

ACKNOWLEDGEMENT

I would first like to express my sincere gratitude to my supervisor Prof. K.V. Reddy for his continuous support and patience. I am truly grateful for his guidance and immense knowledge throughout my research.

I would also like to thank all the Faculties, Non-teaching staffs in the Department of Political Science, Mizoram University for their support and cooperation during my research. I am truly indebted and grateful to all the people who have given me their precious time during my fieldwork particularly District Commissioner Office Aizawl. In addition, I would like to express the appreciation to my fellow research scholars Steffi C Beingiachhiezi, Lalhualhimi, C. Lalhmingliana, Lalengkima, Lalthatluanga, Zorinsanga Hmar and Zoramthanga for their advice, help and constant support.

My family, who supported me financially and spiritually throughout writing this dissertation, they are the reason for what I am today.

Above all, thank God for your grace and blessings.

Date: _____

(MELODY KAWLRAMCHHANI)

Place: Aizawl

DECLARATION

I, Melody Kawlramchhani do hereby declare that the subject matter of this dissertation is the record work done by me, that the contents of this dissertation did not form basis of the award of any previous degree to me or to anybody else, and that this work has not been submitted by me for any other degree in other University or Institute.

This is being submitted to the Mizoram University for the degree of Master of Philosophy in Political Science.

Date: _____
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CERTIFICATE

This is to certify that the dissertation entitled “**Inner Line Regulation in Mizoram and its Implications**”, submitted by Melody Kawlramchhanifor the award of the degree of **MASTER OF PHILOSOPHY**, is a research work, done under my supervision and guidance. The dissertation, submitted by him has not formed the basis for the award to the scholar for any degree or any other similar title and it has not yet been submitted as a dissertation or thesis in any university. I also certify that the dissertation represents objective study and independent work of the scholar.

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Date: 17-12-2015

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ABBREVIATIONS

ADC	AUTONOMOUS DISTRICT COUNCIL
CADC	CHAKMA AUTONOMOUS DISTRICT COUNCIL
CYMA	CENTRAL YOUNG MIZO ASSOCIATION
D.C	DISTRICT COMMISSIONER
ILR	INNER LINE REGULATION
ILP	INNER LINE PERMIT
LADC	LAI AUTONOMOUS DISTRICT COUNCIL
MPCC	MIZORAM PRADESH CONGRESS COMMITTEE
MLA	MEMBER OF LEGISLATIVE ASSEMBLY
MPC	MIZORAM PEOPLE'S CONFERENCE
MNF	MIZO NATIONAL FRONT
MADC	MARA AUTONOMOUS DISTRICT COUNCIL
MZP	MIZO ZIRLAI PAWL
MNYF	MIZO NATIONAL YOUTH FRONT
MSU	MIZO STUDENT'S UNION
NGO	NON-GOVERNMENTAL ORGANIZATION
NLUP	NEW LAND USE POLICY
RAP	RESTRICTED AREA PERMIT
STEE	STATE TECHNICAL ENTRANCE EXAMINATION
YMA	YOUNG MIZO ASSOCIATION
ZNP	ZORAM NATIONALIST PARTY

APPENDIX I

PROCEEDINGS OF A MEETING OF THE ACCREDITED LEADERS OF LUSHAI POLITICAL PARTIES HELD AT AIJAL ON 14th August 1947.

Chairman : Mr. L.L. Peters, Superintendent,
(Elected) Lushai Hills.

PRESENT

- | | |
|--------------------------|------------------------------|
| 1. Khawtinkhuma | 17. Vankhuma |
| 2. R.Thanhlira, B.A. | 18. Laihnuna |
| 3. Vanthuama | 19. Chhunruma |
| 4. Pastor Chhuahkhama | 20. Pastor Zairema B.Sc., BD |
| 5. Brig. Kawlkhuma (SA) | 21. Rina |
| 6. Khuma | 22. Zawla |
| 7. Lalbuaia | 23. Sena |
| 8. Hrangaia | 24. Rosema |
| 9. Muka | 25. Lalupa |
| 10. Rosiama | 26. Lahnema |
| 11. Vanchuanga | 27. Pastor Saiithanga |
| 12. Chawngnuaia | 28. Pastor Liangkhaia |
| 13. Philipa | 29. Lalbiaktluanga, M.A. |
| 14. Capt. Ngurliana (SA) | 30. Lalropuia |
| 15. Pachhunga | 31. Suaka |
| 16. Vanlawma | 32. Hmingliana |

33. Lalana
34. Lianhnuna, B.A.
35. Pasena
36. Lalsailova, Chief
37. Lalbuanga, Chief
38. Lalzuala, Chief
39. Lamlira, Chief
40. Kamlova
41. Ch. Ngura, Chief
50. Saihlira, B.A
42. Zami (Mrs. Khawtinkhuma)
43. Kapthluaii
44. Biakveli (Mrs. Buchhawna)
45. Lalroenga, Ex-Sub.
46. Thanseia, Ex-Sub.
47. R. Zuala, Ex-Jamadar
48. Dahrawka, V.A.S
49. Kapthinga

1. Resolved that owing to the unexpected acceleration of the date of transfer of power by the British Government and as the Lushais have not as yet been definitely informed in details as to what is yet to be the proposed future Constitution and form of administration of the District and as section (7) sub-section (2) of the Indian Independence Bill does not clarify the situation it is accordingly thought that His Excellency the Governor of Assam should kindly inform them in writing as to what these are to be, also whether Lushai are at this stage allowed the option of joining any other Dominion, i.e., Pakistan or Burma. Resolved further that Superintendent, Lushai Hills should kindly communicate the above request of the Lushais to the Adviser to His Excellency the Governor of Assam in order to clarify these points.

2. Resolved that if the Lushais are to enter the Indian Union their main demands are-

(i) that the existing safeguards of their Customary Laws and land tenure, etc. should be maintained.

(ii) that the Chin Hills Regulation, 1896 and Bengal Eastern Frontier Regulation, 1873 should be retained until such time as the Lushais themselves through their District Council or other parallel district authority, declared that this can be abrogated.

3. That the Lushais will be allowed to opt out of the Indian Union, when they wish to do so, subject to a minimum period of ten years.

Sd/- L.L. PETERS

14-8-47

Superintendent

LUSHAI HILLS

No. 6927-76 G of 21-8-47

Copy forwarded to all the leaders who took part in the proceedings.

Sd/- L.L. PETERS

Superintendent

LUSHAI HILLS.

Forwarded by

Sd/- SAINGHINGA

Asst. Superintendent,

LUSHAI HILLS.

APPENDIX II

**LETTER SUBMITTED TO THE FOREIGN SECRETARY
GOVERNMENT OF INDIA BY W.A. COSSGRAVE REGARDING THE
INNER – LINE FOR LUSHAI HILLS DISTRICT ON 4TH JUNE, 1930.**

GOVERNMENT OF ASSAM

The Governor in Council

Apptt. and Pol. Department, Political Branch,

No. POL. 1552/7312 A.P.

From W. A. Cossgrave, Esq., I.C.S.
Offg. Chief Secretary to the
Government of Assam.

To. The Foreign Secretary to the Government of India, Simla.
Shillong, the 4th June, 1930.

Subject : Inner-Line for Lushai Hills District.

Sir,

I am directed to address the Government of India on the subject of the prescription of an Inner- Line for the Lushai Hills district in this province under the Bengal Eastern Frontier Regulation 1873 (V of 1873).

2. An Inner-Line was prescribe for the adjoining district of Cachar under the same Regulation by Foreign Department Notification No. 2299 P. dated 20th August, 1875 as subsequently amended by the Assam Administration Notification No. 10-J. dated 3rd July, 1878, to which approval was given in the Foreign Department's letter No. 126 P, dated 19th June, 1878. Under these orders, no British subject was allowed to cross the Inner Line of the Cachar district without obtaining a pass from the Deputy Commissioner of Cachar. At that time the Lushais Hills were not an administered British district, but a terroincognita inhabited by head-hunting savages whose notorious raids on the Cachar tea gardens had rendered necessary the Lushai Hills military expedition of 1871-72. Lands had been leased out for tea in the Cachar district near its boundary with the Lushai Hills, and it was necessary to prevent adventurous planters, traders, and shikaris from making excursions across the boundary line which might lead to political complications. A full account of the raids committed by the Lushai tribes and consequent punitive expeditions between the years 1844 and 1884 will be found in Chapter XVI of Sir Alexander Mackenzie's 'North East Frontier of Bengal.'

3. Later on when the Lushai Hills became an administered district under resident British Officers and the Lushai rapidly became more civilised than any other hill tribes on the North East Frontier, the necessity for the old Cachar Inner Line diminished. In 1895 the then Chief Commissioner of Assam, Sir William Ward passed orders in letter No. 339 for-3595 P, dated 22nd July, 1895, to the Political Officer, North Lushai Hills that the Inner Line Regulation

should be allowed to fall into desuetude so far as it affected the free egress and ingress of all natives of India from the districts of Cachar and Sylhet into the Lushai Hills. Orders were however passed at the same time that all Lushais should be required, for the present, to take out passes before going to the plains or to the Manipur State. It is not clear when ever the Government of India were informed of these Orders, but up to date the old Inner Line of the Cachar districts has never been formally abolished.

4. For many years now the Lushai Hills district has been one of the most peaceful districts in Assam and so, far from protecting the plainsmen against the Lushais it is now necessary to protect the Lushais against the immigration of undesirable foreigners. These foreigners fall mainly into two classes- Bengali shopkeepers and Nepali graziers. As regards the former, bazar-sites are small and not capable of extension. They are already over-populated and the problem of water-supply, sanitation and fuel-supply are becoming increasingly difficult. If Bengali shopkeepers are allowed to enter the Lushai Hills without control, they will probably indulge in illicit trade, such as arms and ammunitions (much prized by the Lushais), drugs and possibly also procurement of women. In old time unlicensed guns used to reach the Lushai Hills via Chittagong Port, and in view of the recent occurrences at Chittagong, the Governor in Council thinks that some control over the entry of Bengali shopkeepers into the Lushai Hills district is most desirable.

As regards Nepalis, they come nominally to see their alleged relations in the 1st Assam Rifle which is permanently stationed at Aizawl, the headquarters

of the Lushai Hills. The Nepal Darbar have represented frequently that Nepalis should not be encouraged to settle in Assam, and the Nepali grazier with his herds of buffalows which damage the bamboo forests is disliked by the Lushai who is dependent for his food on the jhuming system of cultivation.

5. The Bengal Eastern Frontier Regulation of 1873 has never been extended to the Lushai Hills district, but for the last twenty years successive superintendents have by executive orders endeavoured to control the ingress of foreigners into that district and have punished disobedience to these orders under section 188 I.P.C. These executive orders have been recently the subject of questions and unfavourable comments in the Assam Legislative Council. The Governor in Council hopes that the arguments put forward in this letter will persuade the Govt. of India to accept his views that it is necessary to regularize the executive action taken by the superintendents of the Lushai Hills. I am to point out that similar control over the ingress of foreigners is exercised by the Dy. Commissioner, Naga Hills, and by the Political Officer, Sadya Frontier Tract, and that in respect of both these areas as an Inner Line. In this connection, a reference is invited to letter No. F. 59-X/ 29 dated 8th March/1929, and No. 608-X/27, dated 22nd July, 1927, from the Foreign Deptt. to this Government.

6. For the present, proposals are only submitted as regards the northern boundary of the Lushai Hills being constituted an Inner Line. It is probable that similar proposals will be submitted later on as regards the Western boundary, but one point of this boundary is at present in dispute with the Tripura State,

and the question is to be investigated in next cold weather in a Joint enquiry by a representative of the Tripura state and the Superintendent, Lushai Hills.

7. To sum up, I am now submit to the following proposals for the favourable consideration of the Govt. of India :-

1. The extension of the Bengal Eastern Frontier Regulation (V of 1873) to the Lushai Hills District.
2. The prescription of the northern boundary of the Lushai Hills district as the Inner Line of that district under this regulation.
3. The abolition of the Inner Line of the Cachar District.

Three draft notifications giving effect to these three proposals are enclosed.

I have the honour to be
Sir,
Your most obedient servant,

Sd/-
*Offg. Chief Secretary to the
Govt. of Assam.*

APPENDIX III
MIZORAM ACCORD – 1986
MEMORANDUM OF SETTLEMENT

PREAMBLE

1. Government of India have all along been making earnest effort to bring about an end to the disturbed condition in Mizoram and to restore peace and harmony.

2. Toward this ends, initiative was taken by the late Prime Minister Smt. Indira Gandhi on the acceptance by Shri Laldenga on behalf of the Mizo National Front (MNF) of the two conditions, namely, cessation of violence by MNF and to hold talks within the framework of the constitution. A series of discussions were held with Shri Laldenga. Settlement on various issues reached during the course of talks is incorporated in the following paragraphs.

RESTORATION OF NORMALCY

3.1 With a view to restoring peace and Normalcy in Mizoram and MNF Party, on their part undertake within the agreed time-frame, to bring out all underground personnel of the MNF with their arms, ammunitions, and equipments, to ensure their return to civil life, to abjure violence and generally to help in the process of restoration of normalcy. The modalities of bringing out all underground personnel and the deposit of arms, ammunitions and equipments will be as worked out. The implementation of the foregoing will be under the supervision of the Central Government.

3.2 The MNF party will take immediate steps to amend its articles of Association so as to make them conform to the provision of Law.

3.3 The Central Government will take steps for the settlement and rehabilitation of underground after considering the scheme proposed in this regard by the Government of Mizoram.

3.4 The MNF will not undertake to extend any support to the Tripura/Tripura National Volunteer (TNV) Peoples Liberation Army of Manipur (PLA) and any other such group by way of training, supply of arms or providing protection or in any other matters.

