

Memorandum Submitted

to

The Hon'ble Chief Minister, Manipur

on

8th August 2015

by

**The Joint Committee on Inner Line Permit System
(JCILPS), Manipur**

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Hon'ble Sir,

Memorandum submitted by the *Joint Committee on Inner Line Permit System* (JCILPS), Manipur on August 8, 2015 in the wake of prolonged public unrest and inability of the Government of Manipur to come to an understanding on the demands of the JCILPS and the public to introduce the *Inner Line Permit (ILP) System* or a Similar Law to curb and regulate the uncontrolled influx of migrants into the State of Manipur in order to restore the demographic balance of the pluralistic society, respecting the diversity and integrity of the nation state of India, and to ameliorate the livelihood conditions, life support systems of the indigenous peoples, heal the social wounds created by the unfortunate development of communal and linguistic animosities in socio-economic and political interactions thereby becoming an intense threat to national security, and peaceful development of democratic processes amidst the tensions of globalization and rapid expansion of global connectivity with its concomitant challenges to ethnic societies in the State of Manipur.

The memorandum consists of three parts and a conclusive remark.

Part I lays out the reasons for submission of this memorandum on the need for introduction of the ILP System or a Similar Law in Manipur.

Part II deals with the objective historical narrative of the pre-merger polity, its policies on outsiders, its laws of integration of outside incoming elements into the prevailing social structure and its policies for regulation and control of migrant population which can be considered in the preamble and background history in the framing of an alternative law in lieu of the Bengal Eastern Frontier Regulation, 1873. The arguments raised here could also be considered for designing a fresh legislation to revive our permit system applied during the Maharajah's rule which was also approved by the Government of India in 1948, but unfortunately abolished under controversial circumstances in 1950.

Part III of the memorandum shall include the JCILPS' justification of the compatibility with the Constitution of India and International Law of the 5-point-demand, namely :

- (i) on issues of permit or pass,
- (ii) on cut-off base year of non-indigenous persons,
- (iii) on issues of non-alienation of land to non-indigenous persons,
- (iv) on issues of expansion and smooth functioning of the labour department, and
- (v) on detection and deportation of non-indigenous persons.

Part I

1. The JCILPS, Manipur take this opportunity to submit this memorandum to the Hon'ble Chief Minister, Manipur in the wake of widespread public unrest on issues of the threat to the identity, culture, traditional values and livelihood of the indigenous peoples by the sheer pressure of outsider populations whose presence and settlement in the State since the 1950s had transformed the demographic landscape and destroyed the organic pluralistic worldview of the indigenous societies of pre-colonial Manipur.
2. The movement for a well streamlined regulatory policy by the State on this issue is a result of prolonged public outcry due to the socio-economic burdens imposed by this uncontrolled influx, thereby disturbing the harmony and peaceful co-existence of the multi-ethnic and multi-cultural polity. Manipur had a historic legacy of inter-societal integration and deep respect to outsiders and incomers since the pre-colonial past (background history is being provided in the following attached narratives). But tensions and public protests grew from the indifferent, discriminatory and biased attitude and policies pursued by the ruling governmental authorities, thereby undermining the self-respect and civilizational equilibrium of the public of Manipur since the fifties.
3. The rising movement for control, regulation and curbing of uncontrolled explosion of unnaturally induced population growth in Manipur rose in intensity since the eighties. Synchronous with the rising tide of simultaneous protests throughout Northeast India, especially in Assam, Tripura, Sikkim etc. in various forms related to other contexts, but the patterns and motives of the movements have similar contours and character. Manipur students and the younger generation, discontented with the lack of vision of their political elders absorbed in power struggle, rose in huge democratic protests. The movement faced violent and brutal repression from the government resulting to the death of two students Potsangbam Lukhoi and Huidrom Loken in the 1980 students' movement. The R.K. Dorendra Ministry of the Congress government met the movement leaders of AMSU (All Manipur Students' Union) & AMSCOC (All

Manipur Students Coordinating Committee) and came into an Agreement on 22nd July 1980, and on 5th August 1980 (*vide Annexures I*). This agreement envisaged the start of the process of government undertaking to identify the illegal migrants (*understood as Foreigners at that particular time*) and take measures for their deportation under due processes under the Constitution of India and the laws, scrutiny of the Electoral Rolls since 1948, with special relation to later Census Reports of 1951, the National Register of Citizens 1951, and the Village Directory 1951. The government also promised eviction of unlawful settlers in reserve forest areas, *khas* lands and other reserve areas, and promised legislation to prevent infiltration, to improve conditions of vigil at strategic check-posts in Imphal-Dimapur road, Jiribam, Moreh, Tipaimukh, Imphal-Airport etc. Details on the processes of government machineries, officials and their responsibilities were explicitly laid out.

4. The failure of the government to act on the memorandum of agreement, and sheer disappointment over the unfulfilled promises, made the younger generation represented by AMSU to organize a heavier protest with great cost to public peace. During President's Rule in 1994, His Excellency, the Governor of Manipur General V.K. Nayar, P.V.S.M. Retd., allowed the Government of Manipur represented by Sri K.K. Sethi, Chief Secretary and Sri H.V. Goswami, Advisor to the Governor, to sign a Memorandum of Agreement with Sri Naorem Mohilal, President of AMSU, with noted journalist Yambem Laba as witness on the 9th November 1994 at Raj Bhavan (The Governor's Office and Residence) with His Excellency being present at the event (**Annexure II**). The acceptance of the agreement by His Excellency the Governor of Manipur V.K. Nayar as representative of the Government of India during President's Rule in Manipur was the reaffirmation and legitimization of the agreement of 1980.

This agreement was a landmark in the historical progression of the movement of the aggrieved people of Manipur on the issue of illegal immigrants and outsiders. *The problem of illegal immigrants and outsiders was understood*

and termed the Foreigner's problem as per agreement between the government under President's Rule, and the movement. Both parties were aware of the implications of the issue under national laws like the Foreigner's Act, 1946 and other relevant laws. It accepted and endorsed the agreement of 1980 in the identification and deportation of Foreigners under the provisions of the Constitution of India, the Foreigner's Act, 1946 and other relevant laws. It also provided extensive modalities for deletion of names of foreign nationals from Electoral Rolls, their identification and subsequent deportation under law.

The State Government on its part agreed to implement all the issues raised by the AMSU and agreed upon by both sides besides the main Foreigners issue as contained in the 1980 Agreement.

It also constituted a Committee composing of Civil Society representatives and scholars under the supervision of the Chief Secretary, Government of Manipur. The functions of the Committee were explicitly laid out with meticulous care.

The Committee could not function due to exigencies of political and other unfortunate developments in the political history of modern Manipur.

