of government characterised by customary laws and traditions. All the villages were organized socially, politically, economically and religiously. They could produce nearly

everything they needed for their livelihood without depending on external contacts.²

The ancient Mao village-state was an independent administrative unit which functioned according to customary laws and traditions. The political institutions which the Maos developed were generally democratic in nature. They practised a refined system of democracy in the village administration. As such democracy was inalienable in the village administration. Every village was a self-governing unit ruled and administered by a hereditary Chief and his Councillors. The Chief and his councillors performed most of the administrative duties. They were men of wisdom and the people trusted them. The smooth functioning of the village depended on them. Moreover, the traditional and customary way of village self-rule had also ensured a well-defined and independent village society.

The Maos lived adjacent to each other but they failed to develop into a tribe level polity.³ They were completely isolated not only from the rest of the world but also from its neighbouring villages. There was no outside contact because they were confined with the internal affairs. They maintained their own identity and aimed at the maintenance of an ordered society within

themselves. They were non-friendly with outsiders mainly because they did not like any sort of intervention in their internal affairs.

The practice of head-hunting and geographical isolation from one another had caused them heavily. There was doubt and suspicion among themselves. As a result the village-states failed to develop into an integrated political structure. When the Nagas were self-sufficient and happy with their traditional village life, the Meiteis on the other hand had gradually emerged powerful and subsequently they made several attempts to invade and subjugate them. It however, happened that at times some Naga village-states were subjugated by such forces.\(^4\) This led a series of invasions from the Nagas as well when the Manipuris tried to exercise control over them. The Angami Nagas of Naga Hills and Mao Nagas on the North of Manipur united together to fight the Manipuris at different occasions.\(^5\) At times the Maos used to attack the Meiteis who used to cross the cart-road in their region. It is told that the Maos had seized a huge number of arms from the Meiteis during the attacks. Sometimes when the Nagas failed to resist the Meiteis, they were forced to pay tributes and demanded compensations. Eventually, the Meiteis began to tour the Naga village-states and called them Manipuri names without any attempt to administer them with their own people. Nevertheless, the whole of hill area of Manipur was divided in two divisions namely, the hills adjoining the valley

with permanent subjection under the Raja and the hills that were not under the
direct control of the Manipuri Raja. In 1735, Garibaniwaz introduced the
Lallup system, a kind of service rendered by the hill villages. The hill chiefs
(Khullakpas) including the Maos used to pay an annual tribute to the Meitei
King. At times however, when they were in good terms exchange of trade
between them also took place. Nevertheless, the administration of the villages
in the hill areas of Manipur enjoyed a great deal of autonomy and the Meitei
king did not interfere in the day-to-day administration of the village.\(^6\) Thus,
having isolated from each other, the Mao chiefs in particular could not offer a
strong resistance when they encountered with external forces like the Meiteis.

Although Manipur came under the British paramountcy after the Anglo-
Manipuri war in 1891, the British had established its influence even before the
annexation of the state. But they had no direct control before the defeat of
Manipur. At first the British had no interest to interfere the Nagas but with the
necessity of protecting their subjects against Naga raids, the British were
compelled to enter the hills. They started touring the hill areas without any
attempt to control them. As a result, alien culture, politics and attitude began to
be spread in Naga inhabited areas.

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Moreover, the Nagas were separated by laying a boundary line between Manipur and Naga Hills district in 1872 by maintaining the lines of 1842 in all essential points wherever it could be clearly identified. According to Xavier, “It was for administrative convenience that the British imperialist arbitrarily drew the present map of Manipur which the government of India also accepted.”

Captain Butler who was the Deputy Commissioner of Naga Hills met Dr. Brown the Political Agent of Manipur at Mao Thana in winter 1869-70 and they made attempts to trace the boundary lines. Having failed for a compromise conclusion, they proposed for appointment of a boundary Commissioner. At last the findings of the Commissioner were endorsed by both the governments as much as they stand till today between Naga Hills and Manipur. A few villages on the dividing ridges of the water-pent over which Manipur had acquired supremacy were demarcated as belonging to that State. The southern part of Naga Hills now forming the Mao Sub-division and Tamenglong Sub-division thus went to Manipur. All these had been done by the Britishers on their own will, and particularly from administrative point of view without any consultation with the Nagas, who were then ignorant of what had been happening. The discontentment of the ignorant Southern Nagas particularly the Mao Nagas as a result of the British Policy to divide them is evident from

the correspondence of Debeshwar Sarmah, a Congress leader from Assam to Sir Sardar Vallabhbhai Patel, the Home Minister of India.