LEGAL ADMINISTRATIVE AND OTHER STEPS

4.1 With a view to satisfying the desires and aspirations of all sections of the people of Mizoram, the Government will initiate measures to confer Statehood on the Union Territory of Mizoram subject to the other stipulation contained in this memorandum of Settlement.

4.2 To give effect to the above, the necessary Legislative and administrative measures will be undertaken, including those for the enactment of Bills for the amendment of the Constitution and other laws for the conferment of Statehood as aforesaid, to come into effect on a date to be notified by the Central Government.

4.3 The amendment aforesaid shall provide, among other things, for the following.

I. The territory of Mizoram shall consist of the territory specified in Section 6 of the North Eastern Areas (Reorganisation) Act, 1971.

II. Notwithstanding anything contained in the constitution, no Act of Parliament in respect of (a) Religion or Social practices of the Mizos, (b) Mizo customary Law or procedure, (c) administration of Civil and Criminal Justice involving decisions according to Mizo customary Law, (d) Ownership and transfer of land, shall apply to the State of Mizoram unless the Legislative Assembly of Mizoram by a resolution so decides.

Provided that nothing in this Clause shall apply to any Central Act in force in Mizoram immediately before the appointed day.

III. Article 170 Clause (I) shall, in relation to Legislative Assembly of Mizoram, have effect as if for the word 'sixty' the word 'forty' has been substituted.

5. Soon after the Bill of Conferment of Statehood becomes Law, and when the President is satisfied that normalcy has returned and that conditions are conducive to the holding of free and fair elections, elections to the Legislative Assembly will be initiated.

6. (a) The Centre will transfer resource to the new Government keeping in view the change in Status from Union Territory to a State and will include resources to cover the revenue gap for the year. (b) Central assistance for Plan will be fixed taking note of any residuary gap in resources so as to sustain the approved Plan outlay and the pattern of assistance will be as in the case of Special Category State.

7. Border trade in locally produced or grown agricultural commodities could be allowed under a scheme to be formulated by the Central Government, subject to international arrangement with neighbouring Countries.

8. The Inner Line Regulation, as now in force in Mizoram, will not be amended or repealed without consulting the State Government.

OTHER MATTERS

9. The rights and privileges of the minorities in Mizoram as envisaged in the constitution, shall continue to be preserved and protected and their social and economic advancement shall be ensured.

10. Steps will be taken by the Government of Mizoram at the earliest to review and codify the existing customs, practices, law or other usages relating to the matters specified in Clauses (a) to (b) of para 4.3 (II) of the memorandum, keeping in view that an individual Mizo may prefer to be governed by Acts of Parliament dealing with such matters and which are of general application.

11. The question of Unification of Mizo inhabited areas of other States to form one administrative unit was raised by the MNF delegation. It was pointed out to them, on behalf of the Government of India, that Article 3 of the Constitution of India describes the procedure in this regard but that the Government cannot make any commitment in this respect.

12. It was also pointed out on behalf of the Government that, as soon as Mizoram becomes a State:

(i) The Provisions of Part XVII of the Provision of the constitution will apply and the State will be at liberty to adopt any one or more language to be used for all or any of the official purposes of the State.

(ii) It is open to the State to move for the establishment of the separate University in the State in accordance with the prescribed procedure.

(iii) In the light of the Prime Minister's Statement at the Joint Conference of the Chief Justices, Chief Minister and the Law Ministers held at New Delhi on 31st August, 1985 Mizoram will be entitled to have a High Court of its own of its own if it so wishes.

13. (a) It was noted that there is already a scheme in force for payment of exgratia amount to heirs/dependents of persons who were killed during disturbances in 1996 and thereafter in the Union Territory of Mizoram. Arrangement will be made to expeditiously disburse payment of those eligible persons who have already applied but who had not been made such payment so far.

(b) It was noted that consequence on verification done by a joint team of officers, the Government of India had already made arrangement for payment of compensation in respect of damage to crop; building destroyed/damaged during the action in Mizoram, and rented charges of building and land occupied by security force. There may, however, be some claim which were referred and verified by the above team but is not yet settled expeditiously. Arrangement will also be made for payment of pending claim of rented charges or land/building occupied by the security force.

Sd/- LALDENGA

Sd/- R.D. PRADHAN

Sd/- LALKHAMA

On behalf of the

Home Secretary

Chief Secretary

Mizo National Front

Government of India

Govt. of Mizoram

Dated : 30. June. 1986

Place : New Delhi.

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Acknowledgement

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CHAPTER 1

INTRODUCTION

The Treaty of Yandabu opened a gateway for the British rule in Assam which was signed between the British and the Burmese Kings in 1826 as a result of the British victory over Burmese. Then began the British rule in Assam and it annexed the North East states one after another into the British colony. When the British occupied Assam, a frontier policy first became necessary in the north east as Mackenzie wrote, “we found the Assam Valley surrounded north, east, and south by numerous savage and warlike tribes whom the decaying authority of the Assam dynasty had failed of late years to control, and whom the disturbed condition of the province had incited to encroachment”.¹

The British thought about the territorial defense and kept a close watch on the behavior and activities of the frontier tribes. The government paid close attention upon the tribes due to the inaccessible nature of their country and the sudden nature of their attack when they felt that there was encroachment on their lands. Therefore, several outposts were created and guarded by the armed police and military guards located at routes through which the tribes used to fall and come to plain.²

Before the occupation of Assam in 1826, the British knew about the information of Assam trade during when Lord Hastings began his administration of Bengal in

¹ Alexander Mackenzie, *The North East Frontier of India* (New Delhi: Mittal Publications, 2001), p-7.

² Rajesh Verma, *History of North East India: Modern Period* (New Delhi: Mittal Publications, 2013), p-146.

April 1772. When the British occupied Assam, tea plantations in the area became the most flourishing economic resources and the regime gave special attention to it and thus they expanded their tea plantations near the boundary of the hill tribes.

But the expansion of tea cultivation on the foot hills of the hill tribes caused friction between the tea planters and the hill tribes who considered those lands as theirs inherited from their forefathers. When the British expanded their tea gardens near the hill tribes, both the hill tribes Lushais and Nagas used to raid the plain areas which made the British worried for their administration in Assam valley.

Therefore, the British felt it necessary to adopt a policy to bring under a more stringent control of the commercial relations of the British subjects with the frontier tribes living on the borders of their jurisdiction.³ Consequently, the Bengal Eastern Frontier Regulation of 1873 was framed by the Lt. Governor of Bengal and it was approved by the Governor General-in-Council and it was assented on the 27th August 1873. And this regulation was made under the Government of India Act, 1870 for the reasons of peace and smooth governance.

Viewed in this perspective, the main reason for the formulation of Inner Line Regulation (ILR) was about the protection of plain areas against the hill tribes. This regulation gives legal power to the Lieutenant-Governor to prescribe a line, called 'the inner line' in each or any of the districts affected, beyond which no British subjects of certain classes or foreign residents can pass without a license.⁴ In other words, the Inner Line Regulation was aimed at protecting the British

³ Alexander Mackenzie, *Op Cit.*, p-55.

⁴*Ibid.*, p-56.

business interests in Assam against any of the possible tribal raids and their encroachments on the plain areas.

Accordingly, in order to bring about peace between the hill tribes and the British subjects in the plains, the Inner Line Regulation became effective from 1st November 1873. In accordance with the Bengal Eastern Frontier Regulation, 1873 (Regulation V of 1873) it was made applicable to the districts of Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Garo Hills, Khasi and Jantia Hills, Naga Hills and Cachar and Chittagong Hills, whereas both the Garo Hills and the Chittagong Hills were repealed and omitted by the Repealing Act, 1897 (Act V of 1897) and the Amending Act, 1903 (Act I of 1903) respectively.

Further, the British took an initiative to extend the Inner Line Regulation in the tribal-dominated areas where it was not yet enforced. Then the whole of Assam was declared to be a Schedule District under the Schedule Districts Act, 1874 to signify those backward districts wherein normal administration could not be carried out. Further, the Inner Line Regulation as per the Schedule Districts Act, 1874 was extended to the areas of the Mokokchung sub-division of the Naga Hills with effect from 30-12-1890, Balipara frontier Tract on 13-10-1917, Sadiya Frontier Tracts and Lakhimpore Frontier Tracts on 7-5-1928, Lushai Hills District on 28-8-1930 and Eastern Duars in the Goalpara District on 28-9-1937. Finally, the Regulation was amended by the Regulation of 1925, when it was extended to the Tuensang area in Nagaland by the Regulation 4 of 1955.

Inner Line Regulation in Mizoram

In the case of Mizoram, the Lushai Hills was brought under the Inner Line Regulation with effect from 28th August 1930 under the Schedule Districts Act, 1874. Prior to this Regulation, the Chin Hills Regulation of 1896 was enforced in the Lushai Hills to restore peace and ensure good administration which had already authorized the superintendent or the deputy commissioner to order any undesirable outsider to leave the area and to levy tax on residents, or their permanent or temporary houses, clans, and villages.⁵ Before the extension of the Inner Line Regulation in Lushai Hills, all the Lushais had to get passes to cross the Inner Line. But after it was practiced in Lushai Hills, the passes required for the Lushais to cross the Inner Line were reverted for non-Lushais when crossing the inner line for their entry into the Lushai hills.

Then, the regular Inner Line Permit was to be issued by the Deputy Commissioner of Aizawl District, Lunglei District, Kolasib District, Mamit District, Serchhip District, Champhai District, Lawngtlai District and Saiha District or any other concerned subordinate officers authorized by them on their behalf were competent to issue for a period not exceeding six months. That was subject to the availability of a sponsor who is a bonafide indigenous resident. And those who are non-indigenous businessmen holding permanent and temporary trade license, non-indigenous employees of public or private sector companies, corporations and firms, non-indigenous proprietors of unit canteens could have two years a valid ILP. These regular ILPs can be extended and renewed. Besides, there was scope

⁵The Chin hills Regulation, 1896. Regulation No.6 of 1896. Rangoon : Printed by the Superintendent, Government Printing, Burma, (May 1897).

for seeking provisional ILP for importing laborers of some Government undertakings and Corporations with a validity period of 15 days and the maximum number of laborers is one hundred (100) and for the private purpose the maximum number was ten (10) with a prior approval of the Government.

The Resident Commissioner, Government of Mizoram at New Delhi, the Additional Resident Commissioner/Joint Resident Commissioner/Deputy Resident Commissioners, Silchar, Shillong, Guwahati, Kolkatta, Mumbai, the Deputy Superintendent of Police in-charge of the Airport Security at Lengpui Airport, Officer In-charge of Kanhmun Police Station-Mamit District, Assistant to Deputy Commissioner, Bairabi, Sub-Divisional Officers (Civil) of Ngopa-Champhai District, Vairengte-Kolasib District, Post Commanders of Border Out Posts (BOPs) at New Kawnpui-Mamit District, Phaisen and Saiphai of Kolasib District or any other authorities designated by the Government from time to time, are authorized to issue the Temporary ILP in the Form 'E' for a period not exceeding seven days to certain bonafide visitors, tourists, business representatives, and laborers sponsored by authorized persons with an intimation to the concerned Deputy Commissioner. This Temporary ILP can be extended for a period not exceeding three days and up to 15 days in special cases like tourism, research, religious purposes etc.

To minimize the number of persons staying without the Inner Line Passes and in order to enforce the Inner Line Regulation to the extent possible, surprise checking of Inner Line Passes in the District could be conducted at regular intervals. The Superintendent of Police of each District is ensuring that such a surprise checking

should be conducted at least once in a month. Report of such checking was to reach the Home Department, Police Headquarters and concerned District Magistrates in the first week of each succeeding month. Any person found staying without a valid Inner Line Pass could be duly prosecuted in accordance with the law.⁶

Statement of the problem

During the course of British administration in Mizoram, several restrictions were imposed for the maintenance of peace and normal administration. The Chin Hills Regulation of 1896 was introduced on the 14th August 1896, which had authorized the superintendent or the deputy commissioner to order any undesirable outsider to leave the area. After the Government of India approved the proposal, the Bengal Eastern Frontier Regulation of 1873 of Lushai hills came into force in Mizoram from 28th August 1930 onwards. This Inner Line Regulation had been strictly used by the Government of Mizoram to prevent the entry of illegal migrants into the state. Significance of the ILR has been reflected in the ‘Memorandum of Settlement’, between the Government of India, Government of Mizoram and the Mizo National Front, signed on 30th June 1986, according to which ‘the ILR as now in force in Mizoram will not be amended or repealed without consulting the State Government of Mizoram.’⁷

This Inner Line Regulation was viewed by the Mizos as an important tool for the protection of their ethnic identity and assimilation from the larger tribes of India. It has always protected the Mizos from the process of assimilation and they faced

⁶ Mizoram Gazette Vide No. F-22016/5/2011-HMP, the 13th Aug., 2014, pp-1-6.

⁷ Mizoram Accord 1986. Memorandum of Settlement between the MNF and the Government of India.

fewer outsiders' problems as compared to those of the other north eastern states. The ILR is a very important protective mechanism for the tribal minority communities who are considered economically and socially backward. Due to their backwardness and a sense of being small ethnic groups would make them insecure from the outsiders. The Mizos acclaimed the existence of this kind of mechanism because they viewed it as a protective mechanism which help them to have had sufficient time and space to develop themselves without any external pressure till such time when they would develop themselves to deal with the more advanced tribes.⁸

Incidentally, for the enforcement and effective functioning of ILR in Mizoram, not only the government but the civil societies like the Mizo Zirlai Pawl (MZP), Mizo Students Union (MSU) and the Young Mizo Association (YMA) played an important role in checking the outsiders and their entry into the state of Mizoram. These Non-Governmental Organisations (NGOs) paid special attention on the issue of outsiders, and many a time these groups had detected those illegal migrants who did not possess a valid ILP and thus sent them back to their home states. The performance and activities of these NGOs greatly contributed towards the effective functioning of ILR. But on the other side, the activity of NGOs in the enforcement of ILR and law certainly reveals the weaknesses of state government.