5. The increasing problems of artificial population growth were in public minds. Manipur, a small Asiatic independent state patronized by the British government, integrated into India in 1949, and by 1972, the Government of India upgraded it to a full-fledged State, but the unattended issue of demographic imbalance was first noticed by silent well meaning scholars who detected certain anomalies in the population studies of Northeast India. When the Government of India read the unusual, exponential growth of Northeast India's populations and reflected it in the Government of India's white paper on population planning of India, scholars of Manipur raised quite objections. The Government of India viewed the increase in the population in

Northeastern States of India 'as the outcome of the failure to implement family welfare programmes. To promote the population policy, the Union Government had advocated in 1970s, *bonus plan money* based on effective carrying out of population policy. To ascertain the positive result for carrying out population policy in the State, the Central aid to State was to be *frozen* at the population figure of 1971. For the extra population load over this base figure, *the concerned State had to manage from its own resources*. The Union Government was also planning forced sterilization programmes during the emergency period of 1975-76 elsewhere on the pretext of the failure of the family welfare programme, but it was not carried out in Manipur' (UCM 2005).

Such were the mis-emphasized public experience of the Union and State Government attitude towards unwanted population growth and emergence of public protests during the tense eighties. The population figures of the Manipur kingdom (later State and Part C State) from 1891 to 1951 was reported to be simple doubling of the growth of population as per their natural biological processes along with wise government policies of native administration towards assimilation of migrants.

Table – 1

Year	Population	Growth rate %
1881	2,21,070	
1891	Anglo Manipur War	
1901	2,84,465	
1911	3,46,222	21.71
1921	3,84,016	10.92
1931	4,45,606	16.04
1941	5,12,069	14.92
1951	5,77,635	12.80

From a Census population estimate of some 5 lakhs in the 1950s, the population of Manipur jumped upto around 28 lakhs in 2011, which was a massive 4.6 times increase in population, in 60 years, which was abnormal and scary in character, phenomenally awesome. Also a look at the inter-censal growth rate of Manipur's population was persistently above the growth rate of Indian population.

Table – 2

Percentage decadal variations in population: 1901-11 to 2001-2011

State/UT Code	India/State/UT	Decade										
		1901-1911	1911-1921	1921-1931	1931-1941	1941-1951	1951-1961	1961-1971	1971-1981	1981-1991	1991-2001	2001-2011
1	2	3	4	5	6	7	8	9	10	11	12	13
	India	5.75	-0.31	11.00	14.22	13.31	21.64	24.80	24.66	23.86	21.54	17.64
14	Manipur	21.71	10.92	16.04	14.92	12.80	35.04	37.53	32.46	29.29	24.86	18.65

This indicated tell-tale signs of artificial increase of outsider populations in Manipur which was induced by factors not critically addressed by the concerned governments. The following statistics of the current position of outsider populations other than the indigenous peoples of Manipur is also provided below. From a simple number of migrant population of 2,719 in December 1948, it has shot up more than 400 times today, reaching the figure of more than ten lakhs odd in gross estimate during the last 67 years (Table 3). Unfortunately the population figure for the decade between the years 1951 to 1961 is not available due to Manipur's census jurisdictions being under Assam.

Table – 3

Population growth and Migrant population during 1961-2011

Decade	Growth Rate	Migrants Received	Birth contributed by Migrants	Total of 3 & 4	Age of the Offsprings of the Migrants on 1-1-2014	P.C. of Influx
1	2	3	4	5	6	7
1961-71	37.53	1,43,132	53,717	1,96,849	43-62	18.35
1971-81	32.46	96,665	31,377	1,28,042	33-42	9.02
1981-91	29.29	1,38,886	40,680	1,79,566	23-32	9.88
1991-2001	24.86	1,60,204	39,827	2,00,031	13-22	8.72
2001-2011	24.50	2,68,375	65,752	3,34,127	3-12	
		8,07,262	2,31,353	10,38,615		

All Tables by UCM researchers on demography

The United Committee Manipur, a Civil Society organization produced a text – ‘Influx of Migrants in Manipur’ in 2005, which claimed that Manipur under Census figures of 2001 had three distinct components of population – one of Schedule Tribes which comprise some 6,70,782 in number, while the valley population of original Meetei, and Meetei-pangal etc. were of 9,18,826 numbers, while the third category the *outsiders (influx with offspring)*

constituted 7,04,488 in number, thereby indicating that the migrants in Manipur is the second largest population group in Manipur, more numerous than the total of the Schedule Tribe population of the State.

These statistics implied vital realities of the nature of severely contested issues of socio-economic benefits. The estranged competition amidst culturally differentiated work forces from local and outsider populations, and the absolutely incompatible nature in the work ethic of these separate communities with vitally different world views, food habits, and manners indicated substantially alienated relationships in their mixed ecological and social networks. A strange tinge of communally based prejudices and notions of we-self and the other constituted the social universe of these plural communities, hostile to one another. Manipur by virtue of unique social traditions of pluralism avoided violent clashes like that of Assam and Tripura in the eighties. The environment in Manipur as a result of exogenous increase of population warranted serious public policies towards respect for diversity, pluralism and non-violent democracy and at the same time institute safeguards to the interest of the indigenous populations. We are aware of how the Northeast became a cauldron of explosive social and political crises where jealousies, distrusts and violence amongst populations occurred in the response to India's policies of development and democracy emphasizing the religious and linguistic categorization of peoples in the region.

6. Many factors of social impacts of excess non-homogenous population amidst original citizens, the impossibility of assimilation of outsider populations with those of native ones, the stable size of incomers who develop their socio-cultural and linguistic identities as competing with identity formation processes of indigenous populations became an intense feature of socio-economic strife. The competition in jobs, livelihood means, in skilled demands on professions, in both organized and unorganized sectors of the economy created pressure in social interactions etc. Demands of urbanization, in house buildings,

constructions, in proletarian labour supply, and other manual jobs, created tremendous frictions. The slow, reluctant ethnic populations with orthodoxies and habits of indolence, and the other side of harsh life-bearing processes of outsider populations who could work on lower wages, and their ability to be professionally competent to perform tasks better than the autochthones created an environment of sheer competition in the possession and control over resources, where the indigenes were found wanting.

It is such situations that were foreseen by our immediate forefathers who saw the future state of our societies that entry of outsiders would lead to greater exploitation of the Manipur people. The first Chief Minister Maharajkumar Priyobarta of Independent Manipur in 1947 decided against the abolition of the *Permit System* in Manipur and in his order, wrote *'the abolition of the System will certainly work to the prejudice of the States interest as it will afford room for the people of Manipur being exploited by the outsiders before Manipur can establish herself'* (Manipur State Gazette 15 October 1947, **Annexure III**). Contentious pluralism of post-colonial times that affect the quality of life of the indigenous peoples, the contemporary development processes to enable aspirations for heightened quality of life in terms of education, health care, access to profitable employment, choice of alternative means to secure livelihood etc. are all *undermined* by this complex tensions generated by demographic imbalance artificially induced.