"If you will kindly look to a map of this area it will be found that the Mao Nagas live in the territory adjoining Indian Naga Hills, but included in Manipur. Those Naga territories did not formerly belong to Manipur, but were included as a gift from the British. The Mao Nagas do not want to be with Manipur but seek to join their own people, i.e., Naga Hills... Similarly the Maram Nagas...do not want to be tagged to the backward Manipur state which did not till now care at all for the improvement of the Hill people...The Tangkhul Nagas and the Kacha Nagas have also grown less friendly to the Indian of late. These Hill people require sympathetic and understanding treatment. It can be definitely said that due to a faulty policy pursued by the late Governor of Assam almost all the Hills people in those frontier areas have grown either unfriendly or less friendly."  

The administration of the Mao village-states enjoyed a great deal of autonomy in the early days. However, these village-states failed to integrate when it encountered with outside powers. As a result the outsiders gradually emerged powerful and established their supremacy over the Mao village-states.

The exact nature of relationship between the Meitei kingdom and the hill tribes is lost in obscurity. The Meitei Rajas were however, unable to put the hill tribes

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under their administrative control. The hill administration was left to be managed basically by the tribal chiefs who enjoyed a considerable amount of autonomy. Therefore the extent of King's control over the hill tribes during the pre-British rule was confined to collection of tributes.

THE COLONIAL RULE

After the Anglo-Manipuri war in 1891, Manipur was defeated and it came under the British rule as a princely State. During the British rule in Manipur many changes were introduced particularly in the field of administration. But the hill areas were too vast and inaccessible because of the dense forest. So it was not possible for the administrative officers to carry out their administration directly. Under such circumstances, they decided to introduce a system of 'Lambus' in 1892. Altogether there were 47 Lambus. Of them, 26 were Kukies, 7 Meiteis, 3 Kabuis, 5 Mao Nagas, 2 Maram Nagas and 4 Tangkhuls. In 1893, the hill areas were divided for the first time into five sub-divisions, namely Mao, Ukhrul, Tamenglong, Tengnoupal, and Churachandpur. A Lamsbedar with the assistance of seven Lambus was entrusted the task of managing these sub-divisions.

The main duty of these Lambus was to act as interpreters. They also carried out both duties of police and of messengers of the State. Though these

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12 Rajendra Kshetri, 2006. *District Councils in Manipur (Formation and Functioning)*, Centre for Manipur Studies (Manipur University) and Akansha Publishing House, New Delhi, p.4.
Lambus performed multifarious functions, they were at the beginning not paid any salary by the State for their service. As a result, they plundered and pillaged the common villagers. This arrangement remained till 1906 when the Lam Subedar in the southern Lum (Sub-division) was abolished.

On 29 April 1898 the British declared Shri Churachand Singh as the Raja of Manipur when he attained adulthood and he was subsequently entrusted with the power to rule on 16 May 1907. Accordingly in 1908, the administration was transferred to His Highness and a Durbar with the Raja as the head of Manipur, and an officer especially selected by the government of East Bengal and Assam would be vice-president. The vice-president was allotted the portfolios of finance and revenue. Another important condition mentioned in the letter conveyed from Lord Minto regarding the administration and control of the hill tribes was that they would be in the hands of the vice-president. The administration and control of the hill tribes should be in accordance with the rules that were approved by the government of Assam. The hill territory was separated from the general administration on the plea that the hill people were not Manipuris and had entirely different customs and languages. In the administration and control, the raja was to be consulted. The political agent in consultation with the vice-president shall try to give effect to the wishes of the raja, so far consistent with the orders of the

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government. If the political agent was unable to give effect to the wishes of His Highness, the matter was referred to the government of Assam. Thus the real administrator of the hill tribes of Manipur was the Durbar's vice-president.¹⁴

However, by an amendment of the rules, Maharaja Churachand Singh was removed from the post of president of the Durbar. Therefore, after the modification an officer of the British was to be selected as the president of the Durbar who will be in charge of the hill administration. On behalf of the Maharaja, the President of the Manipur State Durbar (Hills) and his assistance administered the hill areas. But there was no improvement in the hill administration inspite of the introduction of the Lambus and Durbar system. The tribals were discontent as nothing had improved their condition and they continued to remain totally unchanged. There was isolation between the tribals and the government which was also partly responsible for the Kuki rebellion of 1917-1919. Lal Dena states, “The long standing cause of the rebellion was the wrong administrative approach.”¹⁵ In connection with the cause of Kuki revolt and its aftermath, Sir Robert Reid had stated as, “The expenditure on them was only one quarter of the amount they paid in taxes. Neglect of their interests and lack of touch between them and administration came to a head in the Kuki Rebellion in 1918, which cost the government of India nearly twenty lakhs of rupees and the hill tribes and the forces engaged a large number of lives. After

the rebellion had been quelled, proposal for the future administration of the Manipur state including the dependent hill tribes were submitted to the government of India. Under the rules approved in the Government of India letter No.4326-I.A., dated the 1st October 1919, the Political Agent and the President of the Manipur State Durbar were given the control over the hill tribes which they now exercise. His Excellency, after careful consideration, has reached the conclusion that the present control should in no way be lessened.16