The first concrete opposition to the ILR operating in the three states of North East India was raised at the Conference of Chief ministers of North East States on 19th July 1994 at Shillong on the initiative of the Union Home Ministry. In this meeting

⁸ Lalrintluanga, Inner Line Regulation in North East India with special reference to Mizoram in J.K. Patnaik, et al. *Socio-Economic Development and Governance in North Eastern Region of India* (Aizawl: MZU Dept of Political Science, 2014), p- 301.

of all the Chief Ministers of North East states, presided over by the Home Minister, S.B. Chavan, the issue of lifting of the ILR became the main agenda item for discussion. The meeting witnessed strong opposition from the Chief Ministers of North East states. The Home Minister was of the opinion that the ILR thwarted economic development of these states. It is therefore clear that the Central Government did not support the ILR on the grounds that it blocked the economic development and created isolationism.

Incidentally, the Inner Line Regulation or Inner Line Permit has always been one of the most talked about issues in the North East India and there is an ongoing debate in the people on studying its relevance and limitations. Some critics believed that this ILR was the British administrative policy to isolate the hill tribes for the protection of their economic interests and the ILR became a hindrance for the economic development of the state. Some critics also argued that the ILR created regionalism and separatist tendency which is harmful for promoting national integration.

Meanwhile some North East States like Manipur, Tripura and Meghalaya have demanded for the introduction of ILR in their states as well. They claimed that the outsiders or illegal migrants had threatened their future prospects and the indigenous people need to be protected from such imposed assimilation. Supporters of the ILR believed that the ethnic minorities need protection for their independent survival from their possible assimilation against the larger tribes. In fact, several north eastern states seemed to be suffering from such influx and some

states like Tripura have already been assimilated by the large-scale outsiders which caused several developmental problems in their state.

Obviously, it is necessary to have some critical thinking about the nature and dimensions of ILR, as well as its implementation in the state to understand different perspectives. Systematic analysis and scientific study is necessary in order to know its consequences and contribution towards the development of the state. One needs to think precisely about whether this regulation contributed to the state's development and the level of its effectiveness or its negative bearings in the state. It is important to understand the dominant perspective and arguments as well as the local situation and conditions in the state. So, it is imperative to study the implications of this ILR system in Mizoram in order to draw better response and also as a solution for the problem.

This evolving issue and the debate show that there was a necessity for making a systematic study of the ILR so as to prove its validity and limitations and thereby to answer the critical questions. The contradictory views regarding the ILR made it an endless debate among the academics and policy makers and it is very challenging to investigate all those claims and reasons so as to understand the nature and context of ILR in the state. It is imperative to find out the reasons for practicing the Inner Line Regulation and what factors or things that make the Mizo people need this machinery and what benefit they gain through this policy. It is also necessary to study the negative effects behind this protective mechanism which will contribute to one's knowledge.

Moreover, the issue of outsiders/foreigners occupied an important place in the socio-political functioning of Mizoram. There is an ongoing problem regarding the issue of Chakmas and Reangs and their infiltration from Myanmar, which caused several problems and raised many controversial questions in the state of Mizoram. The reason for its necessity or to practice the ILR as well as its relevance for the development of state and its limitations needs to be studied. So, it is important to study the implementation and implications of the ILR in order to draw its effectiveness, validity, limitation and problems for the improvement of the governance and thereby the functioning of the government in the state.

Review of literature

R.N Prasad's book, 'Government and Politics in Mizoram 1947-1986'⁹ analyses and examines the growth and development of political process from the pre-British period to the attainment of statehood and the factors responsible for the rising problems in the politics of Mizoram. The book discussed how the identity politics or the issue of ethnicity played an important role in the formation of political parties in Mizoram following the 'secessionist' MNF movement and the road to maintain peace through the settlement between the central government and the MNF. It thus gave some suggestions for the solution of problems of the Mizos in order to improve the objective of national integration, which can be achieved through better understanding of each other.

He discussed the contradictory views regarding the ILR and its adverse effects towards 'isolationism', which was partly responsible for the separatist movement

⁹ R.N.Prasad, Government and Politics in Mizoram: 1947-86 (New Delhi: Northern Book Centre, 1987).

in the state. He examined the British isolationist policy which has generated suspicion towards the outsiders and about the economic backwardness in the region. He mentioned that the ILR needed to be modified to boost the state economy and to promote national activities. This book gives an insight into the nature of Mizoram politics and it helps to understand the socio-political status of Mizoram from different angles. Regarding the ILR, it suggests certain modifications and for liberalization of the economic development of Mizoram but it does not provide any relevance of ILR in Mizoram today.

S.K Chaube's book, 'Hill Politics in North East India'¹⁰ briefly discussed the British policy in the North East and regarding the growth of Hill politics. It examined some constitutional developments of pre-independence period and the struggle for autonomy movements to the formation of constitutional government in the north east. This book clearly reflects the complex nature of north eastern region, which was characterized by different autonomy movements and ethnic conflicts that were motivated by issues of ethnicity and identity politics. It examined and discussed the development of political consciousness and constitutional developments in the region and their problems in the context of peace and development.

It critically examined the British administrative policy in the hill areas which was responsible for the segregation and to widen the differences by introducing the regulation like ILR. It gave a detailed account on the evolution of party politics and the importance of ethnicity. It also discussed that due to the state's proximity to

¹⁰ S.K. Chaube, Hill Politics in North East India, Third Edition (New Delhi: Orient Longman, 2012).

international borders, there have been some occasions for the rise of secessionist movements and violence in North East India. This book discussed the nature and history of ILR, but does not focus on the emerging challenges for the local development so as to understand the present context of ILR in the state.

Lalrimawia's book, 'Mizoram History and Cultural Identity'¹¹ gives a detailed account on the nature of history of Mizo society and its origins and also about certain socio-cultural developments with the evolution of party politics in Mizoram. It traces the Mizo tradition and culture and the British administration which brought about administrative changes and developments in the Lushai Hills. It analyses and explains the British policy of introducing education and Christianity, which further brought about the emergence of local elite, who later on had abolished the institution of chieftainship and got engaged into the party politics in the Lushai Hills.

He discussed the origins and implementation of the Inner Line Regulation with special reference to Mizoram. He discussed the extension of ILR in the Lushai Hills by replacing the Cachar Inner Line with a view to prevent the immigration of undesirable foreigners. He concluded that due to the practice of ILR in Mizoram, non-local/foreigner problem has not been a serious issue as compared to those of the other north eastern states. This book discussed the advantages of ILR in Mizoram in terms of the preservation of ethnic identity and local cultures. But, in order to understand the relevance or irrelevance of ILR, it would be imperative to examine the level of its effectiveness and adverse effect of the ILR

¹¹ Lalrimawia, Mizoram History and Cultural Identity, (Guwahati: Spectrum Publications, 1995).

implementation, which can be drawn from the present scenario in Mizoram at present.

P. Chakraborty's book, 'The Inner-Line Regulation of the North-East India'¹² contains a few detailed documents of the Inner Line Regulation with its historical background and other important Government Acts for the maintenance of administration in the North East India. This book is more of a kind of documentation, rather than of discussing the problems and investigating the issues of development. But it is very informative and contained reliable document of the ILR in the context of different north east states and the government notifications which deserve to be studied for those who study the ILR in Mizoram.

Another book, 'A Century of Government and Politics in North East India, Vol. III, Mizoram' by V.Venkata Rao, H.Thansanga and Niru Hazarika¹³ discussed the constitutional development from the British period and development of party politics till the MNF-led insurgency movement and the achievement of statehood in Mizoram. It examined the constitutional developments and the nature of administration of justice as well as about electoral politics and formation of political parties. It discussed the trend of secessionist feelings of Mizos after the British left India, which was nonexistence during the British days in Lushai Hills. It addressed various issues and problems of the MNF movement and the initiatives taken by the central government and the MNF to implement the peace settlement in Mizoram. It examined and described the inability and inefficiency to handle the

¹² P. Chakraborty, The Inner Line Regulation of the North East India (Titagarh: Linkman Publication, 1995).

¹³ V. Venkata Rao et al, A Century of Government and Politics in North East India, Volume III Mizoram (New Delhi: S. Chand & Company, 1987).

administrative responsibility of the Assam government towards the Mizo problem that contributed for the growth of discontentment which finally took the shape of insurgency in Mizoram.

This book analyzed the nature and characteristics of Mizo political system before and after the British period, the growth of political system and the problems of political parties characterized by instability. It discussed the success of peace agreement that was signed by the MNF and central government after a long process of normalcy in Mizoram. This book is significant in order to understand the political process and development of Mizoram in the context of British administration. It does not talk much about the ILR. So it is necessary to study the implementation and implications of ILR for having the better understanding of socio-political status of Mizoram.

The journal article, 'Inner Line Regulation and Mizoram' by J. Zahluna in the Indian Journal of Political Science Vol. LXXII, No.1, Jan-March, 2011¹⁴ communicated about the relationship between the British and the Lushai hills and the necessity to introduce the Inner Line Regulation, which later on became an effective instrument in checking the trend of large scale illegal migrants and the entry of undesirable foreigners in Mizoram. He discussed that the ILR was defined purely for administrative measures and never enforced to curb the movement of the hill men across the line. He discussed the extension of ILR in the southern frontier of the Cachar District of Assam and Chittagong Hill Tracts which affect the Southern Lushai Hills.

¹⁴ J. Zahluna, Inner Line Regulation and Mizoram (Indian Journal of Political Science. Vol. LXXIII, No. 1, January-March, 2011), pp 221-225. Accessed on 11.10.2014.

He examined the importance of ILR in the minds of Mizos which was reflected in the Memorandum of Settlement between Government of India, Government of Mizoram and MNF and the resolution passed by the state MLA's for the continuation of ILR in Mizoram in response of the Central Government proposal for lifting the ILR in three north east states in 1994. He believed that the ILR could serve as an effective instrument to prevent the domination of people of Mizoram by the plains people and prevent economic exploitation as well as loss of ethnic and cultural identity of the hill tribes. This article revealed the significance of ILR in the minds of the Mizos and the crucial opposition of the ILR, but it does not examine the contemporary problems of the ILR with regard to outsiders in the state.

An article entitled, 'Politics of Inner Line Permit', written by RN Ravi in 'The Shillong Times' on October 30, 2012, examined the British motives behind the objectives of Inner Line Regulation and assumed it as obscurant and retrograde in the globalized world for demanding the ILR as had happened in Meghalaya. The article has supposed that the purpose of ILR was not meant for the benefit of the hill tribes; rather it was on account of the British selfish policy for their own ends. It thought that the British gave another reason as a machinery for protection from assimilation against the plains when India was liberated by the national freedom movement so as to separate the hill tribes and sought it to them an instinctive distrust of plain areas people. It also discussed that the concept of ILR was not born out of a demand of the hill tribes but the fabrication of the British to manipulate the hill tribe's perception to fulfill their interests.

The writer thought that it was disgraceful to demand such restriction whereby it leads to their insulation from the rest of the world in a digital age when the whole world was interconnected and interdependent as a global village. This article brings out the negative features of ILR which helps one to understand the British attitude towards the hill men. It gives a wider and critical thinking about this protective machinery from a different perspective. But this article has just analyzed the British policy and missed out on how exactly this ILR could be irrelevant and did not give the negative impact of ILR which is one of the main objectives of this research.

Besides, the 'Influx and the Inner Line Permit debate' was an article written by Patricia Mukhim in *The Statesman* on 22 July, 2013.¹⁵ This article analyzed the problems of illegal immigration in the north east India and assumed that the ILR did not solve the problems of illegal migration and considered it to be regressive in nature. She has examined the problems of unabated influx from the Bangladesh in the North East India, and questioned how these illegal immigrants provided domestic help not only to the north east but also to the mainland India. She believed that the ILR lost its original purpose and the British tried to isolate the hill tribes in order to inculcate the values of western culture and religion.

Moreover, she assumed that the job opportunity would attract the immigrants or migrants to enter into the state so as to fill in the plug and criticized to curtail the mobility of fellow Indians just because to oust them out of a highly competitive

¹⁵ Patricia Mukhim, Northeast Echoes. *The Telegraph*, (Monday July 22, 2013). Accessed on 17-7-2015.

world. This article helps one to understand the condition of illegal migration and pave the way to avoid this problem in the future. It reminds one on the necessity to understand each other as a citizen of India for promoting better relationship and cooperation within the mainland states. At the same time it does not deal with the relevance and advantage of ILR for the minority people as to how it prevents their economic opportunity against the more advanced people which has been studied in this research.

Very appropriate to this study is an article, 'Inner Line Regulation in North East with special reference to Mizoram' that was written by Lalrintluanga in an edited book, 'Socio-economic Development and Governance in North East Region of India' by J.K Patnaik, Jangkhongam DOUNGEL, Ayanbam Shyamkhisor¹⁶ consists of various articles about the socio-economic development as well as governance in the North East India. The book addresses several issues and causes for the backwardness of NE region and the necessity to improve the socio-economic conditions of the people which openly reveals complex nature of the NE Region.

In this article, 'Inner Line Regulation in North East with special reference to Mizoram', the author discussed the origin and development of ILR by highlighting the recent demands of ILR in other states of North East India. He discussed the psychological effect of ILR by creating an imaginary line between the plains people and the Mizos which is difficult to remove easily and its influence on isolationism. He examined various issues and challenges both from the perspective

¹⁶ Jagadish K. Patnaik, et al. Socio-Economic Development and Governance in North Eastern Region of India (Aizawl: Lengchhawn Press, 2014).

of state and central governments with reference to opposition from the central government and the growing demands of the ILR in some other NE states.