7. The 21st century period of globalization and the Look East and Act East Policy of the Government of India with a sublime thrust towards economic integration with the rest of East Asia and South East Asia necessitated much more deeper and more serious investigation into the processes of international connectivity on land, air and the advent of trans-Asian railways and highways, improvement of trade connections with these eastern neighbours shall involve huge movement of peoples, goods, services and establishment of financial institutions, banks, security paraphernalia and others. There shall be hotels, bungalows, trade centres, and a host of other technologically oriented gadgets, roadways, warehouses, dockyards, hospitals and smart cities in the

hill areas would become realities. Under these conditions futuristically envisaged, we must improve the quality of skills necessitated by this global enterprise, and enhance the adaptation to highly demanding aspects of knowledge, expertise and it shall involve transformation of our societies into modern ones. We must devise our own participation in the global processes, seek representation in the highest decision making bodies in trade, commerce and other professions, and our regulations and laws should complement the processes of globalization and movement – ingress and egress of populations. Greater enhancement of the commitment of our officials, deeper integrity, and bigger outlook will be demanded. Migration is a must in such trans-global situations and our people should be trained to adapt to these changes. Computerization of procedures and processes shall be compulsory and strong domestic laws should regulate these activities with proper emphasis on national security and prevention of marginalization of indigenous communities by outsider populations.

Here we would like to mention a serious record of a statement by no less a person than General S.K. Sinha, P.V.S.M., former Vice-Chief of Staff of the Indian Army and Governor of Assam, who wrote a letter to Sri K.R. Narayanan in 1998 when the latter was President of India, implicating the seriousness of the crisis of demographic imbalance and the explosion of uncontrolled population of Assam, he wrote to the President and in the introduction, mentioned:

“The unabated influx of illegal migrants from Bangladesh into Assam and the consequent perceptible change in the demographic pattern of the State has been a matter of grave concern. It threatens to reduce the Assamese people to a minority in their own State, as happened in Tripura and Sikkim”
(Annexure IV).

8. This grave concern on the matter of influx was first discussed without much media attention in the office rooms of government officials in the post-seventies who consulted informally with scholar representatives of the people.

But it seems the scholar representatives were silenced by the bureaucrats who were reluctant to accept the reality or enormity of the problem and nothing worthwhile emerged from these discussions. After the 1980 crisis, resulting to loss of lives of students and government properties, certain civil society organizations like the *Poramlen Apunba* in 1988 began to draw public attention on the matter. The movement for regulation of unchecked influx of outsiders thus continued with greater intensity in the later period of the 20th century and beginning of the 21st century when Manipur was reeling with socio-economic stress and when the gap between the rich and the poor had widened in spite of increase in the quantum of central grants to the State. A huge dislocation of proper land use policies in the wake of globalization, the advent of land speculation and distortions in population equilibrium as the shrinking of agricultural land and alienation of such lands of agricultural farmers to persons and institutions of totally different agendas, had intensified the crisis of the times. Dislocation of internal population movements as well as past legacies of unattended humanitarian crises resultant from violence from outside the territories of Manipur creating a chain of refugees settling in Manipur and such other human tragedies also created a situation of flux and uncertainty in the normal equilibrium of life. Porous nature of the borders, slipping in of outside populations, entry into Electoral Rolls, correction in the next five years review leading to anomalies and increases, subsequent acquirement of voting rights and influencing of electoral politics have become the order of the day thereby escalating the social tension of the times.

A Civil Society group called the FREINDS attempted to draw the attention of the public on the deepening crisis after the publication of the UCM text on the influx in 2005. They constituted an ILP Demand Committee along with whom FREINDS took up the matter and started a series of movements since 2006-07 to introduce the ILP System in Manipur similar to the Bengal Eastern Frontier Regulation, 1873 prevalent in the neighbouring States of Nagaland, Mizoram and Arunachal Pradesh. The crisis of the times emboldened the volunteers to take direct action to detect illegal migrants to the State by

surprise checking of Inter-state buses, hotels and temporary staying places in various nooks and corners of the State. Many outsiders without identity cards, especially from Bangladesh and Myanmar etc. were detected and the volunteers of FREINDS handed them over to the local police authorities and also brought the notice of the Union Home Ministry to the matter. It must be mentioned that the government's action of deportation of the foreign nationals after detection by public of Manipur were acknowledged by the Union Government, a sign of understanding and concern by the central authorities to the issue. The concern on the matter of influx behind the confines of government official rooms was changed later when public representatives took up the matter in the legal regime of the Manipur Legislative Assembly. The Assembly for the first time brought this matter into the legal domain when the late Hon'ble MLA H. Bidur raised this issue in the Assembly session of 1993. Hon'ble MLA I. Hemochandra again introduced the second motion in 2006. Hon'ble MLA N. Mangi Singh made the third attempt in 2011. All these matters however could not be positively fructified.

When the activists of FREINDS with the support of the people felt the need for greater public intervention on this critical issue, 32 (thirty two) Civil Society groups came together in the public cause and formed the *Joint Committee on Inner Line Permit System* in Manipur in 2012. Through the efforts of this collective group, members of the Manipur Legislative Assembly lent support to the spirit of the public and contributed to the passing of the Assembly resolution on the 13th July 2012 on extension and adoption of *Bengal Eastern Frontier Regulation, 1873* with necessary changes in the point of details to the State of Manipur. The motion in the Assembly was moved as a private member's resolution by the Hon'ble MLA of Oinam A/C, Dr. I. Ibohalbi and was passed unanimously (**Annexure V**).

9. Again the Manipur Legislative Assembly passed a second resolution to urge the Government of India to extend the provision of the *Bengal Eastern Frontier Regulation 1873* for extension of Inner Line Regulation to the State of

Manipur or to enact a suitable law under clause (5) of Article 19 of the Constitution of India (**Annexure VI**).

We appreciate the motives of the Government of Manipur on the second resolution along with the spirit expressed by representatives of political parties since the matter is so serious as to draw the attention of the people of Manipur across party lines, and it should be a matter of concern for everyone in Manipur without representations for religion, ethnicity, language and cultures since the real crisis of demographic imbalance is a matter of the life and death for the people of Manipur.