As part of steps taken up for administering the hill areas more effectively, an open Durbar was held at Imphal on 16 October 1919, under the leadership of the Chief Commissioner of Assam, Sir Nicholas Beatson Bell. The Chief Commissioner in a letter to the Viceroy mentioned that, “We must establish British Sub-divisional officers at suitable places in the hills. These men working under the President, Manipur State Durbar (PMSD) would reside in the areas all the year round, open up roads, administer simple justice, set up schools and hospitals and gradually act as father to the hillmen and restore their confidence in the British Raj.” Following this the hill areas were divided into four sub-divisional headquarters at Imphal, Ukhrul, Churachandpur and Tamenglong. Schools and hospitals were also started at some places. One of these sub-divisions was at Imphal while the other three headquarters were in the hill areas of south-west at Churachandpur which was inhabited by Kuki-

Chin, another headquarter for the north-west area was at Tamenglong inhabited by both Nagas and Kukis, and for the north-east area headquarter at Ukhrl. The sub-divisional officers were all British or Anglo-Indian who were from the Assam Provincial Civil Service as was done in the case of the President of the Manipur State Durbar. 17 These officers were responsible to the President of the Durbar who continue to administer the hill areas but on behalf of the Maharaja. For the first time a separate budget was set aside for the administration of the hill areas. There was however little interference in the village administration. 18 But the sub-divisional arrangement was abolished after 1930 on an experimental basis for three years as it had not delivered an effective administration.

In 1933, the hill areas of Manipur was again re-organised by partially modifying the previous administrative arrangement. As such the hill areas were divided into three sub-divisions at Ukhrl, Tamenglong and one at Sadar which had replaced Churachandpur. At the same time, The Government of India Act 1935 had further intensified the British India Policy of keeping the tribals administratively separate by delimitating them into excluded and partially excluded areas. The Act however did not result in any substantial change as far as the tribes of Manipur were concerned. Unlike their neighbouring counterparts, the tribes of Manipur were neither included under the excluded

18 Rajendra Kshetri, op.cit. p.5.
nor the partially excluded areas. Following the 1935 Act, demands were however, made for reforms in the administration of the Manipur tribal areas. The main demand was for consolidating and bringing the valley and the hill areas administration into a common and single administrative unit with elected members. The demand was however, rejected by the Political Agent on the ground that Manipur was not ripe for democracy. 19

Several administrative steps were adopted by British India but the hill areas especially the Mao areas continued to be administered indirectly from outside. The British administration followed a policy of minimal administration, 20 allowing the village chiefs and village councils to administer as before. As such the villagers were allowed to continue their indigenous system of administering the village. Nevertheless, many influences had operated in order to undermine the indigenous system of administering the village. Despite such challenges the traditional system had survived giving an opportunity to foster new political ideas.

POLITICAL DEVELOPMENT AFTER INDEPENDENCE

After the lapse of British power in August 1947, Manipur also became independent. With the attainment of independence, the State of Manipur had witnessed an overall change in its political system through several enactments.

19 Administrative Report of the Manipur State for the year 1940-41, p.3.
In order to introduce democratic government in Manipur after independence, the Maharaja of Manipur subsequently constituted a Constitution Making Committee and a Drafting Committee under the Chairmanship of F.F. Pearson. A drafting committee of Manipur State Hill Peoples (Administration) Regulation, 1947 was also constituted which consisted of the following members:

1. Mr. F.F. Pearson - Chairman
2. A. Ibotombi - Member
3. Suisa Rungsung - Member
4. A. Daiho - Member
5. T.C. Tiankham - Member
6. Teba Kilong - Member
7. Mr. Lairen Singh - Member

The Manipur State Constitution Act, 1947 was passed and extended to the whole of the State of Manipur including the hill areas. However, this Act did not apply to certain matters as specified under the provisions of the Manipur State Hill Peoples (Administration) Regulation Act, 1947 wherein special powers were delegated to the hill people. Remarkably, the participation of A. Daiho, a young Mao Naga leader in the Constitution Drafting Committee was significant. He raised the issue of self-determination of tribes and insisted

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21 Minutes of the meetings of Manipur State Constitution Making Committee, 1947, pp.6-7.
that the hill tribes should be given the right to secede from the State of Manipur after five years. Later on he formed the Naga people's league and raised the issue of independence.23

And as per the Manipur State Constitution Act, 1947 an election was held in 1948, but before the Assembly election was held an Interim Council was formed by means of nomination by the Maharaja of Manipur because he was the head of administration after the British supremacy lapsed. Two hill members were inducted in the seven members Interim Council selected by the Maharaja. This perhaps was the first step for the tribal representatives to be included in the affairs of State administration.