He described that the ILR has recently been viewed by the minority in the state as a ‘blessing in disguise’ for ensuring their survival as ethnic communities. He viewed that the ILR should not be abolished till such time as these tribal communities are developed and could come up on par with those people in other parts of the country. This article undoubtedly highlighted the importance of ILR for the minorities for the protection of their identity. Yet, it is necessary to study the implications of the ILR in order to prove its validity and also limitations thereof, which is the main objective of this research.

Lastly, the historical background of ILR and the issues related to the local development is a well-known subject that was covered as part of the study of ILR in Mizoram. But several of its implications have remained untouched which one need to make an objective study if the present Inner Line Regulation system in Mizoram were to be appreciated. Thus the main purpose of this research is to investigate the problems and prospects as well as to study its relevance so as to understand the present context of ILR in Mizoram.

Objectives of Study

The main objectives of the study are as follows:

- To understand the concept, context and significance of ILR in Mizoram.
- To examine the effectiveness and relevance of ILR in the state.
- To evaluate the implications of ILR on the state development.

Research Questions

Some of the main issues and concerns that were raised in the research include the following:

- Why was the Inner Line Regulation practiced in Mizoram?
- How effective was the ILR in the state?
- What are the implications of ILR on the development of the state?

Methodology

As part of this multi-disciplinary study, this research is conducted as per the Qualitative methodology. It is based on the survey studies of social science research. Survey studies are important to assess the existing conditions and practices or to make intelligent plans for improving them. The data for the study is collected from both the sources, primary source and secondary source. Primary sourced data is collected by using interview schedule and government documents. Some interactive meetings were conducted with the leaders of political parties, businessmen, academicians, leaders of eminent civil society organizations in Aizawl and elsewhere in the state.

Secondary data is derived from a range of academic books and research journals, newspapers both local as well as national, besides a few websites. Content analysis is used for the analysis of first-hand information from people across the districts in the state about their experiences, ideas, beliefs on the subject. Data is interpreted descriptively to explain the phenomena in terms of the prevailing conditions or relationships that exist, opinions that are held by different people, processes that

are going on, effects that are evident or trends that are developing in the state of Mizoram.

Chapterization

Chapter 1: Introduction

Chapter one is about introduction, which includes the meaning of ILR, its nature in the North East India in general and Mizoram in particular. The chapter also discussed the statement of the problem, methodology, objectives of the study, research questions and review of literature.

Chapter 2: Historical background of ILR

The second chapter gives an historical background of ILR in Mizoram. This Chapter discussed the origin of Mizo and their settlement to Lushai Hills. It also discussed the constitutional developments in the Lushai Hills from the British period to the attainment of Statehood in Mizoram. It traced the origin and growth of Inner Line Regulation in Mizoram. This is important as it locates the issue of ILR in Mizoram and outside in the North East India.

Chapter 3: Relevance of ILR

This chapter analyzed the relevance of ILR for the development of the state. It discussed about the effectiveness and related issues in the state and the importance of ILR in Mizoram. This can give an idea why the ILR was considered relevant for the development of Mizos for over several decades. It discussed the relevance of ILR in terms of business, employment, politics, education and significance for the development of the state.

Chapter 4: Implications of ILR

The fourth chapter studies the implications of ILR in the state. It discusses the problems and prospects. Since the ILR has been criticized from various angles, it is essential to study the developmental implications of ILR in the state in the present context. As a result of practicing ILR in the state, indigenous culture and tradition are protected by limiting external influence of others. But Inner Line Regulation has many limitations and negative impact in the state. It generates regionalism as it limits the growth of Indian nationalism. As a result, Indian culture and tradition does not have much influence in Mizo society. Outsiders/plain peoples are discriminated and treated as strangers in the state. This mechanism clearly limits the growth of brotherhood between the local and non- local peoples.

Chapter 5: Conclusion

The fifth chapter is the summary of the previous four chapters and draws certain conclusions from the findings so as to make a few suggestions for further study. The relevance and impact of ILR can be viewed from different angles in the state. The state government needs to enforce this mechanism carefully and systematically as it could destroy the national integration and communal harmony.

For the conclusion of this chapter, it is necessary to understand the original purpose of this protective mechanism as there are many people who misunderstood the meaning and objectives of Inner Line Regulation. This Inner Line Regulation is the British motive to protect the plain people against the hill tribes for the protection of their economy in Assam. Later on, it is extended to the Lushai Hills

for the protection of Lushais against the plain people. Since 1930's, it is in practiced till today and there are many critics who labeled the Inner Line Regulation as an uncivilized idea which block the growth of state economic development and became harmful for national integration.

Incidentally, the regular Inner Line Permit can be issued in District Commissioner Office in Aizawl, Lunglei, Champhai, Lawngtlai, Saiha, Mamit, Serchhip and Kolasib. Temporary Inner Line Permit can also be issued by the concerned authority in New Delhi, Silchar, Shillong, Guwahati, Kolkatta, Mumbai, Lengpui Airport, Kanhmun (Mamit District), Bairabi, Ngopa-Champhai, Vairengte-Kolasib, New Kawnpui, Phaisen and Saiphai.

Lastly, this chapter gives an overview of the study regarding the factors that contributed for the introduction of the ILR in Lushai Hills, during the Pre-Independence period. The chapter also shows how significant that the policy was for several decades thereafter. However, the ILR has been viewed as controversial subject in recent times due to several developments in the Northeast India.

CHAPTER 2

HISTORICAL BACKGROUND OF ILR

Mizoram is the twenty-third state of the Indian Union and became a full-fledged state on 20th February 1987 as a result of the Peace Accord that was signed between the Government of India and the Mizo National Front on 30th June 1986. Prior to the attainment of statehood, Mizo district was faced with the insurgency movement under the leadership of Laldenga, for almost twenty years. And Mizoram became a Union Territory of Mizoram on 21st January, 1972 under the North-Eastern Areas (Re-organisation) Act, 1971.¹

Before the advent of British administration, each village was an independent unit of administration under a chief called 'Lal'. There was no modern administrative system but the chiefs were the supreme leaders and all the legislative, judiciary, executive functions were performed by them with the help of elders called 'Lal Upa'. The Sailo chieftainship attained the most successful rule and occupied supremacy in almost all of the Lushai Hills. But the chieftainship institution was abolished under the provisions of the Assam Lushai Hills District (Acquisition of Chiefs' Right) Act, 1954 and their rights and interests of all the Chiefs were handover to the government with effect from the 1st April, 1965.²

¹ Dr. H.C. Thanhranga, District Councils in the Mizo Hills (Updated) (Aizawl: Lengchhawn Press, 2007) p- 42.

² *Ibid.*, p-28.

Profile of Mizoram

Mizoram is located in the north eastern part of India lying in the boundary of Myanmar and Bangladesh. According to the 2011 census, the total population of the state is 10,97,206 and the population growth rate is 23.48% while the population density is 52 per square Km.³ Mizoram is the second most literate state in India next to Kerala with having 91.33% literacy rate. Mizoram is the majority Christian religious State in which 87.16%⁴ are Christians and it has been claimed that all the Mizos are belong to Christianity. Main occupation of the state is agriculture and about 70% of its people are depending on agriculture and its related activities. Most of the villages are practicing the shifting cultivation (jhum).

The present Congress government, led by Lalthanhawla, has been trying to improve and change the practice of shifting cultivation with implementing the scheme of New Land Use policy (NLUP). Mizoram has created three Autonomous District Councils (ADCs), namely Mara Autonomous District Council (MADC), Lai Autonomous District Council (LADC) and the Chakma Autonomous District Council (CADC). There are eight districts in the state and Aizawl is the State Capital.

Origin and Migration

Mizoram, previously known as the Lushai Hills District is situated in the south-east of North East India and it is bounded by Myanmar in the east and south, Cachar in the north and Manipur in the north east, Bangladesh and Tripura in the

³ Directorate of Economics & Statistics, Statical Handbook Mizoram (Mizoram: Aizawl, 2014), p-1.

⁴ <http://www.census.2011.co.in>Home>Religion>. Retrieved on 20.11.2015.

west. Mizoram has considerable geo-political importance as it has two international boundaries with Myanmar and Bangladesh. The name of the word Lushai is a corrupted pronunciation of the 'lusei' which is the name of one tribe who constituted the major tribe in Lushai Hills. But the official usage of 'Lushai' during the British era included other clans or sub-tribes who were the natives of Lushai Hills.⁵

The history of Mizos before the advent of British cannot be clearly traced back as there were no definite records and the Mizos claimed to have the chhinlung (shinlung), the province of Szechwan in China, as their original home and all of them came out from this area.⁶ But the Mizos were driven out by bigger tribes and they left their ancient home to the Shan state in Myanmar (Burma). They migrated to Kabaw valley in around the 8th century A.D and after that they were settled in Khampat, which the Mizos claimed their oldest town.

As they search for a convenient settlement, the Mizos moved towards the north and North West, they finally settled down in the unoccupied areas of the Indo-Burmese frontiers or the Chin Hills in the early 14th century A.D.⁷ The earliest Mizos or the first batch that migrated to India was known as the Kukis, the second batch was known as the new kukis. But these kukis were driven out to the Cachar Hills by the Lushais who were the last batch of the Mizo tribes that migrated to India. After 1871, the term 'Kuki' came to be neglected in the hills and even the term 'Lushai' had been superseded by the generic term 'Mizo' since 1946.

⁵ Keihawla, Golden History of Lushai Hills (Aizawl: Synod Press, 2010), p-2.

⁶ Liangkhaia, Mizo Chanchin, Fourth edition (Aizawl: Mizoram, 1976), p-1.

⁷ Lalrimawia, Mizoram-History and Cultural Identity (Spectrum: Guwahati, 1995), p-14.

Advent of the British administration

As observed earlier, the British administration in the North East had begun in 1826 as a result of the signing of Treaty of Yandaboo on February 24, 1896 between the British and the Burmese. The Cachar area where the Lushai used to raid in search of wild animals and livelihood was annexed in 1832. But before that in 1777, for the first time a friendly chief in the Chittagong Hill Tract sought the British assistance against the Kuki raids. These Kukis are those who were drove out from the Lushai Hills to the Cachar areas by the Lushais in the 18th century. Successive raids on the tea gardens in the area, and their punitive measures since 1869 led to the Lushai expeditions of 1871-72 and 1889 after which the hills were brought under the British rule.⁸

The annexation of Cachar made closer the Lushai Hills to the expedition of British as ‘Cachar were subject to inroads from the southern Hill tribes known as Kukis or Lushais’.⁹ The expansion of tea gardens towards the foot hills of Lushai Hills by the British made the Lushais raid the Cachar areas in order to protect their frontiers, which they claimed as theirs from their forefathers. As a consequence of these raids, the first British military expedition in Lushai Hills was arranged in December 1844 under the command of Captain Blackwood.¹⁰ The Lushais continued their raids in Manipur, Cachar and Syhlet regions which made the British government to launch the second expedition to the Lushai Hills. The government then sent one Colonel Lister to punish and enquire the aggressors on 4th January 1850.

⁸ S.K. Chaube, Hill Politics in North East India, Third Edition (New Delhi: Orient Longman), p-6.

⁹ Rajesh Verma, *Op Cit.*, p-287.

¹⁰ Alexander Mackenzie., p-122.

Further, in January 1862, three villages of Syhlet district were raided by the Kukis and the three villages were plundered and burnt on 22nd January, and a large number of the inhabitants were massacred and carried off. In November 1868, the Governor General's Agent at Manipur reported that the Lushais had attacked certain Naga villages belonging to that state which was the first symptom of a general outbreak all along the frontier. In December 1868, the Magistrate of Syhlet reported that a village was attacked by Kukis and also one of the Lushai chiefs Suakpuilala had attacked a few villages in the Hill Tipperah State.

Thus the British government tried to adopt a new policy to make negotiations with the chiefs. In December 1869, Edgar, Deputy Commissioner of Cachar, met some chiefs and came into an agreement regarding the boundary between Cachar areas and the territories of Lushai Chiefs. But negotiations with the Lushai chiefs did not establish peace and the British decided to take punitive expeditionary forces into the Lushai Hills. Therefore, the Governor General-in-Council ordered an expedition into the Lushai Hills on 11th July 1871.¹¹ There were few more such expeditions conducted in the Lushai Hills thereafter.

As a result of these British expeditions (1871-1872), the British made peace with many Mizo chiefs and for 14 years (1873-1887) the Lushais resisted raiding the plains. But the Lushais again raided the plains in 1888 which caused the British expedition in Lushai Hills. The British Government decided on the 11th September 1889 that the operations should take place in Lushai Hills and this

¹¹ H.G. Joshi, Mizoram: Past and Present (New Delhi: Mittal Publications, 2005), p-17.

expedition was known as the 'Chin-Lushai Expedition of 1889-1890'.¹² As a result, two districts were created in the Lushai Hills namely North Lushai Hills and South Lushai Hills with headquarters at Aizawl and Lunglei respectively.

The British administration began officially when the North Lushai Hills came under the Chief Commissionership of Assam in 1895. The Southern District was put under the Lieutenant Governor of Bengal till 1898 when it was transferred to Assam. Captain H.R. Brown was appointed as the Political Officer in the North Lushai Hills and Murray was nominated as the first Superintendent of South Lushai Hills on 1st April 1891.¹³ But Murray was replaced by Captain Shakespeare on the 16th April 1891. He remained working in the Lushai Hills for around 14 years, as he was initially posted in the Southern area and later on as Superintendent of the combined Lushai Hills district.

The administrative set up of the Lushai Hills had long been the subject of discussion and on 29th January 1892, a conference was held at Calcutta, which was known as 'Chin Lushai Conference' at the instance of the Governor General, 'to discuss civil and military affairs connected with the control of the Lushai and Chin Hills'.¹⁴ This conference desired to bring the Chin-Lushai Hills under one administrative set up as soon as possible. After a gap of four years, the second Chin Lushai Conference was held at Lunglei between 14th and 18th of December in 1896. This Conference was agreed upon the transfer of South Lushai Hills to

¹² Robert Reid, *The Lushai Hills* (Aizawl: Tribal Research Institute, 1978), p-14.