10. Here on the background of the second Assembly resolution of 2013, we would like to comment on a slight loss or mistake by our government officials on the knowledge of the history of pre-merger Manipur. When the Union Home Ministry enquired with the Government of Manipur whether there was an ILP System of Manipur, the Manipur government official replied that there was no ILP System in Manipur, but he mentioned the prevalence of a former Permit System that was abolished by Chief Commissioner Himmat Singh in November 1950. If he was prudent enough to consult scholars from the public he could have taken advantage of the chinks in the powers assumed by the Commissioner in 1950 *that he was not a proper authority to abolish existing laws of the pre-merger state as the Merger Agreement of 1949 as well as the Administrative order for the powers of the Chief Commissioner on October 15, 1949 explicitly mentioned the continuation of the existing laws unless repealed or amended by a duly constituted legislature or authority* (full details in the attached **Annexure VII**). Also it can be argued for re-introduction of the former Permit System as protected by Article 372 of the Constitution of India as adapted to contemporary conditions which can be a substitute for *'the Similar Law'* stipulated in the 2nd resolution of the Manipur Legislative Assembly.

It must also be added here that the JCILPS representatives consisting of 11 members made a representation to the Union Home Minister Mr. Sushil

Kumar Shinde on 23 November 2012 at New Delhi reflecting this situation as similar to that of Tripura and Sikkim. Also informing the representative official that Manipur is not against Indian citizens, but that only an authorized permit or pass would facilitate their presence, but settlement and enrollment in local Electoral Rolls and participation in the political processes would in future alter the structures of our life and polity which will be disastrous for the local people – hence the urgency and importance of the peoples movement. Sri Sushil Kumar Shinde is reported to have observed that the *Demand is genuine*.

11. The Government of Manipur took enormous trouble to call for inputs from the respective political parties of Manipur in the wake of unceasing clamour of the people for the last three to four years, and the political parties and citizens of the State provided well-meaning advice and inputs into the matter. As many as 15 meetings of the all political parties committee on ILPS, Manipur were convened, and many well-meaning legal and constitutional experts provided suggestions and also submitted model bill proposals to the scheme in the year 2014. Informal meetings between representatives of the government and members of the JCILPS however were not smooth and it seems distance mentalities developed within the government and the JCILPS relationships. Ironically, the government without consultation with JCILPS and negating all their proposals introduced the *Manipur Regulation of Visitors, Tenants and Migrant Workers Bill, 2015* in the Manipur Legislative Assembly on 13/3/2015 and it was passed on the 16/3/2015 with five Hon'ble MLAs Sri Dr. I. Ibohalbi, Samuel Risom, Th. Shyamkumar, Kh. Joykishan and K. Sarat voicing dissent and walking out of the House and two other Members Y. Irobot and L. Ibomcha along with the above five MLAs had suggested that the Bill be referred to a select committee. Thus without unanimity the Bill was passed. Immediate protests arose from the public, the copy of the Bill were put into flames by the *Meira Paibee* and the students on the 15th March. Various demonstrations came up in nooks and corners of the state. The JCILPS earlier had submitted a set of demands on the nature of the Bill and further sent reminders on 24/2/2015 which include the five points which was not at all reflected in the newly drafted Government Bill on the *Manipur Regulation of*

Visitors, Tenants and Migrant Workers Bill 2015. The JCILPS in their reminder had objected to the proposed Bill as it did not address or incorporate the 5 point demand.

The 11th session of the 10th Manipur Legislative Assembly that met from the 25th June 2015 till the 10th of July refused to accede to the demands of the JCILPS to withdraw the *Manipur Regulation of Visitors, Tenants and Migrant Workers Bill* and to pass a new Bill. Widespread protests continued from the public and police action resulted to the death of a sixteen-year-old school student Sapam Robinhood of Ananda Singh Higher Secondary Academy from direct rubber bullet injury on his face on the 8th July, 2015. The Manipur Legislative Assembly adjourned its session without any reference to the problem on the 10th of July, 2015, which was read by the public as complete denial of the right of the people to be heard in matters of public interest. Agitations intensified and with increasing police atrocities and injuries and physical harm to many participants in the democratic movement, the government was forced to convene a special session of the Manipur Legislative Assembly on 15th July 2015. The said controversial Bill – the *Manipur Regulation of Visitors, Tenants and Migrant Workers Bill 2015* was withdrawn.

12. This was a brief background to the present state of peoples' movement for regulation of unchecked, artificial explosion of demographic imbalance and the resultant crisis on issues of identities, culture, dignity, respect for diversity, pluralism and deepened democracy which are fundamentally challenged by the lack of vision of leadership. Absence of institutional mechanisms to undertake to regulate the ingress of unwanted populations and address the critical alienation of native lands to outsiders, the insufficient implementation of labour laws, and to enact a fresh law to regulate and control the crisis of influx are all yet to be addressed with all sincerity and trust between the stake holders – the Government and the people.

PART II

Reasons for introduction of the ILP System or a Similar Law under Article 19 (5) of the Constitution of India

1. The demand for the introduction of the ILP or a Similar Law by the JCILPS need to be understood from the serious issues arising out of the social, economic and cultural crisis generated by the dynamics of artificial population pressure on ill-proportionate land and resources and undermined by historical and political changes of the times. A law to mitigate these ills should be in consonance with the understanding of the causal factors of the past, the understanding of the present realities and then to re-design measures to mitigate current ills in order to assure a peaceful satisfactory future. The Government of the land should also understand the basic causes of this current turmoil, examine the problems faced and responded to by our past generations, link up the past traditions with contemporary welfare measures and re-assure a link with tradition in modern societal development, so that the people could recover their self-esteem, and assuage grievances by restoring their dignity that had been undermined by exogenous ideologies and hegemonic power. A look in the state of our ancient monarchical polity and post Independence governance of the erstwhile pre-merger State of Manipur, and their attitude towards outside migrants and the policies towards incorporating them to the native society and polity should be understood in order to re-design new laws which shall be natural organic developments suited to local, particular historical contexts. A brief overview of past history is narrated below.
2. Manipur was an ancient Asiatic state, with a well organized monarchical rule, a literature and language generated from the interactions of the indigenous populations, which recorded the entry of outside migrants with meticulous care and scrutiny, and devised policies with a view to produce a harmonious, organic, pluralistic social order. The Government of the pre-colonial past kept