The term of the Interim Council came to an end with the formation of the State Assembly and the Council of Members in 1948. As per provision of the Manipur State Constitution Act, 1947 an election was held in 1948. As laid down by the Act, 18 out of the total 53 Assembly seats were allotted to the hill representatives. All the elected members swore allegiance to the Maharaja and his heirs as the constitutional head of the state. The Council of Ministers had two elected hillmen who were in-charge of the hill affairs and forest and agriculture respectively. The promotion of welfare of the hill areas was taken as its primary responsibility by the Council of Ministers under article 38 of the

Manipur Constitutional Law and 17 ½ % of the real Annual Manipur revenue was earmarked for planning and development of the hill areas.\textsuperscript{24} The Council of Ministers was formed under the Chief Ministership of Shri M.K. Priyobrata Singh, the younger brother of the Maharaja of Manipur Budhachandra Singh.

Dissatisfied with the administrative arrangement and pernicious policy of the divide and rule on the Nagas for decades, it consequently forced for a movement led by some Mao leaders for the cause of independence and unification of their administratively scattered people into one Naga government. In 1948 the Mao Nagas raised their demand for merger with the Naga Hills of Assam Province. There was indiscriminate firing by the Gurkhas of Assam Rifles to the volunteers of Mao-Maram Tribal Council. Three persons were killed, thirteen others received serious bullet injuries while many people ran helter-skelter and fell flat on the ground trampling one another to get out of Mao Gate. Later, Athikho Daikho, Ng. Modoli, Shibo and Kaikho Dili were arrested on 27 August 1948 and imprisoned at Imphal Jail, and shifted to Dum Dum Central, Calcutta.\textsuperscript{25} Major Khathing, the Hill Minister of Manipur was sent to resolve and bring settlement of the Mao trouble but he failed.\textsuperscript{26} Therefore, the Mao Nagas had strongly demanded for the integration of Manipur Nagas with Naga Hills District in Assam.

\textsuperscript{24} Rajendra Kshetri, op.cit., pp.6-7.
\textsuperscript{26} Karam Manimohan Singh, Hijam Irabot Singh and Political Movements in Manipur, B.R.Publishing
However, the Manipur State Constitution Act, 1947 came to an end with the Maharaja signing the Manipur Merger Agreement of 1949. Thereafter, the state Legislature was dissolved and the governance of the state was transferred to the Government of the Dominion of India on 15 October 1949.

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

This Act had provided the tribals in Manipur hills to administer themselves in the village and local level with minimum interference from the Maharaja of Manipur. The Act laid down that the Minister-in-charge of the hill areas would be responsible for the effective administration. The Act also provided for the establishment and regulation of village authorities in the hill areas. And in all matters concerning the law and order, assessment of tax, land disputes, etc. it was necessary for the authorities to consult the Minister-in-charge of the hill areas.

The Act had introduced local self bodies in the hill areas with a three-tier system. With this system the hill areas were thus divided into circles, subdivisions and villages. In a village where there were twenty (20) or more tax paying houses, a village authority was formed. As per provisions of the Regulation Act, a Village Authority was formed in each Mao village which consisted of a village chief and his councillors, nominated in accordance with the Corporation, Delhi, p. 304.
the customs of the village. The primary function of the village authority was to maintain law and order in the village. It was empowered to arrest certain criminal offenders without any order from a magistrate and without a warrant. But the village authority had to immediately inform the concerned subdivisional magistrate of every unnatural, suspicious or sudden death and any case of heinous crime in the village for prompt action against the offenders.

The village authority had jurisdiction over both civil and criminal cases arising in the village. Any case not exceeding the value of Rs. 500 could be tried by the village authority. It was empowered to impose fine of not exceeding Rs. 200 and also could award payment of compensations. In order to deliver proper justice to the people appeals against the decision of the village authority could also be taken to the circle bench.

**Circle Authority:**

There was a provision in the Manipur State Hill Peoples (Administration) Regulation Act, 1947 which envisaged that a Circle Authority will be constituted in every circle. Accordingly all the villages inhabited by the hill people were grouped into nine circles. Each Circle Authority consisted of a circle officer assisted by a council of five members elected by the village authorities in the circle.
Elections to the circle authority were held every three years as per the directives of the Hill Peoples Regulation Act, 1947. Vote rights were allotted according to the number of tax paying houses in a village. A village with less than 20 tax paying houses was not entitled to vote during elections to the circle authority.