¹³ Lalrimawia, *Op Cit.*, p-39.

¹⁴ Robert Reid, *Op Cit.*, p-52.

Assam and then the Government of India accepted the proposals of the Chief Commissioner of Assam.

On 1st April 1898, through a proclamation by the then Government of India placed the South Lushai Hills under the administration of Assam. Therefore, the Lushai Hills District was created with the amalgamation of both the North and the South Lushai Hills and it was placed under the Chief Commissionership of Assam. As the Lushai Hills District was put under the administration of Assam, the Assam Frontier Tracts Regulation of 1880 was extended to Lushai Hills.¹⁵

Historical Evolution of ILR

As soon as the British administration was inaugurated in Cachar District, there broke out frequent troubles and raids between the British subjects and the hill tribes. The Lushais were very protective and curious when they felt that there was encroachment on their lands which they used as their hunting ground. The expansion of British tea plantation and cultivation on the foothills of the Lushai Hills created pressure due to frequent raids. As a result, the British made expedition to punish the raiders, which later on led to the Lushai annexation. Therefore, the British government decided to draw an imaginary line for the maintenance of peace and smooth administration in order to protect their economic interests in the Assam. Accordingly, the Bengal Eastern Frontier Regulation of 1873, also known as the Inner Line Regulation, came into force from 1st November 1873 in certain parts of some districts in the Assam.

¹⁵ S. K. Chaube, *Op Cit.*, p-19.

Apparently, the precise reason attributed for the introduction of such Inner Line Regulation was about the protection of plain people from the exploitation of hill tribes, especially the Lushai and Naga tribes. The British decided to draw an imaginary line so as to make the hill tribes restricted which would protect their economy in Assam. Before the extension of Inner Line Regulation in Lushai Hills, the Lushais needed to get permission to cross the line as they were regarded as savage tribes, head hunters, raiders who were harmful for the British subjects in Assam.

Thus, the Inner Line Regulation was the first law promulgated in Assam under the authority conferred by the statute 33 (Vict., Chapter 3), which gave to the executive, the then government of India, a power of summary legislation for backward tracts. Such laws were called 'Regulations' to distinguish them from the Acts, or laws passed after discussion in the legislature.¹⁶ All the British subjects including the Lushais were in need to get the valid pass in order to make their entrance into the inner lined areas.

In fact, the British Government decided to introduce the Schedule District Act of 1874 for the administration of backward tracts. According to the section 3 of the Scheduled Districts Act (Act XVI) of 1874, the local government with the previous sanction of the Governor General-in-Council could, by notification, declare enactments which were or were not actually in force in any part of any such district.¹⁷ Accordingly, the Inner Line Regulation was introduced under the Scheduled Districts Act whereby the ILR was not yet extended into the backward

¹⁶ Edward Gait, *A History of Assam* (Delhi: Surjeet Publications, 2006), p-387.

¹⁷ S.K. Chaube, *Op Cit.*, p-16.

areas of north eastern frontier districts. The Lushai Hills was also declared as a Schedule District under the Scheduled District Act, 1874. This Schedule District means the backward area, where normal administration could not be carried out and those were also the areas inhabited by savage tribes. In other words, the Lushai Hills was characterized by backwardness and primitive nature where there was small revenue and population which was put under the Schedule District.

The constitutional provision of the backward areas about whether it would be excluded from the Reformed council had been discussed and made various recommendations accordingly. Eventually, the Chief Commissioner of Assam accepted the recommendations of the then Government of India that the administration of the Hill areas should be the concern of the Provincial governments and the Lushai hills was excluded from the Reforms scheme. Thus, the Lushai Hills was declared as backward area by the Governor General- in- Council under the Government of India Act 1919 on 3rd January 1921.¹⁸ According to the Government of India Act 1919 section 52-A, the Governor General -in -Council was empowered to declare any territory in British India to be a Backward Area.

Under this Act, the Lushais were excluded from the mainstream India and they had no political voice nor elected representatives in the then Assam Legislative Assembly. The Mizos have no platform of their own for political participation as it was declared as backward area and a legislation was enacted through a regulation made by the then Governor General- in- Council. The Governor of

¹⁸ V. Venkata Rao, *A Century of Government and Politics in North-East India*, Vol. III-Mizoram (New Delhi: S. Chand & Company, 1987), p-10.

Assam was responsible for the overall administration of the Lushai Hills District and the popular ministry in Assam has had no legal power over that administration of the area.

On the 4th June 1930, W.A Cossgrave, Officiating Chief Secretary to the Government of Assam, sent a letter to the Foreign Secretary of Government of India explaining the necessity to extend the Inner Line Regulation in Lushai Hills. He stated that when the Cachar Districts were inner lined, the Lushai Hills were not an administered district but certain savage tribes used to raid on the British's Cachar tea gardens, which led to the Lushai hills military expeditions of 1871-72. But when the Lushai Hills became an administered district under the resident British Officers, the Lushai people became more civilized than the other hill tribes on the North East Frontier, so that the necessity for the old Cachar Inner Line got diminished.

Also, Cossgrave stated that the Lushai Hills district was one of the most peaceful districts in Assam and it was not necessary to protect the plainsmen from the Lushais. Rather, the Lushais had realized thereafter that it was necessary for them to be protected against the immigration of undesirable foreigners. These foreigners fall mainly into two classes, Bengali shopkeepers and Nepali grazers. For the former, bazar sites were small and not capable of extension and these were already overpopulated and the problem of water supply, sanitation and fuel supply were becoming increasingly difficult.

Thus, he added that if Bengali shopkeepers were allowed to enter the Lushai Hills without control, they would probably indulge in illicit trade, such as arms and ammunition, drugs and possibly also in procurement of women. In the past, unlicensed guns used to reach the Lushai Hills via Chittagong Port. Due to that threat, the Governor- in- Council believed that there should be some control over the entry of Bengali shopkeepers into the Lushai Hills district.

While the Bengal Eastern Frontier Regulation of 1873 was never extended to the Lushai Hills district, but for the last twenty years, successive superintendents had by executive orders endeavored to control the entering of foreigners into that district and had punished disobedience to these orders under section 188 I.P.C. These executive orders have been recently the subject of interrogations and unfavorable comments in the Assam Legislative Council. The Governor- in- Council hoped that the arguments put forward in the letter would persuade the Government of India to accept his views that it was necessary to regularize the executive action taken by the superintendent of the Lushai Hills.

Consequently, Cossgrave submitted three proposals for the favorable consideration of the then Government of India viz.,

1. The extension of the Bengal Eastern Frontier Regulation (Regulation V of 1873) to the Lushai Hills.
2. The prescription of the northern boundary of the Lushai Hills districts as the Inner Line of that district under this Regulation.

3. The abolition of the Inner Line of the Cachar District.¹⁹

Therefore, the government approved the extension of Inner Line Regulation to the Lushai Hills on 28th August 1930. Accordingly, the Bengal Eastern Frontier Regulation (V of 1873) was extended to the Lushai Hills by the Bengal Eastern Frontier (Amendment) Regulation 1925 under section 5 of the Scheduled Districts Act, 1874 (XIV of 1874). In accordance with the provisions of the Bengal Eastern Frontier Regulation 1873, it was lawful for the State Government to prescribe, and from time to time to alter by notification in the (official Gazette), a line to be called “The Inner Line” in each or any of the scheduled districts under section 5 of the Scheduled Districts Act, 1874.

The State Government may, by notification in the official Gazette, prohibit all citizens of India or any class of such citizens or any persons residing in or passing through such districts from going beyond such line without a pass under the hand and seal of the chief executive officer of such district or of such other officer as he may authorize to grant such pass. And, the State Government may from time to time, cancel or vary such prohibition.²⁰ As per such regulation, the penalty for crossing the inner lined areas without a pass/permit was liable on conviction to imprisonment of either description which may extend to one year or to fine not exceeding one thousand rupees or to both.²¹

¹⁹ P. Chakraborty, *The Inner Line Regulation of the North-East India* (Titagarh: Linkman Publication, 1995), pp-36-39.

²⁰ Regulation V of Bengal Eastern Frontier Regulation, 1873 of 27th August, 1873.

²¹ The Bengal Eastern Frontier Regulation (Amendment) Regulation, 1925.

However, on 9th March 1933 the Inner Line was re-demarcated and a fresh notification was prescribed by the Governor- in- Council, under the Bengal Eastern Frontier Regulation 1873 in superseding the original Inner Line as it was only one line description, coinciding with the northern boundary description of the erstwhile Lushai Hills District. The new prescribed notification rather provides demarcations on all the four directions and tends to coincide with the boundary descriptions of the Lushai Hills district on all the four sides. Obviously, it prohibited all persons passing through the Lushai Hills district other than the officers on government duty from going beyond the Inner Line, without a pass under the hand and seal of the Superintendent of Lushai Hills. The re-demarcations and area of the Inner Line of Lushai Hills district included North, West, South, and East, as mentioned in the following paragraphs.

Four Boundaries

North Side

From the junction of the Ruanding with the Barak river, the Inner Line shall run up to the midstream of the former to where it receives the Lungkulh Lui; then up the midstream of that stream to its source, and crossing the range in a westerly direction down the right bank of small feeder flowing into the Teirangnek stream; then down the midstream of the latter to its junction with the Sonai river. From this point the Inner Line shall run south-west wards up the midstream of the Sonai river as far as its junction with the Suanglawn Lui; then up the midstream of this Lui to its junction with the Bagh Khal; thence up the midstream of the Bagh Khal or Tuishen Lui to its junction with a large feeder that takes its rise near the deserted village of Saipum; then up the midstream of this feeder to the

summit of Bongkong range, and crossing that range down the midstream of the Teidu Lui to its junction with the Rukni river.

Then, a straight line running in a North-westerly direction from this junction to the Dhalai bridge one furlong north of the 80th mile stone on the Aijal-Dwarband road, this point is also the tri-junction of the Hailakandi/Silchar sub-division (District Cachar) with the Lushai Hills District; then up the midstream of the Dhalai river to its source, where, crossing the watershed it strikes the headwaters of the Chhimkang Lui and down the midstream of this Lui to its junction with the Barun Chara; then down the midstream of the Barun Chara, to its junction with the Hmarluang Lui; then up the midstream of this to its source in the Bhairabi range.

Then, crossing the Bhairabi range westwards to the source of the Bhairabi stream; then down the midstream of the Bhairabi stream to its junction with the Dhaleshwari or Tlawng river; then up the midstream of the Dhaleshwari river to its junction with the Pakwa river; then up the midstream of the Pakwa river to the second large tributary met with on its left bank; thence up the midstream of this tributary to its source; then in a northerly direction along a range to Chatarchura Peak (2071); thence due west in a straight line to the tri-junction point of district Syhlet, Lushai (Assam) and Tripura State (Bengal) situated on the Lanagi river about 3/4th of a mile south-west of the confluence of the Medli Cherra with that river.

West Side

In this side, in a southern direction up the midstream of Lanai river to its confluence with a small nameless tributary going west $2\frac{1}{4}$ miles north east of Betting Sib Peak height 3,083; thence in the south-westerly direction to Betting Peak height 2,234 which the tri-junction of district Lushai Hills (Assam), Tripura State and Chittagong Hill Tracts district (Bengal); thence in a south-easterly direction for about a mile to a tributary of the Tuilianpui river; thence down the midstream of this tributary to its confluence with the Mar river; which is the junction of the Aijal/Lunglei Sub-division boundary;

Further, on westwards in a straight line to the source of the Harina river; thence down the midstream of Harina river; to its confluence with the Karnaphuli river; thence up the midstream of the Karnaphuli river to its confluence with the Thega Khal; thence up the midstream of the Thega Khal to its junction with two other tributaries about $4\frac{3}{4}$ miles south east of height 2,096 and $5\frac{1}{2}$ miles north-west of WaibungTanng, height 3,083; thence in a south-easterly direction respectively along the range to WaibungTanng peak height 3,083; thence in a southerly direction to Keokradong; which is the trijunction of Chittagong Hill Tracts (Bengal), Lushai Hills (Assam) and Northern Arakan District (Burma); thence eastwards to Mephurutong or Rengtlang; thence to the source of a small stream called the Varanglui.

South side

Towards this side, Varanglui or Mraikchung whose source lies due to East of Peak, down the midstream of the Varanglui or Mraikchung to its junction with

the Sekul (Kola) or Kalet stream (where a boundary stone has been placed) ;
thence up the midstream of the Sekul (Kola) or Kalet stream to the mouth of the
Khawtlang or Kyucha stream (where a boundary stone has been placed) ; thence
up the midstream of the Khawtlang or Kyucha to its source on the Samang or
Kwiman range; thence southwards along the Samang or Kwiman range to the
source of the Samak or Kwimanstream (where a boundary stone has been
placed), thence down the midstream of the Samak or Kwiman stream to its
junction with the Koladyne (Kaladan) river; thence straight across the Koladyne
(Kaladan) river to the Mouth of the Khangza or Kwiman stream (where a
boundary stone has been placed) (the mouth of these two are opposite one
another); thence up the midstream of the Khangza or Kwiman stream to its
sources in the Kaisi Tlang (where a boundary stone has been placed).