extensive records of migrants with their family pedigrees, place of origin and their propensity and skills for appropriate professions, and assimilated them into the social structure with marriage to local women. Those migrants who came from the eastern directions, either through captivity in war, or through search for livelihood were assimilated in Manipur society with marriages to local women and were known as Nongpok Haram (Eastern comers). Yunnan - Chinese, Burmese, Shans, Chins and other communities were integrated into Manipur society and formed essential part of the indigenous population. Those who came from the west notably Indian Brahmins, Muslims, Bodos, Bengalis and Assamese were also known as Nongchup Haram (Western comers) and they too were assimilated with local marriages, becoming an organic part of the Manipur society. Tribal communities from the Highland Mountains were also absorbed into Manipur society, given appropriate lineages or *yumnaks*, and valley maidens were also married to hill chieftains and thus an indigenous social organism based on kinship and blood relations were formed in pre-colonial times. The ancient state maintained indigenous census records like *Meihoubarol* (Records of origins of family hearths), *Pudin* (Mingling of ancestors), *Sangai-Phammang* (Records of clans and lineages approved by royal authority), *Yumdaba Puya* (Records of settlement of families) and other such texts that were almost revered and preserved with meticulous care in the palatial archives. Appropriate professions, and land for their families' settlement were allotted to these incomers. As the state became more recognized and internationally respected in the comity of nations, royal princesses were given in marriage to kings and princes in Burma, the upper Shan principalities and other eastern kingdoms, and nearer polities like that of Ahoms, the Dimasas and the Tripuris had blood relations marrying Manipuri princesses and they played excellent roles in international and inter-community relations.

Since 1891, the colonial take-over and introduction of British imperial administration brought in a new social component of the *Marwaris*, *Bengalis* and *Nepalis* as social and military instruments of the imperial and colonial

order with new set of governance laws in the matters of economy, in the ushering in practices of private property and tutelage to colonial modernity. A form of contestation in the money economy produced a contentious pluralism that increased the dynamics of difference and notions of superiority and inferiority in the colonial structure. But the governing authorities of the monarchy, in deference to their noble heritage and civilization inherited from thousands of self-government, nursed notions of civility and understanding and when they promulgated laws for governance, saw to the intrinsic understanding of the true traditions of the state, the hospitality to outsiders and understanding and respect for the other. By the time of independence when the British Empire left this land in 1947, *the state gave itself three important acts which reflected the dignity, status and civilized world view of the times. The Manipur State Constitution Act of 1947 gave the people of Manipur a constitutional monarchy and a self-government of the people under universal adult franchise, respecting universal human rights and innovating the modern developmental measures of the plural order, acknowledging double representation of mixed communities in a single constituency, and allowing business and education with a separate non-territorial representation respectively in the Assembly. The elections held under this constitution in 1948, the second in Asia to adopt a democratic system of Government next to the Philippines who became a democracy in 1946. The next enactment of Manipur State Hill Areas Regulation Act of 1947 gave satisfaction to the traditional component of the ancient polity - the Hill communities who had been divorced from a united Manipur administration through the intervention of British, a chance to secure their space in governance, respecting their autonomy and continuance of their customary laws, and thus the free Manipur of 1947 could now re-secure the sense of people and nation, that had been under colonial domination for fifty six years. This two acts, along with the third one, the Manipur State Naturalization Act of 1947 made Manipur one of the most advanced democratic systems of Government, and this third act addressed the subject of incoming migrants to the state and as wont a traditional civilization, made laws for the assimilation of outsiders to the state,*

providing appropriate legal documents for their naturalization as citizens of the State.

As regards treatment to migrant populations left as legacies from the colonial manipulation of peoples and territories, Manipur had a much more sophisticated and advanced institutional system to deal with migrant populations. When the erstwhile districts of colonial Assam as a part of Eastern Bengal had problems of conflicts in trade and ethnic relations necessitated by the introduction of tea industry and complications of community relations between the tribal communities and the British subjects, namely the Indian populations. These transactions in the colonial economy brought in constant clashes and quarrels in the procurement of wax, cotton, rubber and other indigenous products from the tribal communities that induced the officials of the British Government to design the Inner Line Permit System that became an important regulatory order in 1873. It prevented Indian populations to cross certain linear stipulations in the geography of the tribal populated areas. This regulation became an important restrictive instrument for ingress of Indian and other populations for newly formed Indian states like Mizoram, Nagaland and Arunachal Pradesh.

For Manipur, a unique institutional structure was the introduction of a permit or passport system for Indians and other British subjects known as Foreigners, introduced in 1901. They were given a pass to enter Manipur, and get trading or grazing licenses on payment of fees. In 1931, long after the establishment of the Manipur State Durbar, a Foreigner's Department was formally instituted to look into these cases of ingress of migrants, and the income generated on taxes on them for pursuing professions were helpful to the state exchequer. Sri Sanjenbam Nodiachand was the efficient Foreigners Member of the State Durbar, who assiduously took the responsibility of running this department, taking collection of (i) Foreigner's Tax, (ii) Income Tax and (iii) Trading License fees etc. After his retirement in 1944, he was succeeded by Md. Walli

Ulla, a *Meetei-pangal* member of the Durbar till 1947. Sri Sougajam Somorendra held charge of the Foreigners Department from the 13th June 1947, till the system was abolished in 1950 by the Chief Commissioner Sri Himmat Singh.

What developed in the 50s were that policies affecting the components of the population, the Valley people, the Hill populations and the outsider populations comprising the multi-ethnic and multi-cultural polity were suddenly swept away by the controversial merger of the State into India in 1949. Here one must reiterate the circumstances and realities of the events and analyze its impacts on the social and political developments. When the Chief Commissioner, Himmat Singh addressed the Members of the Advisory Council on its first session on 9th October 1950, he mentioned his responsibilities to execute the policies and instructions of the Government of India. He added *“Manipur occupies a strategic place of great importance and forms the northeastern gateway of India. In view of that importance, you should constantly bear in mind the vital fact that Manipur is an integral part of the Republic of India. All Manipuris, Meeteis and Tribesman alike, should therefore think more and more in terms of their rights and obligations as Indian first, and not merely as residents of the small state of Manipur. People of other parts of India can no longer be treated as ‘Foreigners’ and discriminatory treatment against them is neither possible nor wise”* (Gangmumei Kamei, 2015 p. 92).

(Annexure VIII)

One month later on the 18th November Sri Himmat Singh, as Chief Commissioner of Manipur issued the order No. 8597-601 H.D.

“It is notified for general information that with immediate effect the permit system for entry into and exit from Manipur is abolished”

Himmat Singh
Chief Commissioner, Manipur.

(Annexure IX)

It must be remembered Sri Sagolsem Indramani Singh, one of the members of the 14 member Advisory Council, raised objections to the Chief Commissioner's order on the day of the next meeting of the Advisory Council on the 2nd February 1951 *"to revive the passport system in Manipur so that persons from outside Manipur might be allowed to come in with an account and scrutiny"* (Dr. Kh. Ratan, UCM, 2005 p. 132).

Let us delve a little further on the powers assumed by the Chief Commissioner to abolish an existing law, prevalent in the State.