Table 6
Number of tax-paying houses and number of votes

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Number of tax-paying houses</th>
<th>Number of votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>20-50 tax-paying houses</td>
<td>One</td>
</tr>
<tr>
<td>2.</td>
<td>51-100 tax-paying houses</td>
<td>Two</td>
</tr>
<tr>
<td>3.</td>
<td>101-200 tax-paying houses</td>
<td>Three</td>
</tr>
<tr>
<td>4.</td>
<td>201-300 tax-paying houses</td>
<td>Four</td>
</tr>
<tr>
<td>5.</td>
<td>301-400 tax-paying houses</td>
<td>Five</td>
</tr>
</tbody>
</table>

The Circle Authority had performed multifarious functions within the circle. It was responsible for the promotion of lower and upper primary education, construction and maintenance of bridle paths and bridges, the supply of drinking water, improvement of public health and personal hygiene and the preservation of forest, etc. The Circle Authority was also vested with power in regard to the maintenance of land record and assessment and collection of land tax. Another important function was that it had to check the practice of jhum cultivation and encourage the people to improve agricultural products.
Both the Village Authorities and the Circle Authorities were responsible for the maintenance of law and order in their respective areas. The circle was vested with power to try both civil and criminal cases whose value did not exceed Rs. 1,000. Appeals against the decisions of the village authority could be taken to the circle bench (the court of Circle Authority). The Circle Bench exercised the powers of a first class magistrate.

As far as the administration of justice in the hill areas was concerned, it was managed by the court of Village Authorities, the court of Circle Authorities, the Hill Bench at Imphal and the Chief Court of Manipur. Even after the merger of Manipur into Indian Union in 1949, the aforesaid arrangement was continued in the administration of the hill areas upto 1955.27

The Manipur (Village Authority in Hill Areas) Act, 1956:

This Act was enacted by the Indian Parliament to consolidate and amend the law relating to the constitution and functions of Village Authorities in the hill areas of the Union territory of Manipur. The Act consisted 58 sections, of which section 3-18 deal with the constitution and functions of Village Authorities. It was implemented in 1957.

Under this Act, the members of the Village Authorities were to be elected by the people on the basis of adult franchise for a period of five years.

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However, in practical the traditional system of electing members was followed in most of the villages. The number of members in a Village Authority was determined by the number of tax-paying houses in the village. According to this Act, for every village having twenty and not more than sixty tax-paying houses shall have five (5) members Village Authority, while seven(7) members where the number of tax-paying houses in the village is more than sixty but not more than one hundred, ten(10) members where the number of tax-paying houses in the village is more than one hundred but not more than one hundred and fifty, twelve(12) members where the number of tax-paying houses in the village is more than one hundred and fifty.28 In Mao circle there were seventy six (76) members in 121 village authorities constituted under the Manipur (Village Authority in Hills Areas) Act, 1956.

Under this Act the Chief Commissioner may, by notification in the Official Gazette declare that a village shall have an elected Village Authority if he is satisfied that it will serve the general interest, and thereupon the members of the Village Authority of that village shall be elected in accordance with the provision of this Act and the rules made thereunder.29 The Chief or the Khullakpa of the village shall be the ex-officio chairman of the Village Authority of that village, and where there is no such Chief or Khullakpa in the village, the chairman of the Village Authority of that village shall be elected by

29 Ibid
the members of the Village Authority from among themselves. No court shall be called in question in matters relating to the election of members. However, the decision of the Chief Commissioner of the state shall be final and shall not be questioned in any court.

Under this Act, a person shall be qualified to vote if he, a) is a citizen of India, b) is ordinarily resident in the village and c) have attained a minimum of 21 years of age on such date as may be fixed by rules made under this Act.

In matters relating to the removal of any member of the Village Authority, the Deputy Commissioner is given the power to remove a member on certain grounds such as-

a) if he is convicted of any non-bailable offence, or
b) if he refuses to act, or becomes incapable of acting, or is declared to be insolvent; or

c) if he has been declared by notification to be disqualified for employment in the public service; or
d) if he without an excuse sufficient in the opinion of the Deputy Commissioner, absents himself from six consecutive meetings of the Village Authority and
e) if he has been guilty of misconduct in the discharge of his duties, or disgraceful conduct, and if two-thirds of the total number of the members of the Village Authority at a meeting recommend his removal.