Then, Southwards to the source of the Rale or Shwelaik stream; thence down the
midstream of the Rale or Shwelaik stream to its junction with the Sulla river;
thence up the midstream of the Sulla river to its junction with the Kaikheu or
Khinkon stream (where a boundary stone has been placed) ; thence up the
midstream of the Kaikeu or Khinkon stream to its source on the Pathian or Pahtay
Tlang; thence northwards along the Pathian or Pahtay Tlang to the source of the
Para stream; thence down the midstream of the Para stream to its junction with
the Mi (Tishi, Tuisi or Wabling) river; thence up the midstream of this river to its
junction with the Kheimu stream; thence up the midstream of Kheimu stream to
its source on the Kahria or Kwahria (Khasia) Tlang; thence South, along the rest
of the Kahria or (Kwahria) Tlang to the source of the Rapha Var.

East Side

Thereafter, down the midstream of the Rapha Var to its junction with the Boinu (Kaladan) river; thence down the midstream of the Boinu (Kaladan) river to its junction with the Tyao; thence up the midstream of the Tyao to its source on the Viko Tlang; thence eastwards to the source of the tributary of the Tuimang river; thence down the midstream of the Tuimang to its junction with the Tuivai river; thence down the midstream of the Tuivai river to its junction with the Vangvum lui; thence up the midstream of the Vangvum lui to its source at a saddle known as Bangkok where a boundary pillar marked MI (I) has been erected; thence crossing to the West side of this saddle to the source of the Tuitoi stream; thence down the midstream of the Tuitoi stream to its junction with the Tuival river; thence down to the midstream of the Barak river to its junction with the Ruanding Lui which is the tri-junction of the Lushai Hills and Cachar districts and Manipur State.²²

Constitutional developments in Lushai Hills

Incidentally, the constitutional position of the future Lushai Hills was discussed by the Indian Statutory Commission popularly known as the Simon Commission. The Assam government sent a memorandum to the Simon Commission and recommended that the backward areas like the Lushai Hills should be excluded from the Province of Assam. The inclusion of the Lushai Hills districts in the Reformed Constitution was opposed by many people including the Indian Tea Association and most of the non-officials were not consistent in their views regarding the future of Lushai Hills.

²² P. Chakraborty, Mizoram Compendium of Laws Volume I (West Bengal: Linkman Publication, 1991), pp-56- 62.

Incidentally, Dr. Hutton who had deep knowledge of the tribal problems suggested the exclusion of Lushai Hills in the Reformed Constitution. He made several points and reasons for excluding the Lushai Hills which included rapid contact with the plains might be dangerous for the Lushai people in terms of population problems as some tribes were already decreased in population. He also mentioned that the Lushai Hills was an unprofitable possession and the British occupied their territory for the protection of the plains from their raids.

However, N.E. Parry, the then Superintendent of the Lushai Hills also put forward his recommendations for excluding the Lushai Hills from the Reforms. He held the view that the Lushais were belonged to the Mongolian Race and they were totally different from the plains people. And thus, inclusion of Lushai Hills would result in their resentments. In 1930, the question of inclusion of the Hill Areas under these Reforms was again discussed by the Government of Assam and it had unanimously decided about the exclusion of the Lushai Hills from the Reforms.

Then, the Simon Commission finally recommended for the exclusion of Lushai Hills in the Reform Constitution and Lushai Hills was categorized as 'backward tracts'. The backward tracts were divided into two, namely the 'excluded areas' and 'partially excluded areas'. In consequence, the Lushai Hills was declared as excluded areas on 3rd March 1936.²³ Since the Lushai Hills was brought under the status of 'excluded areas', they had no representatives, elected or otherwise, in

²³ V. Venkata Rao, et.al. *Op Cit.*, p-29.

the then Assam Assembly and they were administered by the Governor of Assam through the Superintendent appointed by him till India's Independence in 1947.

But this provision was criticized by the Indian National Congress on the ground that the reason for exclusion of these areas was not due to the backwardness of these regions but for the benefit of British government for controlling the mineral and other resources.²⁴ Thus, they viewed the British policy as an attempt to divide the people of India. Whatever might have been the reasons for the total exclusion of the Lushai Hills from the Reforms, the Lushai Hills have had no chance of expressing their views regarding their administration or about their progress and thus their development could not be secured in any way. The Inner Line Regulation that was still in force in Mizoram since the Government of India Act, 1935 did not include the then Lushai Hills District, which was categorized as 'Excluded Area'.

Meanwhile, the British exclusionary policy of the Lushai Hills and protective discrimination from the rest of India greatly contributed for the growth of regionalism. While the Inner Line Regulation safeguarded the tribal tradition and culture, it had certainly isolated them from the national life and movements associated with it. As a result of non-involvement and isolation of the Lushais in the wider socio-political process, the feeling of being an independent tribe was sustained. Due to their isolation and exclusion from the mainland India, national freedom movements did not influence them in the Lushai Hills. Even before the British left India in 1947, the Inner Line Regulation and the Chin Hills

²⁴ *Ibid.*, p-32.

Regulation were there continued to occupy an important place in the hearts of the Mizos.

Although the Lushais were excluded from the purview of the Constitution, under the Government of India Act 1935, there was some sort of political consciousness among the youth which began to think about the political future of Lushai Hills. Meanwhile, the Mizo Union was founded on 9th April 1946 to become the first political party in Lushai Hills. But there was indifference and uncertainty on the future of Lushai Hills. Some people wanted to join India whereas others wanted to join Burma. On 14th August 1947, a meeting of Lushai Leaders, attended by fifty persons, was held at the initiative and under the chairmanship of M.L.L. Peters, who was the last British Officer of Lushai Hills District. The meeting resolved that if the Lushais were to enter the Indian Union their main demands were the following.

1. that the existing safeguards of their customary laws and land tenure etc. should be maintained.
2. that the Chin Hills Regulation 1896 and the Bengal Eastern Frontier Regulation 1873 should be retained until such time as the Lushai themselves through their District Council or other parallel district authority, declare that this could be abrogated.
3. that the Lushais will be allowed to opt out of the Indian Union when they wish to do so, subject to a minimum period of ten years.²⁵

²⁵ Proceedings of a Meeting of the Accredited Leaders of Lushai Political Parties held at Aijal on 14th August, 1947.

In consequence, the Mizo regionalism then finally led to the rise of secessionist movement under the leadership of Laldenga in 1966. The Mizo National Front (MNF) led by Laldenga declared Mizoram a 'Sovereign and Independent State' with effect from the midnight of February 28-March 1, 1966.²⁶ The insurgency movement had changed the whole administration of Mizoram and thus the MNF and its organizations were declared as unlawful associations on the 6th March 1966. During this insurgency period many people lost their lives and several people were living with fear and violence. In 1972, Mizoram was elevated to the status of Union Territory with a Legislative Assembly comprising thirty elected members and three elect nominated members.

Further, when Mizoram was facing the insurgency movement, the Human Rights Committee was formed in Aizawl in 1976 to fight for the rights of the local people under the leadership of Brig. T. Sailo. The Human Rights Committee was formed as a result of violence where many innocent people lost their lives. But this Human Rights Committee was transformed into a political party under the name of the People's Conference on 17 April, 1975.

For the establishment of peace in the state, there were some 'talks' between the MNF and the Central Government that were made several times but could not succeed for over a decade. Eventually, the peace accord was signed on 30 June, 1986 by R.D. Pradhan, the Union Home Secretary on behalf of the Government of India, Laldenga on behalf of the M.N.F., and Lalkhama, the Chief Secretary of the Mizoram Government on behalf of the Mizoram Government.

²⁶ Lalchungnunga, *Mizoram Politics of Regionalism and National Integration* (New Delhi: Reliance Publishing House, 1994), p-85.

Incidentally, the importance of Inner Line Regulation had been clearly reflected in the 'Memorandum of Settlement' signed between the Government of India and Mizo National Front on 30th June 1986 which stated that 'The Inner Line Regulations, as now in force in Mizoram, will not be amended or repealed without consulting the State Government'.²⁷ It could be said that the Inner Line Regulation was viewed by the Mizos as an essential element in which their ethnic identity and culture could be preserved.

However, the Inner Line Regulation received many a time a few criticisms from the central government and the first incident was happened in 1994. On 19th July 1994, the Union Home Ministry initiated the meeting of Chief Ministers of the North East States at Shillong under the guidance of Home Minister, S.B. Chavan. Among other issues, this meeting discussed basically about the issue of Inner Line Regulation operating in the three North East states as the main agenda. The Union Home Minister expressed the indication that the Inner Line Regulation had thwarted the economic development of the states which caused the underdevelopment of the states. But the three chief ministers of states like Mizoram, Nagaland and Arunachal Pradesh had opposed the idea of lifting the Inner Line Regulation and sharply reacted to the discussion thereof.

As a result of that meeting, the Mizoram Legislative Assembly on the 26th August 1994 convened an emergency session. After a prolonged discussion a resolution was unanimously passed that 'the continuance of the ILR in Mizoram is

²⁷ Mizoram Accord 1986. Memorandum of Settlement signed between the MNF and Government of India.

imperative not only for safeguarding the interests of the people and for the maintenance of peace and tranquility, but also strengthening national integration, it resolved that the Bengal Eastern Frontier Regulation, 1873 should continue to remain in force in Mizoram'.²⁸

The resolution passed by the Mizoram Legislative Assembly showed that the Mizos praised the existence of this protective mechanism. Thus the said resolution suggested the continuation of Inner Line Regulation for strengthening of national integration. This might indicate that if the Inner Line Regulation was abolished in Mizoram there will be chaos and frustration which would be dangerous for the integrity of the nation. Even today, Mizos still viewed this system as protector of their tradition and culture against the larger tribes. They regarded the ILR as their main security and safety mechanism which could protect them from assimilation by the plain people.

Further, the state government has made several modifications in the guidelines of Inner Line Regulation in Mizoram. In the former guidelines the meaning of 'indigenous persons' was not defined in the Regulation which made confusion relating to the categories of persons to be covered. Not only in the case of Inner Line Permit system, but also in relation to the Chakmas in the state, the issue of 'indigenous persons' had created a few problems in the state.

In September 2014, Mizo Zirlai Pawl (MZP) made a protest against the selection of State Technical Entrance Examination (STEE), wherein some Chakma

²⁸ J.Zahluna, Article on Inner Line Regulation and Mizoram (Indian Journal of Political Science, Vol. LXXII, No. 1, Jan-March, 2011), p-224.

students were given seats in the name of indigenous persons. The state government had no official definition of 'indigenous persons' which made that the issue was of more complex nature in the state. But, the latest notification of No. F-22016/5/2011-HMP, the 13th Aug., 2014 published in the Mizoram Gazette clearly defined the term 'indigenous and non-indigenous persons' as mentioned paragraphs.

Indigenous and non-indigenous persons

For the purpose of this Guidelines, a person shall be deemed to be indigenous of the then Mizo District (now state of Mizoram) if he/she, or either of his/her parents was/were born in the territory of India five years prior to the commencement of the Constitution of India as per the Article 5 read with the Article 394 of the constitution and who have continuously resided in Mizoram not later than 26th January, 1950 and their direct descendants including the Non-Mizo indigenous residents.

All other persons not included in the above Para shall be deemed to be Non-indigenous persons.

Till now, Mizoram enforced the Inner Line Regulation strictly and for the successful enforcement of ILR. Meanwhile the NGOs like the YMA, MZP, and MSU had played pivotal role and many times these NGOs trapped the outsiders/non-locals that entered Mizoram without any valid pass. Recently, the Mizoram Government announced that the government would strictly enforce the Inner Line Regulation for checking the illegal migration in the state of Mizoram. The responsibilities of the sponsor of the local peoples were described by the

state government for the effective enforcement of the Inner Line Regulation in the state.

It can be summed up that the British exclusionary policy in the Lushai Hills with the Government of India Act, 1935 and their 'isolationist policy' with the Bengal Eastern frontier Regulation 1873 have made an impact in the minds of the Mizo people. It has led to prevail anti-Indian feelings as a result of less interaction with the mainland Indians. This Inner Line Regulation has generated regionalism today and it created distinction and discrimination between the local and non-local people.

For the Mizos, this protective mechanism made them to avoid assimilation by the larger tribes and even in the Memorandum of settlement between the MNF and the Government of India, it has been mentioned which clearly revealed the significance of Inner Line Regulation for Mizoram. This chapter demonstrates how the ILR was continued in the state of Mizoram. Further, the chapter gives a historical description of the events and developments that culminated in the implementation of the policy so far.

CHAPTER 3

RELEVANCE OF ILR

Prior to the British taking possession of the Lushai Hills, the Mizos lived in their own way as an independent tribe and they were anthropologically identified as members of the Tibeto-Burman ethnicity. They have different identity and culture, their way of life and practices were dissimilar, they were primitive and backward as compared to their neighbors in the region. But things began to change when the British occupied their territory; their religion was changed from animist to that of Christianity. Through the British Christian Missionaries, the Mizos received education which had helped them to improve their social condition and living. Yet, their small population and backwardness would make them weak and vulnerable without proper protection from the outsiders.

Before the extension of Inner Line Regulation in Lushai Hills, it was used by the British to protect the plains from the Lushai raids so as to make them quite through the establishment of peace in the frontier lines. But, later on the ILR was extended to the Lushai Hills in 1930 to prevent the indigenous people from assimilation and exploitation by the plains as there was intimidating foreigner's encroachment in the area. Before the practice of ILR in Mizoram, protective mechanism of the Chin Hills Regulation of 1896 was applied and this had authorized the Superintendent of the district to order any undesirable outsiders to vacate their area.¹

Mizoram has continuously practiced the ILR even after it attained statehood in 1987 to prevent themselves from exploitation and assimilation by the advanced

¹ The Chin Hills Regulation, 1896 Regulation No. 6 of 1896. Rangoon: Printed by the Superintendent, Government Printing, Burma, (May 1897).

people belonging to the plain areas. The indigenous people believed that the ILR was the main reason why they had survived ethnically thereafter and if the ILR was not implemented they would have been faced with the demographic invasion. The ILR have had some limitations and obstacles to the process of nation building as well as national integration.