When we look into the terms of the Merger Agreement signed by the Maharajah of Manipur on 21st September 1949, the relevant clause was in Article VIII of the Agreement. In the latter part of the Government of India's guarantees to the continuance of the permanent members in the public services of Manipur, and promise to continue pensions and salaries of the former officials of the erstwhile administration, there was an important reference.

"The Government of India shall also undertake to make suitable provisions for the employment of Manipuris in the various branches of Public Services, and in every way encourage Manipuris to join them. They also undertake to preserve various laws, customs and conventions prevailing in the state pertaining to the social, economic and religious life of the people"

(Annexure X).

Once again, if we look into the Administrative Order of 15 October 1949, when the Government of India empowered the Chief Commissioner in his functions as the Head of the State, the Part C State, in the first order relating to appointment of Judges, Magistrates, Police officials and others to run the new

administration his powers were explicitly mentioned. In the second, he was also given the powers to assure the assimilation of erstwhile officials of the Manipur Maharajah within the new administration.

Yet in the subsequent Article 5 of the Administrative Order on ***Existing Laws to Continue*** – *All laws in force in Manipur or any part thereof immediately before the commencement of this order, shall continue in force until repealed or amended by a competent legislature or authority.*

Provided that all powers exercisable under the said laws by His Highness the Maharajah or the Government of the State shall be exercisable by the Chief Commissioner.

The question therefore arises here on the competence and powers of the Chief Commissioner to abolish an existing law. The Government of India authorised the Chief Commissioner to exercise the powers of the State Government in existence before the merger of the State, and he also assumed the constitutional role of the Maharajah.

But the matter before us is a matter of deep legal as well as moral and ethical import. The powers of the State Government exercised by the erstwhile Council of Ministers of the Maharajah had only 3 (three) years ago continued the permit system which was also endorsed by the Chief Minister, Sri Maharajkumar Priyobarta Singh (already cited, attached **Annexure III**), and the decision of the Council to retain the permit system, after getting the endorsement of His Highness, had been intimated to the Governor of Assam, who was at that time supervising the affairs of the State of Manipur as per the imperial norms of governance at that time.

The representative of the Governor of Assam, the Advisor to His Excellency, Mr. G.E.D. Walker, Esqr. M.B.E.I.P. wrote a letter to the Chief Minister, Manipur State, Imphal dated 17th January 1948 on the subject: Permit to enter into Manipur State.

Sir,

I am directed to refer to this Office letter No. 120/47/C-1389 dated 18-11-47 and to inform you that the Government of India have approved the proposed retention of the permit system in Manipur State.

Your obedient servant

Sd/-

***For advisor to H.E
The Governor of Assam***

Copy to the Dominion Agent in Manipur for information in continuation of this office letter No 120/47/C-1390-91 dated 18-11-1947.

(Annexure XI)

In this context the Government of India gave permission for the retention of the permit system in Manipur. However, the Chief Commissioner of Manipur had transgressed certain principles of protocol and committed moral improprieties in cancelling the permit system in Manipur.

If he was to assume the status of the Maharajah, who was a constitutional monarch, he would be abiding by the advice of the Council of Ministers. If he acted as the erstwhile State Government, he should have known that their decisions, with approval of His Highness were to be sent to the Governor of Assam for endorsement by the authorities. In the takeover of the administration of Manipur, the Chief Commissioner being authorized by the Government of India, should not have countermanded the decisions of the State Government and Legislature that was abolished by the Government of

India without appropriate advice, for which the newly constituted Advisory Council of 1950 was not given sufficient powers.

The Chief Commissioner Sri Himmat Singh, therefore had acted indiscriminately in an authoritarian manner, for which the people of Manipur have every right to question his decision to abolish the permit system as “arbitrary” and without precedent.

3. Again, the very important third Act - *Manipur State Naturalization Act, 1947*, had raised an important issue about the naturalization of outsiders by allowing him or her to assert his *Manipuri Nationality* by a declaration under this Act. The Act was neither repealed nor amended by subsequent notifications or legislative actions in the post merger periods. This concept of nationality status had not been recognized by the Constitution of India as it recognizes only linguistic or religious minorities. The values and civilizational status of Manipur nationality had not been recognized by the Indian State.
4. The undermining of the dignity of the people through the controversial merger in 1949 had serious repercussions in the ontological dignity of the Manipur polity. When the States Reorganization Committee (SRC) in the late 50s visited Imphal and took the opinions of various political parties, the Committee later recommended that Manipur should be merged into Assam with the status of a district! This, however, was cancelled through the intervention of *Pandit* Nehru who ensured the distinctive political entities of Manipur and Tripura. Prime Minister Nehru said, “*It would be a misfortune for the country to destroy the identity of Manipur which possessed a rich culture and long history*”. Nehru’s intervention rejected the recommendation of SRC to merge Manipur with Assam in the proposed *Union Territory Act of 1956*. Manipur was converted from a Part C State status to a Union Territory (Gangmumei Kamei, 2015, p. 98).

The Government of Manipur in consultation with the people of Manipur may seriously consider the revival of the permit system of the pre-merger Manipur. It can be modified and put in the context of the present, protected by Article 372 of the Constitution of India, and also removing such tags as foreigners, etc., terminologies which was used in the past, and modernized to suit local conditions, aware of national and international laws. The proposal is put forth for discussion as an easier route to the fulfillment of the desire of the people, also reflected in the 2nd Resolution of the Manipur Legislative Assembly passed in 2013.

PART III

Demand to Safeguard and Protect Indigenous Peoples of Manipur

After deliberations on the contents of Part I and Part II of the memorandum, the JCILPS hereby lay out the five-point demand to the Government of Manipur for new legislation or legislations to be enacted in order to safeguard and protect the indigenous peoples of Manipur within the frame work of the Constitution of India and the Government of India's international obligations.

The Constitution of India in Article 19 protects certain fundamental freedoms. In the same article in clause (1)(d) it specifically protects the rights of all citizens to move freely throughout the territory of India. Also Article 19(1)(e) protects the right to reside and settle in any part of the territory of India. However these are not absolute rights. Article 19 (5) states:

*Nothing in sub clauses (d) and (e) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, **reasonable restrictions** on the exercise of any of the rights conferred by the said sub-clauses either in the **interests of the general public** or for the protection of the interests of any Scheduled Tribe*

The Supreme Court of India has declared that the term "reasonableness" has no fixed standard. In Jyoti Prasad vs Union Territory of Delhi (1602 S.C, 1961 AIR) the apex court stated "It must vary from age to age and be related to the adjustments necessary to solve problems which communities face from time to time". In our humble opinion, there is nothing in law that forbids interpreting the term "the interest of the general public" as the interest of the people of Manipur, who are affected by the demographic crisis and demanding their safeguards and protection.