There were 725 village authorities constituted under the Manipur (Village Authority in Hill Areas) Act, 1956 in seven areas of the hills.
Table 7
Number of village authorities and elected members in Sub-divisions/circles

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of Sub-division/Circle</th>
<th>No. of Village Authorities</th>
<th>No. of Elected Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Sadar Hills</td>
<td>68</td>
<td>263</td>
</tr>
<tr>
<td>02.</td>
<td>Tengoupal Sub-division</td>
<td>105</td>
<td>568</td>
</tr>
<tr>
<td>03.</td>
<td>Tengoupal Circle</td>
<td>82</td>
<td>371</td>
</tr>
<tr>
<td>04.</td>
<td>Ukhrul</td>
<td>121</td>
<td>702</td>
</tr>
<tr>
<td>05.</td>
<td>Mao</td>
<td>121</td>
<td>76</td>
</tr>
<tr>
<td>06.</td>
<td>Jiribam</td>
<td>16</td>
<td>89</td>
</tr>
<tr>
<td>07.</td>
<td>Churachandpur</td>
<td>112</td>
<td>571</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>725</strong></td>
<td><strong>2640</strong></td>
</tr>
</tbody>
</table>

Whenever a Village Authority was constituted, the Chief Commissioner was authorised to appoint two or more members to form a village court for the administration of justice. The village court thus constituted could try both criminal and civil cases as specified in the Code of Criminal Procedure of 1898 and the Code of Civil Procedure 1908. The decision of the village court was final and there was no appeal against its decision, however a retrial of any case could be directed by the Deputy Commissioner or the sub-divisional magistrate if satisfied that a failure of justice had occurred. Such a case could be tried by a court of competent jurisdiction subordinate to him. There were certain offences, for which the Village Court could also order the arrest of persons without any order from a magistrate and without a warrant.

The Act had been introduced to consolidate and amend the law governing the administration of the hill people. However in Mao areas the village authorities perform only the limited functions laid down in the Act. 31 Under this Act, the members of the village authority were to be elected by the people on the basis of adult franchise. However, the members, for all practical purposes, were chosen in accordance with the customs of the village. Although the Chairman and his secretaries are elected by the people, the traditional method of clan representation is still prevalent in the Mao villages. The village authority is headed by an elected Chairman who performs most of the administrative functions. As a result the traditional chief has become a nominal head. Hence, the Act has not brought any significant change but has limited the importance of the indigenous system of administration.

The Manipur Hill Areas (Acquisition of Chief’s Rights) Act, 1967:

The state legislature passed the Manipur Hill Areas (Acquisition of Chief’s Rights) Act, on 14 June 1967, which authorised the government to acquire the rights, title and interest of chiefs in and over land in the hill areas of Manipur. The chiefs were, however, to be compensated by taking the following points into consideration: (a) the amount of land under the chiefs; (b) the total number of households within the chiefdom; and (c) whether compensation was to be given in installments or as a lump sum. This Act was strongly objected by

the chiefs because it was against their traditional rights. Thus the Act, though passed could not be implemented because of objections raised by some of the chiefs.\textsuperscript{32}

**The Manipur (Hill Areas) District Councils Act, 1971:**

With the preparation for the inauguration of statehood, the Manipur (Hill Areas) District Councils Act, 1971 was also simultaneously taken up. When Manipur attained statehood in 1972, the Act was subsequently enacted by the Indian Parliament to establish autonomous district councils in the hill areas of Manipur. Following the enactment the hill areas of Manipur was divided into six autonomous districts with each district having its own council.

The Act laid down that a district council shall consist of eighteen members directly elected on the basis of adult suffrage with two other nominated members by the Administrator. There shall be a Chairman and a Vice-Chairman to be elected from among the members of the council. The term of office of a member shall be five years. The Administrator shall also appoint a Chief Executive Officer for every District Council.

After Manipur attained statehood in 1972, the first election to the six autonomous district councils was held in 1973. The six autonomous district councils are:

1. Manipur South Autonomous District Council (Headquarter, Churachandpur)
2. Manipur North Autonomous District Council (Headquarter, Senapati)
3. Manipur East Autonomous District Council (Headquarter, Ukhrul)
4. Manipur West Autonomous District Council (Headquarter, Tamenglong)
5. Manipur Sadar Hills Autonomous District Council (Headquarter, Kangpokpi)
6. Tengoupal Autonomous District Council (Headquarter, Chandel)

According to the Act, the Administrator may by order notified in the Official Gazette, declare that any area in any autonomous district which, or is intended to be, included within the limits of any municipality, cantonment or town committee shall cease to be a part of such autonomous district. The Administrator may increase/diminish, unite two or more autonomous districts or parts thereof so as to form one autonomous district, define the boundaries of any autonomous district, and he may also alter the name of any autonomous district.