Yet, it greatly preserves the tribal culture and local tradition so as to restore their distinct identity and thereby helped them to develop their own culture according to their level of standard. The backwardness and small population of Mizos made it easier to be exploited by the stronger communities and larger tribes of mainland India. Besides, the feeling of insecurity from the outside world and fear of losing their ethnic identity made them seeking such an 'isolationist policy' for the purpose of protection of their own traditions.

The general perception regarding their remoteness from the plain people is influenced by the fact that protective discrimination of the Inner Line Regulation is necessary in order to prevent demographic invasion by the larger tribes. Mizoram since surrounded by foreign countries like the Myanmar and the Bangladesh has always been faced with the problem of infiltration from both these sides, which is already a burdensome issue for them. And, if the ILR has been detached then the outsider's problem will certainly create more socio-economic problems in the state. Local people believed that people from the mainland India are more advanced and developed than the Mizo which made them worry about their inferiority in an open competitive market.

The Mizos believed that the mainland communities have had broader knowledge of how to make money for their sustainable living. Thus, they had certain apprehensions that if there was a free movement in the state, the local opportunities could be exploited which might eventually lead to the outsiders economic domination. Due to the scarcity of food on the one hand and rising population problem on the other hand in the state, many local people were scared of securing needed jobs even for the sake of their just living. So, local people ponder that if there was no proper protection and restriction of non-local movements, then the Mizo people would quickly be faced with certain developmental problems like those of some other North Eastern states' and ultimately they would be assimilated by the larger tribes.

Moreover, the fear of losing their ethnic identity and threat of imposed assimilation basically swayed the Mizos so much that they regarded the Inner Line Regulation as their protecting mechanism and the reason why they felt secure within their own state. The problems of outsider domination as was faced by the other North Eastern states like Assam, Meghalaya, Manipur, and Tripura had certainly alerted the Mizos to be more concerned and thus commended the existing inner line regulation in the state. This was considered as the main reason why the state government had made new notifications in this regard, besides trying to be more active in monitoring the ILP holders. Incidentally, as compared to the other North Eastern states, Mizoram had hardly faced the problems of socio-economic domination by the outsiders due to the practice of protective mechanism like the Inner Line Regulation. Thus the relevance of ILR for the development of the state has been justified when the issue was discussed with various stakeholders in the state.

ILR gives business opportunity for local people

In Mizoram, around 70% of the total population is dependent upon their main occupation, agriculture that had largely been jhum cultivation. Obviously, the general population, particularly in the rural areas is predominantly backward as their economy being stagnant. The Mizos did not acquire wide knowledge in business and such other commercial explorations which made it easy to exploit them in terms of business activities. For them, rapid economic development and fast changing business activities from the outsiders is more dangerous as they viewed it as a way of exploitation.

The relevance of ILR has been valued in the context of local business and employment status. Due to the practice of ILR, economic opportunities of the Mizos had been protected from their counterparts in the other states in India. For, they appear to be more advanced people than the locals. Local people established their business according to their genius without any sort of encroachment by the outsiders. The local communities seem to be maintaining their economic activities in their own way and wanted to enjoy almost all the existing opportunities to develop themselves invariably.

Economically, the Inner Line Regulation acts as a shield against the impatient merchants who wanted to establish and strengthen their business in this area. Thus the Inner Line Regulation created a fair chance for the tribals to carry out their business ventures in their own localities. If the Inner Line Regulation was not practiced in Mizoram, many big businessmen and entrepreneurs would have belonged to the advanced plain people. The mainlanders will have the chance of

dominance against the indigenous people as the former are found to be more advanced and experienced in the business operations. But the practice of Inner Line Regulation gave a good chance of the Mizo people to run their business on their own and ensure development according to their principles.

In other words, the Inner Line Regulation has safeguarded the local entrepreneurs from the exploitation of the advanced people and contributed for their development. In view of the prevalent practice of Inner Line Regulation in the state, almost all the industrial entrepreneurs certainly belonged to the Mizos. Even some of the big business activities are being owned and run by the indigenous communities and local people. Since most of business is controlled by the indigenous people, economy has been obviously concentrated in Mizoram which would certainly contribute towards the state's development.

Thus the Inner Line Regulation gives the maximum opportunity to the local people to start and continue their business ventures without the influence of outsiders. Outsiders/mainlanders who want to seek jobs in the Mizoram economy and market certainly need to have valid permission as the non-local people cannot come and start living without proper permission from the state government and its various agencies. In a way, it has blocked the unhealthy business and undesirable people from outside and prevents the possibility of local business exploitation.

While the Inner Line Regulation serves as an effective mechanism for encouraging the local businessmen by preventing illegal migration, it does not block the establishment of companies and firms from the mainlanders. Many companies and

farming operations had in fact opened their business ventures like private banks, telecommunication networks and private educational institutions including the ICFAI University, for instance, in the state. Therefore, the ILR can be considered as a better chance for the local people in terms of promoting the private business in the state.

ILR safeguarded employment opportunity

The Inner Line Regulation has certainly safeguarded the indigenous community in the context of securing employment both in public and private sectors. Thus, in Mizoram more than 80% of the government servants are indigenous people. Similarly in the private sector too, almost all the contractors, suppliers, big businessmen are recognized as indigenous people who gained many benefits. However, sometimes when it comes to huge construction works like the construction of roads and buildings and other sophisticated works, mainland people or outsiders have also been hired and employed in the state. As Mizoram lacks such skilled and unskilled laborers and required materials, as well as some technically efficient people for some developmental works it has always needed to cooperate with the mainland people.

Not only in India, but also all over the developing countries around the world people are faced with the common problems of ‘unemployment’ and ‘underemployment’. India, being the second most populous country in the world, has been facing the unemployment problem. And Mizoram is also facing the same problem and many educated youth remain unemployed in the state. Job opportunity for all the educated persons is still insufficient and very limited in the

state. Nevertheless, regulating the illegal migration has certainly saved the local people from being deprived of the existing economic opportunities.

For example, Mizoram is facing a lack of skilled people in the construction of buildings and almost all the cement-workers and subcontractors are from outside the state. But on the initiative of Central Young Mizo Association (CYMA), many local people have acquired such skills in cement works as is observed in recent times. The local skilled as well as cement laborers can have decent opportunity due to unavailability of such outsiders. And all the owners of automobile workshop, particularly in Aizawl certainly belong to the local people, because the ILR is there to work as a protector of their job opportunity.

Alternatively, if there was no enforcement of Inner Line Permit system for small and tiny population like Mizos, many mainlanders could have come to Mizoram for seeking such job opportunities in both the private and public sectors, which will result in exploitation of the indigenous people in the long run. In an open and competitive market, tribals are far more backward than the mainlanders. This is so even among the educated person that is why the Indian government gives them certain concessions and reservation of seats in various sectors.

In the present situation, most of the companies and farm running business, Mizoram has employed local people as well as mainland people. For example, Reliance Company established their business in Mizoram wherein both the Mizos and outsiders work together. The unavailability of outsiders/plain people gave

them more chances of employment opportunity during when such private companies and firms were established in Mizoram.

For a backward state like Mizoram, the Mizos were trying to move on their path of development. Further, it helps the indigenous people in retaining more jobs and opportunity for the tribals which otherwise could have been easily overtaken by advanced mainlanders. In such a way, the Inner Line Regulation had given the educated youth as well as uneducated people several opportunities for securing some employment inside the state.

Source of State Revenues

Besides checking large scale influx from mainland and outside, the Inner Line Regulation has contributed towards generating the revenue from the tax/fee collection centers in the state. Although the amount generated is limited, it would certainly add to the state exchequer to some extent. Of course, the tax collection and revenue sources are dependent upon the process of implementation of the ILR in the state.

In an interview with a local government functionary on 10.9.2015 at D.C. Office Aizawl, the application form was sold at Rs.50, for verification of Local Council/ Village Council Rs. 200 is paid and after the entire transaction process is done, the Inner Line Permit is given at Rs.270. For instance, in the month of September 2015, an amount of Rs. 3,56,390/- as state revenues have been collected on account of this Inner Line Permit only from the District Commissioner (D.C) office at

Aizawl. From Lengpui Airport, an amount to the tune of Rs.64,680/- revenues have been collected during the period.²

Both, the Aizawl city and the Lengpui Airport are the main points and places wherein on account of Inner Line Permit as non-Mizos are expected to produce the ILP. Besides these two places, the other centers in districts are usually meant for the purpose of issuing or renewal of the permits. It has been estimated that an amount of around Rs. 40-60 lakhs has been collected on an average as state revenues from the Inner Line Permit annually.³

Besides, the government revenues, collection of fees for verification of Local Council at Rs.200/- has created some revenue for the purpose of meeting the local level activities and interests in the state. So, from this revenue collection, state government has certainly earned reasonably good amount which could be very useful for a backward state like Mizoram. Therefore, the Inner Line Regulation does not only prevents illegal migration and influx, it also contributes to the development of the state and its revenue sources which is worthy for an underdeveloped state like Mizoram.

ILR maintains political system

Further, the Inner Line Regulation can be considered as a viable mechanism to maintain the political system as part of the development of the state. As usual, the political process is very crucial for establishing good governance and development in any democratic state. And, every society depends on the nature and

² Govt. of Mizoram, Official Document Vide. No. P. 11011/3/2014-DC (A) /118-127.

³ Interview with Lalchungnunga, Additional D.C Aizawl District on 7th October, 2015.

characteristics of the state political system that exists in such a state. In India, political process, political parties and government are all interrelated and these are expected to maintain proper political system in any state.

The state political systems are defined by many things and factors. On the one hand, politics is the means of establishing good governance and development but on the other hand, it can be a reason for generating certain problems like underdevelopment, corruption, violence and fragmentation between the communities and among the citizens which might ultimately degenerate the state and its advancement and development.

Viewed in this backdrop, mixed population without any sort of state control and lack of legal restrictions can be dangerous for a weak and backward community like the Mizos, and thereby it can change the very political landscape of the state. Given the rising state of population in the state, certain socio-economic problems affect the political system. Then, it would be an easy way of domination on the tribal communities in the state. For the establishment of normalcy and political stability, control and balancing of the various populations are essential especially for the backward states like Mizoram.

In Mizoram, all the politicians are belonged to indigenous people. For instance, all the Members of Legislative Assembly (MLAs), Ministers, political functionaries at grassroots levels are indigenous people. Since all the political leaders and government officials are local people, certain social evils like the communalism, parochialism and sub-tribalism which are always used for criminalizing politics are

likely absent. In Mizoram, therefore, the Inner Line Regulation has certainly helped the indigenous people to enjoy their political opportunity in the representative politics that is marked by free and fair electoral and political systems, which are essential conditions for the development of the state.

ILR gives minorities' security and protection

Anywhere, human safety and social security are extremely important for the survival of mankind. For the tribal ethnic minorities like Mizos security and safety are more important than economic development.⁴ There are some experiences of few small communities that are available to spread the fear of being assimilated and exploited by the more advanced people. For instance, in the case of Chakmas, one of the minorities in the state has been studied as part of this research. According to an estimate, economic growth and development of the Chakmas was considered a curse and dangerous as it destroyed their livelihood and lands.

Suffice it to cite a case of Kaptai hydroelectric dam, a hydropower source completed in 1964 in the Chittagong Hill Tracts of Bangladesh, which was a huge developmental milestone for the Bangladesh. But due to the building of the Kaptai hydroelectric dam many local tribal people lost their homes and cultivable lands in the state. As a result of this, more than 1,00,000 indigenous tribals were displaced and these, the Chakmas, were the largest indigenous ethnic group to be displaced constituting about 90 percent of the total affected people.⁵ These Chakma tribals left their ancient home due to such developmental works which led to the scarcity

⁴ Interview with James Thangmingmawia, Ex-President MZP & Chairman MPCC Media Department on 29th September, 2015.

⁵ Deepak K. Singh, *Stateless in South Asia: The Chakmas between Bangladesh and India* (New Delhi: Sage Publications, 2010), pp- 15-16.

of foods and living and they are now settled down in different states of India including that of Mizoram.

The precarious situation of the Chakma tribals revealed a situation as to how tribal people can be exploited and degenerated in the name of development. As any sort of development is meant to ensure the upliftment of the downtrodden and marginalized people, it can be seen from the Chakma tribals' miserable conditions that the process of economic development could become dangerous for the weak and backward communities. For the tribals protection and development, basic security is essentially important for their very survival as against the interests of the more advanced people.

Thus, human security, stability and protection are extremely important so as to develop the tribal people and the state. Lack of such mechanism in the case of Chakmas is an indication of their plight in their original state. Rapid economic development is not necessary for Mizos, it can create problems for them.⁶ The experiences of some tribals alerted the Mizos and they believed that their human security and safety is more important than economic development. Thus, the ILR gives the Mizos a feeling of security from the external exploitation and it helped in maintaining balance between economic development and human safety and security.

⁶ Interview with C. Chawngkunga, General Secretary MPCC & Ex-MLA on 4th October, 2015.

ILR prevents demographic invasion

Despite India is one of the fastest growing economies in the world now, it is faced with the overpopulation problem. According to the United Nations world population prospects 2015, the world's population is expected to reach 8.5 billion by 2030 and 9.7 billion by 2050 and exceed 11 billion in 2100. And India is expected to surpass China as the most populous country around seven years from now.⁷ So, in populous countries like India, ethnic minorities like the Mizos have been facing a high probability of demographic invasion without any sort of protective mechanism. Due to the growing number of population, and the scarcity of sufficient foods, people always seem to be searching for jobs just for the sake of their survival that would make them getting for jobs in different areas within and without the country.

Thus, internal migration will become a serious problem in different states in India. On the other hand, Mizoram has as its borders with two neighboring countries of Myanmar and Bangladesh is lying on the international border. Obviously, from these two states, infiltration of migrants has been going on for decades on end. Although this illegal infiltration from these two sides are going on, the Inner Line Regulation tried to prevent the process of illegal migration from across the borders, as well as from the mainland India, which has certainly contributed towards identifying and detecting the outsiders and thus the number of population can be manageable for the state government for the present.