DEFINITIONS

- i) **“Indigenous Peoples of Manipur”** means those peoples with historical and special inalienable relationship with the land, resources and territory of Manipur with distinct cultures and traditions experiencing historically rooted continued subjugation, domination and threats to their survival, livelihood and identity.
- a) Refer to Definition of Indigenous Peoples by Jose R. Martinez Cobo, *Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, in his Study on the Problem of Discrimination against Indigenous Populations*. (UN document no.: E/CN.4/Sub.2/1983/21/Addl.4 of 14 July 1983) as contained in *The Concept of Indigenous Peoples: Background paper prepared by the Secretariat of the Permanent Forum on Indigenous Issues* in 2004. **(Annexure no. XII)**
- b) Refer to Article 1 (1) (b) of the *Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries*, ILO Convention 107 of 1957 **(Annexure XIII)**, India has acceded to this convention on 29 September 1958.
- c) Refer to Article 1, (a), (b) and (c) of the *Convention concerning Indigenous and Tribal Peoples in Independent Countries*, ILO Convention 169 of 1989 **(Annexure XIV)**, India has not yet acceded to this convention. Nevertheless the *Working Group on the Universal Periodic Review on India*, has recommended the Government of India to ratify the convention, see recommendations no. 138.5 and 138.26 contained in UN document no. A/HRC/21/10 of 9 July 2012. **(Annexure XIV A)**
- d) Refer to official exchange between the Government of India and Prof. James Anaya, *UN Special Rapporteur on the Fundamental Rights and Freedom of Indigenous Peoples*, in connection with the understanding and application of the concept of Indigenous Peoples in

the context of Manipur, India, Para no. 215 and 216 of UN document A/HRC/15/37/Addl. 1 (**Annexure XV**)

e) Refer to Article 8 and other relevant articles of *UN Declaration on the Rights of Indigenous Peoples*, adopted by UN General Assembly in 2007. (**Annexure XVI**)

- ii) **“Non-Indigenous Domicile”** means the non-indigenous person in Manipur from outside Manipur and who have settled in Manipur before 1st January 1951 as a legacy of colonial rule, linguistically and ethnically different, entitled to limited rights.
- iii) **“Outsider/Non-Manipur Person”** means those non-indigenous persons and Foreigners who enter Manipur after 1st January 1951.
- iv) **“Sponsor”** means those indigenous persons and “non-indigenous domiciles” of Manipur, who can provide financial support, legal guarantees of the identity of those “Outsider/non-Manipur persons” entering the State of Manipur.
- v) **“Permit or Pass”** means the Permit or Pass issued by the Government of Manipur within its constitutional power conferred by the Article 19(5) of the Constitution of India exercising reasonable restrictions on the free movement, residence and permanent settlement to the non-indigenous persons within the territorial jurisdiction of the State of Manipur. It is a document also used as an Identity Card with reference to License/ILP/Permit/Pass for a purpose of identification of non-indigenous person willing to enter into Manipur.
- vi) **“State”** means the State Government of Manipur.

- vii) “**Cut-off Base Year**” means the year 1951, the cut-off year fixed in the Memorandum of Understanding signed between the *Government of Manipur* and the *All Manipur Students’ Union (AMSU)* and *All Manipur Students Coordinating Committee (AMSCOC)* in 1980; and that was again reaffirmed in the Agreement signed between *All Manipur Students’ Union (AMSU)* and the Government of Manipur during the President’s Rule in 1994.

DEMAND NO 1: Permit or pass for non-indigenous persons entering into, exiting from and staying in Manipur

1) Registration of Non-Indigenous Persons:

- A) Directorate of registration of non-indigenous/outsidiers/non-Manipur person shall be established by the Government of Manipur, under the Home Department.
- B) For the purpose of this act, a registration cell for registration of the outsiders/non-indigenous/non-Manipur person under the **Directorate of Registration** shall be established at all the entry points of Manipur and at such places as may be specifically notified from time to time to issue permit or pass by the Government of Manipur.
- C) The State Government of Manipur shall designate as many officers not below Grade II officers of Manipur Civil Services in rank as the registering authorities.
- D) The Registration officers shall, if they are satisfied that the outsiders / non-indigenous / non-Manipur persons are genuine and bonafide, issue a permit or pass after a formal application in such form or manner as may be prescribed to the effect that the outsiders have registered

themselves with the registering authority first before they are issued the permit or pass for entering the State of Manipur, subject to availability of a sponsor who is a bonafide indigenous or non-indigenous domicile of Manipur.

Explanation 1: For the purpose of this Section, non-production of his/her smart card, valid voters ID, Passport from their hometown, city or district or state issued by the competent authority which can prove oneself as the bonafide status, the person will not be granted to hold a permit or pass.

Explanation 2: For the purpose of this section, for the workers / labourers, non-production of his/her identity card (smart card) issued under section 10 (3) of *Unorganized Workers Social Security Act, 2008*, which can prove oneself as the bonafide worker, the person will not be granted to hold an ILP/permit/pass.

- E) The registering officers shall enter the particulars of non-indigenous person entering Manipur with their particulars of permit or pass details and their validity etc. as per forms and manner prescribed by the Government of Manipur and made available of the details in an accessible public domain, such as official web site etc.
 - F) The registration may be allowed for 15 days at a time, extendable to another 15 days with exceptional case of 30 days, depending upon their purpose for entering and staying in the State of Manipur.
- 2) At the commencement of this Act, no outsiders who are already settling in the State of Manipur but not earlier than 31st December 1950, shall stay in the State of Manipur unless they themselves get registered in the office of the Director of Registration and availed of a permit under the rules as such

applied to the first time entry of outsiders/non-indigenous/non-Manipur person.

- 3) A permit or pass holder shall not be entitled to enjoy the voting right of any elections conducted under the norms of the Election Commission of India in the State of Manipur. His enrolment in the electoral roll shall be considered null and void retrospectively and prospectively.

4) Persons and Institutions to be Exempted:

- a) Those of Manipur Diasporas of indigenous descent settling anywhere can come in or visit to Manipur with their proper identification card without applying for the permit or pass.
- b) Those persons from outside the State of Manipur, who are employed in connection with affairs of State and Union Government of India, the students of any educational institutions of the State, or such other persons as may be determined by the State Government from time to time may be exempted from applying for the permit or pass.
- c) The “Non Indigenous Domicile” of Manipur who are non-indigenous persons of Manipur but settling in the State of Manipur on or before 31st December 1950 are also exempted from applying for the permit or pass.
- d) Neighbouring communities of Manipur affected by conflict, war, humanitarian crisis and natural disaster etc., who have sought refuge in the territory of Manipur after 1 January 1951 shall be exempted with limited rights and entitlements to be decided by the Government of Manipur.