A person shall be qualified to be a member of a council constituency if he is an elector for any district council constituency in that autonomous district.
Again a member shall be disqualified for being chosen as a member of a District Council, if he is for the first time being disqualified for being chosen as a member of either House of Parliament or holds any office of profit under any District Council.

With regard to functions of the District Councils, there are as many as seventeen functions entrusted under the Manipur (Hill Areas) District Councils Act, 1971. However, the Act did not provide any judicial and legislative power though it can recommend legislation on some specific matters such as appointment and succession of chiefs, inheritance of property, marriage, divorce and social customs. Some of the important functions that shall be performed by the District Councils include the maintenance and management of such property, movable and immovable, and institutions as may be transferred to the council by the Administrator; the construction, repair and maintenance of such roads, bridges, channels and buildings may be transferred to the council by the Administrator; the establishment, maintenance and management of primary schools; the establishment and maintenance of dispensaries; the establishment and maintenance of cattle pounds; the establishment, maintenance and management of markets and fairs and the construction, repair and maintenance of all buildings connected with these institutions; supply, storage and prevention from pollution of water for drinking, cooking and bathing purpose; the management of any forest not being
a reserved forest; the regulation of the practice of jhum or other form of shifting cultivation, etc. The Administrator may in consultation with the Hill Areas Committee, entrust any matter to the District Council in the field of agriculture, animal husbandry, community development, social and tribal welfare, village planning, etc.

**The Manipur (Hill Areas) District Councils (Second Amendment) Act, 2006:**

The state legislature in the fifty-seven year of the republic of India in order to further amend the Manipur (Hill Areas) District Councils Act, 1971 enacted the Manipur (Hill Areas) District Councils (Second Amendment) Act, 2006. This Act was introduced by the legislature as a step to make provisions for providing more powers to the District Councils in the hill areas.

The Act introduced amendment of section 29 by inserting a new subsection (1A) which provided that the District Council shall have the power to notify any part of the area of the Autonomous District as urban area for the purpose of formulation of development plan and to execute the work. It also inserted a new section 44-A to the Manipur (Hill Areas) District Councils Act, 1971 which shall deal in matters relating to allotment/transfer/lease of land situated in an autonomous district. According to the new section 44-A, no Deputy Commissioner of the Hill Areas shall have powers to allot/transfer/lease the land situated in an autonomous district other than for public purposes.
except in pursuance of resolution passed by a District Council at a meeting thereof by a majority of not less than two-third of its Council Members. Further a new section 54 was added under which the Manipur (Hill Areas) District Councils Act, 2000 (Manipur Act No. 11 of 2000) was repealed.33

The Manipur (Hill Areas) District Councils (Third Amendment) Act, 2008:

The state legislature further amended the Manipur (Hill Areas) District Councils Act, 1971 and enacted the Manipur (Hill Areas) District Council, (Third Amendment) Act, 2008. There were few amendments like the strength of the ADC had been increased from 18-24 in section 4(2), an increase of subject matters in section 29(1) from the existing 17 to 26, insertion of new sections 27 A and 27 B and addition of new section 29A.

The Act was under serious criticism by various hill based organizations demanding rectification of the Act, in the manner that would be acceptable by the tribal people. Despite protest, elections were held in May-June 2010 after a gap of two decades amidst controversy and opposition particularly by Naga frontal organizations. Elections were not held properly especially in the Naga inhabited areas. Therefore, demand for more autonomy in the hill areas of Manipur remains unsolved.

33 Manipur Gazette, No. 27(A), 2006. The Manipur (Hill Areas) District Councils (Second Amendment) Act, 2006, Secretariat: Law & Legislative Affairs Department (Govt. of Manipur), Imphal, 18 April 2006, p. 2.
EMERGENCE OF TRIBE LEVEL POLITY

The village was the most important entity in the lives of the people. It was a separate and distinct entity and thus possessed a corporate unity. Each village followed its own system of governance based on customary laws. More than the tribe, an individual took pride in belonging to a particular village. In the later stage however, political consciousness emerged among the Mao people, mainly because of two factors- one is because of the influence of Christianity and western education, and the other is threat posed by the external forces to dilute and destroy their traditional system and practices. Consequently elites within the tribe began to emerge. They took the lead in political arena and began to work for the unity of the tribe. As a result people were brought within common structures. In 1950 the first Mao organization called the Mao Local Board was formed. It originally consisted of 16 villages which functioned till 1980. However, prior to the formation of Mao Local Board, the Mao tribe had associated with an inter-tribal organization known as Mao-Maram Tribal Council which functioned from 1943 to 1950.