5) Renewal

- (1) For the purpose of this Act, the Government of Manipur may establish an office of renewal of the permit or pass in the District Head Quarters and at all entry points of Manipur under the supervision and authority of the Directorate of Registration and assisted by such Renewal Officers.
- (2) For the purpose of this Section, if the concerned Renewal Officer is satisfied of such application for the renewal of the permit or pass for further extension of time of the permit holders, the Renewal Officers may extend time for the permit or pass with proper fees fixed by the State Government from time to time. The reasons are to be recorded in the Renewal Register to be maintained by the Renewal Officer and also made available of the details in an accessible public domain, such as an official web site etc.
- (3) The renewal of permit or pass shall be done after the expiry of the validity period. All non-indigenous persons seeking renewal are required mandatorily to exit from Manipur and re-apply for the permit. All applications of permit or pass renewal should be made after a gap of at least one month.

DEMAND No.2: Cut-off Base Year

- (i) The cut-off base year for identifying non-indigenous/outside/non-Manipur persons will be 1st January 1951 as it was agreed upon between the Government of Manipur and AMSU and AMSCOC through an Memorandum of Understanding on 22nd July 1980 and again on 5th of August 1980. The same cut-off base year was further reconfirmed in yet another agreement between AMSU and Government of Manipur in the presence of His Excellency General V.K. Nayar P.V.S.M. the Governor of Manipur on 9th November 1994.

- (ii) On 18th November 1950, the then Chief Commissioner of Manipur, Himmat Singh abolished the former Permit System to allow non-indigenous persons to enter Manipur. It laid the foundation for present day demographic imbalances and marginalization of indigenous peoples. The population of Manipur has increased 4.6 times from 1951 to 2011 and the migrant population in Manipur has increased more than 400 times since 1948.

- (iii) The event of giving ourselves a self-fulfilling democratic constitution in the year 1948 after the departure of the British is a historic time line for defining our collective peoplehood and recovery of our national identity. The demand for a cut-off base year of 1951 does not contradict India's aspiration and expression of defining indigeniety at the time of her independence in 1947.

DEMAND NO 3: Protection of Indigenous Peoples' Land

- A) Enforce restrictions on transfer of land of indigenous peoples of Manipur and 'Non-Indigenous domicile' of Manipur to non-indigenous persons. A new provision should be inserted in section 158 of the *Manipur Land Revenue and Land Reforms Act, 1960*, which should read "No transfer of land by a person who is a member of the Schedule Tribes and Indigenous peoples of Manipur and 'Non-Indigenous Domicile' to a person who is not a member of Indigenous Peoples of Manipur or 'Non indigenous domicile' of Manipur. No land transfer should be made without the consent of members of the indigenous peoples and further, without the previous permission in writing of the Government of Manipur".

- B) For the restriction of land acquisition of indigenous peoples, ensure recognition of the *Free, Prior and Informed Consent* of indigenous peoples in appropriate laws related to land acquisition.
- C) Formulate a Land Use Policy for Manipur that ensures the protection of indigenous peoples' rights over their land and resources.
- D) Shorten duration of legal lease system in land in order to protect the land rights of indigenous peoples of Manipur. To this effect, the Government of Manipur with consultation of Civil Society should frame appropriate rules.

DEMAND NO 4: Labour

- A) All workers/labourers having valid identity card (smart card) issued under section 10 (3) of *Unorganized Workers Social Security Act, 2008*, from outside the State of Manipur entering Manipur for work should get themselves registered with the Labour Department of the Government of Manipur.
- B) The Department of Labour shall issue permit to all workers who are registered with the department. A separate policy should be framed to register all organized and unorganized workers.
- C) Section 2(6) of the *Manipur Shops and Establishments Act, 1972* may be amended by the Manipur Legislative Assembly. Under Section 2(6) of the Act, insert the word 'employee' meaning a person "having valid identity card (smart card) issued under section 10 (3) of *Unorganized Workers Social Security Act, 2008*".

DEMAND NO 5: Detection and Deportation

- A) The Government of Manipur should commence the process of identification, detection and registration of non-indigenous people in Manipur based on the cut off year of 1951, as also agreed in the MOU signed earlier between the Government of Manipur and the All Manipur Students Union and All Manipur Students Co-Coordinating Committee on 22nd July 1980, reaffirmed by that of 9th November 1994 and also based on the principle established under the definition of indigenous peoples of Manipur.

- B) To facilitate identification/detection of non-indigenous persons and subsequent registration under provision of subsequent Acts and Rules, a Committee shall be constituted by the Government of Manipur in consultation with the Civil Society. Civil Society should be incorporated within the Committee.

- C) All non-indigenous persons identified based on cut off year will be registered and if any foreign nationals are detected, they shall be deported under the Foreigners Act, 1946, with subsequent modifications and developments.

The updated and modernized system of ILP practiced by the Government of Mizoram is attached as **Annexure XVII** for reference if any, if any comparative legislative modalities are desired, in view of efficacious practices prevalent in neighboring States, especially Mizoram.

CONCLUSION

With all these issues raised in this memorandum, the Government of Manipur is requested to kindly act swiftly and judiciously and enact a historic legislation or legislations to curb the uncontrolled explosion of outsider populations in order to safeguard and protect the indigenous peoples of Manipur. From a layman's point of view, if the unchecked migrant population of less than 3000 in 1948 could reach ten odd lakhs today in 2015, in the next 70 years the population of non-indigenous persons would reach a whopping 40 crore! (At the gross calculation of 400-times increase of current populations). We the present generation is responsible for the fate of the future generation.

The JCILPS also would like to press the Government of Manipur to honour the sacrifices of young students like Potshangbam Lukhohi, Huidrom Loken and Sapam Robinhood as well as thousands of men, women and youths who have suffered to make our people aware of the enormity of the crisis. We would like the Government and the Civil Society to do everything in their capacity to respect them, remember them with fitting memorials.

We also request the Government to bring an early solution to the issues raised by the JCILPS on behalf of the People of Manipur, so as to bring justice and restore dignity to our land and people. Thereby, we can face the future together in amity and co-operation.

Dated/Imphal
8th August 2015

Sd/-
(BK. Moirangcha)
Co-convenor

Sd/-
(Khomdram Ratan)
Convenor-in-charge

Sd/-
(Kshetrimayum Somorendro)
Co-convenor

Sd/-
(P. Arjun Tenheiba)
Co-convenor

Sd/-
(Md. Kheiruddin Shah Moijingmayum)
Co-convenor

Sd/-
(Haopu Kom)
Co-convenor