In 1980, the Mao Local Board was renamed as the Mao Naga Social Welfare Board by which name it was known till 13 April 1991. At the same time there was a parallel organization called the Mao Public Organization which was formed in 1988. To amalgamate the different local bodies into a single consolidated organization for further strengthening the unity of
Ememai(Mao), a general public meeting was held on 22 February 1991 at Tadubi, which was attended by 19 Village Authorities along with the leaders and elders of the Mao tribe. The meeting had unanimously decided to form a greater tribal organization called the “Ememai Council of Mao”. A Constitution Drafting Committee was also constituted at the meeting which consisted of 13 members. The Constitution was subsequently adopted by the constituent body on 13 April 1991. In Article 1 of the new Constitution it mentioned, “The name of the organization shall be called the Ememai Council of Mao which may be abbreviated as ECM”.\textsuperscript{34} The Ememai Council of Mao was to perform as a centre of harmonising the actions of villages in maintaining inter-village peace and security, and also to strive for the upliftment of Ememai in the social, cultural, political, economical and educational fields.

The Constitution of the Ememai Council of Mao laid down thirteen (13) aims and objectives which are namely:

(i) To secure equality of status.
(ii) To assure the dignity of the Constituent Units.
(iii) To uphold and protect the unity and integrity of Ememai.
(iv) to strive toward excellence in all spheres of individual and collective activities
(v) To rejuvenate, maintain and preserve the cultural value and traditional heritage.

\textsuperscript{34} The Constitution of Ememai Council of Mao, 1991. adopted by the General Body of Ememai on the 13\textsuperscript{a} April, at Tadubi, p. 3.
(vi) To observe Traditional Customary gennas, pujas/festivals and those feast of merit and for which to adopt a common traditional Naga Lunar Calendar.

(vii) To encourage reform and codification of customary laws and traditional customs.

(viii) To seek truth, justice and peace.

(ix) To bring peaceful and amicable settlement of all troubles, if arise, either within or in-between communities.

(x) To maintain the traditional democratic principle of Ememai in executing its activities.

(xi) To represent Ememai in all important issues/matters.

(xii) To protect and improve the natural environment both flora and fauna.

(xiii) To promote the cause of language and literature.\(^{35}\)

In course of time the Ememai Council of Mao came to be known as Memai Council. Nowadays however, it is known as Mao Council. As the highest tribe level organization for the Mao tribe, its decision on all matters is binding on all its constituent units. However, in all internal or even in inter-village matters the Council does not interfere unless the matter is brought up at the Council or unless it is considered to be too serious and important. It has a Council Court which acts as the final appellate Court. There is also a Bench of the Council Court consisting of the Secretary (Customary Law & Court) and two members from each village court. It gives judgment according to the traditional customary law and prevailing customs as approved by the Council.

\(^{35}\) Ibid. p. 4.
The Mao Council is composed by a General Body, 7 Office Bearers and an Executive Committee consisting of the office bearers and 5 other members. The Executive Committee may appoint Office Staff as may be required by the Council. Every constituent units of the Mao Council is represented by not less than 2 delegates in the General Body. There is a President and 6 other office bearers of the Council who are elected in a general body meeting for a period of three years.

The Mao Council as the highest organization represents the Mao tribe. The President and his Secretary hold their offices with high dignity and prestige, as they are the chief spokesmen of the tribe. The Council acts as the guardian and custodian of the Mao customary laws and traditions. It is the institution that can harmonise and unify the tribe.\(^{36}\) It deals with all issues and matters concerning the tribe and tries to cope up with any prevailing situation so that no element can go against the interest of the tribe.

Other organizations such as the Mao Students’ Union (MSU) and Mao Naga Women Welfare Association (MNWWA) have also been constituted to serve as socio-political platforms for the Mao Naga society. These organizations have provided the needed social and political consciousness to the people. In 1985 the Mao Students’ Union celebrated its Golden Jubilee at Kalinamei village. The main purpose of the Mao Students’ Union is to focus on

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\(^{36}\) Interview with O. Lohrii, President, Mao Council, at Tadubi on 31 October 2010.
the welfare of the students' community. Apart from organizing general conferences, workshops, seminars, career counselling programmes, sports and other activities for the students, it is also instrumental in promoting unity and strength among the Mao people. The Mao Students' Union has a written constitution for the successful working of the organization. The executive members of the union are elected by the constituent units and they hold office for a period of two years.

With the introduction of formal education Mao women began to fast realize the reality of their existence. In 1957 the Mao Women Society was formed for the active participation in social as well as political life. The Mao Women Society was rechristened as Mao Naga Women Welfare Association (MNWWA) and got registered in the year 1962. It has been addressing the concerns of women. Though its focus is on the issues and rights of women, it has played a fairly active role in harmonizing and unifying the Mao people. Thus, women have come out of the four walls and contributed immensely to the overall development of the tribe.