⁷ <http://www.un.org/apps/news/story.asp%3FNe>. Retrieved on 10.12.2015.

Mizoram having a population of 10,97,206 (according to 2011 census)⁸ is easy to be exploited and any sort of overlapping population can be happened if there was no proper protection, which can be seen from the experiences of its neighboring state like the Tripura. According to a well-known writer V.V Rao, ‘the low density of population is an invitation to the over-populated neighbors to invade this region’⁹. If the Inner Line permit was not enforced then there might exist the population problems from the outsiders. Obviously, such a scenario will disturb the state and its developmental process. Thus, any sort of government efforts towards the upliftment of the Mizos and indigenous people will be suffered.

In the North East India, states like Mizoram, Nagaland and Arunachal Pradesh which practiced the ILR have maintained low population figures as compared to the other states in the region that did not practice it. It can be understood that one of the reasons for high population in the other NE states is mainly due to existence of high number of outsiders. Not only from the other states of India, but also from neighboring countries due to its strategic location, its population would have been beyond expectations, without the ILR. Absence of the ILR would have encouraged the illegal immigrants to cross over the boundary line which soon might have led to an overpopulation problem in the state.

ILR gives educational opportunity for local people

In Mizoram, there is only one central university for the post-graduation in which lot of students were there trying to continue their studies. Many students are cut out

⁸ Directorate of Economic and Statistics, Mizoram Statistical Handbook (Aizawl: Government of Mizoram, 2014), p-1.

⁹ V. Venkata Rao. North East India-Problems and Prospects (The Indian Journal of Political Science, Vol. XXVI, No. 1, January-March, 1975), p-2.

as there are limited seats, so those who did not have money to study outside Mizoram could not continue their studies to pursue the higher education. Also, at the college level, there are always many students who cannot go to college as there are limited seats in the colleges. To continue higher studies is like a situation of survival of the fittest that has been prevailing in the state.

In an open competition, the local tribals find it difficult to compete with the advanced plain people. As they are more backward than the outsiders and knowing this problem the Central government has allotted 'reservation of seats' for these backward people in the educational institutions. Due to limited seats in the state, the Mizo Zirlai Pawl (MZP) has recently made a request for enrolling students who wanted to continue further studies in the college institution in the state.

In the present situation, most of non-indigenous people are workers without bringing their family which means that most people come here to earn their living so as to support their families in their respective home states. Thus, it does not create many problems in the society in terms of educational opportunity for the indigenous people as family-based migrants are small in numbers.

As Mizoram faces this educational problem due to the insufficiency of higher educational institutions, even the indigenous people are also seem to be suffered. If there is a large number of non-indigenous people who permanently settle in the state it might become worse and educational opportunities will be lesser and thus insufficient for the indigenous people. Therefore, the ILR is still relevant for the local people towards pursuing their education at different levels in the state.

ILR prevents land alienation

Generally, land forms an important part of human livelihood and losing land to the non-indigenous people could become an easy way of imposed assimilation and gradual extinction as a distinct tribe. The tribals have been losing their lands to the non-tribals in many states despite the presence of various legal safeguards in India. For instance, one of the northeast states like Meghalaya has had a Land Transfer Act for the protection of indigenous people. But Meghalaya people had faced problems of land alienation despite having such a land protection Act in place.

Despite having various laws for the protection of tribal lands, the non-tribals have been successful in taking control of the lands belonging to the tribals by adopting various tricks and informal methods. Mizoram has also enacted a few special laws for the protection of their land from the outsiders under the Article 371 G of the Indian Constitution, which declared that the ownership and transfer of land was to be kept in the hands of the Legislative Assembly of the State of Mizoram.¹⁰ In the case of Assam, there was a violation of land transfer rules and regulations although they have had the Assam Land Revenue Act 1886, which prohibits transfer of tribal land to the non-tribal communities. Perhaps, the migration process is one of the reasons why such land alienation had been taking place in the case Assam.¹¹

From this regional scenario, it is understood that the tribal lands could be lost by using several indirect methods as is the case with some tribal lands. Mizoram

¹⁰ Subash C. Kashyap, *Our Constitution: An Introduction to India's Constitution and Constitutional Law* (New Delhi: National Book Trust, 2011), p-360.

¹¹ Partha Pratim Borah. *Development and Marginalisation: Sociological study of Tribal Land and Alienation in Assam* (*Asian Journal of Multidisciplinary Studies*, Volume 2, Issue 7, July 2014), p-2.

although having had a protective law for their lands could still face the problem of land alienation if there was a large number of outsiders in the state. Land is extremely important for the survival of any human being and without having land people will have to lose their security.

Especially, in the case of tribal people, preservation of their land is the foremost step for their survival and development. So, Mizoram is fortunate enough for not losing their lands to non-tribals and the Inner Line Regulation has significantly contributed for preserving and protecting their lands as it filters such movements which certainly prevents over population of outsiders in the state. If the Inner Line Regulation was not practiced in the state, large scale migration could have already happened which might have led to their gradually losing of lands.

There are different reasons for practicing the protective discrimination like the Inner Line Regulation. One of the basic causes is their fear of imposed assimilation in the state. From the collection of different views and expressions during the course of researcher's interactive meetings with various sections of society in the state, it was learnt that the Mizo people wanted the continuity of Inner Line Regulation for the protection of their unique identity, culture, customs and traditions, religion from the onslaught of the advanced people.

Incidentally, the Mizos believed that this protective discrimination was the main reason why they were not assimilated and thus survived today despite some attempts from the outsiders. They held a common view that the Mizos have had a distinct identity and religion which needed to be protected against the larger tribes.

In order to avoid the imposed assimilation, the study observed that the Inner Line Regulation was to be practiced in the state. Local people held that their safety and security way more important than even their economic development, as is the case with many such tribal communities in the country.

In any case, both the economic development and human security need to go hand in hand for the development of any community or its state. Economic development alone can become dangerous if the indigenous person does not feel secure in his own state. In fact, the Mizos are considered more backward in different ways than the mainland people, which make it easier for them to be exploited and dominated upon. If the Inner Line Regulation was not practiced in Mizoram, economic development might run faster to some extent, but this sort of economic development would bring down the population and its development. Then it can lead to the outsider problem and social crisis like what it prevails in the other north east states today.

Since the Mizos are more backward intellectually than the mainland people, many crafty businessmen would run their business which will eventually lead to the dominance of mainland people. So, the tribal-based backward people like the Mizos need to protect themselves so as to avoid their exploitation from the more advanced people.

Each and every state in the North East India has been commonly described as the backward and underdeveloped entity as compared to that of the mainland India. Because, certain features of these tribals like the number of population, the level of

mentality, the degree of skills and ability have certainly made them weak and insecure towards the mainland people. For instance, neighboring state like Tripura which does not practice the Inner Line Regulation has already been assimilated by the plain people, whereby the indigenous Tripura people had now become a minority population. As there are much more non-indigenous people in their state, it affects the socio-political system in their administration.

Similarly, another northeast state, Assam, has also suffered much from the outsider's problem, which certainly affects their socio political system. Meghalaya is no stranger with regard to these outsiders' problems. These outsiders' problems lead to the rise of agitations and demands for introducing the Inner Line Regulation for the preservation of indigenous people, as is witnessed today. Manipur has also faced same socio-political problems due to the growing number of outsiders, which led to the demand of introducing and practicing the Inner Line Regulation in the state.

For instance, recent riots that had taken place in Manipur was basically an indication to that extent, as it was caused by the outsider's problem in which the indigenous people demanded for introducing the Inner Line Regulation for the protection of indigenous people. These outsiders/illegal migration problems that were already faced by the other North East states certainly reveal the serious nature of North East states which are easy to be exploited, assimilated and destabilised.

From the prevailing situation of these North East states, it can be assumed that the unrestricted entry of outsiders would certainly open the easy way for exploitation and assimilation. For, due to the nature of small population and backwardness of these small minorities these communities cannot be protected. Since there was growing number of outsiders, the indigenous people gradually lost their chance and opportunity in many aspects which might lead to the process of losing identities.

If the people feel secure, then their development can be achieved according to their ability. Human security and protection need to be ensured for achieving development in the state. So, it can be understood from the position of some North East states that the Inner Line Regulation protected the indigenous people from losing their socio-economic opportunities which are extremely important for the survival of mankind. It preserves the indigenous rights and dignity which affects all the socio-economic and political development of the state.

Issues and present condition of ILR in the state

On 20th August 2015, the state Home Minister Lalzirliana replied to an unstarred question ask by opposition MLA Lalruatkima in the Mizoram Legislative Assembly Session that according to an estimate for the past five years (2010-2015 August) 5305 people who have entered the state without a valid Inner Line Permit have been evicted. Under the Bengal Eastern Frontier Regulation 1873 Section 3, about 22790 people were punished as per the law, and 22461 people were sent them back to their home states. From 2010 to 30th September 2015, about 62578 people lawfully issued the ILP in Mizoram. And, 598 foreign citizens have been arrested and deported over the past 5 years who had illegally entered into the state

of Mizoram.¹² According to the state government sources, there are 53 non-local (plain people) who had acquired the permanent trade license in Mizoram.¹³

There are a few arguments of Inner Line Regulation as against some provisions of the Indian Constitution, Part III of the Fundamental Rights.¹⁴ Of course, the Fundamental Rights guarantee civil rights of every Indian citizen and prevent the State from encroaching upon individual liberty and rights. The most common argument made in favor of the Fundamental Rights against the Inner Line Regulation is about Article 19 (1) sub clause (d), which reads as ‘All citizens shall have the right to move freely throughout the territory of India’.

But in the Article 19 (5) it is said, ‘Nothing in this sub clauses (d) - (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’.¹⁵ Thus, for Mizoram, this Inner Line Regulation does not stand against the Fundamental Rights of the Constitution (based on this Article 19) as the Inner Line Regulation was the existing law which was made by the then British Indian Government that was practiced from 1930 onwards. But the ILR does not support

¹² ‘Foreigner 500 chuang dan lovin Mizoramah; ILP nei lovin mi 5000 chuang Mizoramah (More than 500 illegal foreigner in Mizoram; more than 5000 who do not have valid ILP in Mizoram)’, *The Aizawl Post* (21, October 2015).

¹³ Vide No. P. 11050/1/06-DC(A)/215.

¹⁴ R.N. Prasad, ‘Inner Line Regulation and its Impact on development of North-Eastern States’ in R.K. Samanta (Ed) *Indias North East; The Process of Change and Development*, (New Delhi: B.R Publishing Corporation, 2002), p-98.

¹⁵ Durga Das Basu, *Introduction to the Constitution of India* (Gurgaon : Lexis Nexis, 2015), pp 110-111.

the principle of equality in the Article 14, as it discriminates the outsiders in favor of the indigenous people.

Thus, official enforcement of the ILR has been criticized by some people as there was no proper monitoring of the ILP holders. The main problem in the enforcement of ILP regulation is the unsatisfactory performance of the state government which led to the involvement of some non-state actors in the state. The activities of such NGOs are always criticized by the outsiders and even the local people as they are non-state actors, but the reason for this involvement is basically because of the weakness of the state government. Many times, the non-state actors find out those illegal migrants who did not have any valid ILP in the state.

Moreover, there is an issue of practicing the illegal trade by some outsiders who were engaged in benami trade by using Mizo names. Lack of understanding of the sponsorship and their responsibilities among the local people have also led to create some problems in the course of its enforcement. For instance, some workers/laborers sponsored by the local people for their private use had at times failed to send them back when they finished their jobs. This is one of the reasons why there are non-Mizos who did not have valid ILP, yet they are living in the state. Some NGOs, especially a few students' organizations have been detecting such illegal migrants who did not have any valid ILP. For instance, on 10th September 2015 the MSU has detected about 20 non-Mizo people who did not have the valid ILP.¹⁶ The NGOs were frequently checking the illegal immigrants

¹⁶ 'MSU in ILP nei lo 20 man chhuak (MSU evicted 20 illegal migrants who do not have valid ILP)' *Vanglaini* (September 11, 2015).

and they were always successful in detecting the outsiders who did not have any valid Inner Line Permit.

As a matter of fact, since 1930's, Mizoram continuously practiced this 'protective mechanism' for the preservation of indigenous tribals against any sort of demographic invasion. Preserving or protecting their identity has certainly contributed towards their existence, survival as a tribal community. As a small, weak, backward community always fears of its imposed assimilation certainly convinced the ideas of tribals about regulating or controlling their large scale influx.

The feelings of insecurity that made the tribals/minorities needing the special treatment and protective mechanisms have many different reasons which can be judged from a different perspective. The small and backwardness of the communities made them weak and disadvantaged against the larger tribes which could lead to some demographic imbalance when there was no regulation and control of such illegal immigration.

While the Inner Line Regulation is viewed by the Mizos and other minority people as a better protective mechanism it has on the other hand been criticized as discriminatory mechanism and also a hindrance to their economic development. The recent developments of Inner Line Regulation in different North East states has raised these questions and debates regarding its several other implications and relevance which are drawn from different perspectives.

While the indigenous tribals viewed the Inner Line Regulation as the protector of their opportunity and the reason for the development of local business and economy, some critics believed that the ILR was a hindrance to their economic development and it could be a reason for the backwardness in the state. Viewed in this backdrop, the Inner Line Regulation hampered the socio-economic progress and it is a formidable obstacle to the process of state building and national integration.¹⁷

Besides, some people believed that the regulation of free exchange of goods between the people of plains and hills hampered the trade relations between the states in the country.¹⁸ While the regulation of free movements has no doubt limited the chances of business growth and trade relations with outsiders, but at the same time, the Inner Line Regulation did not block the establishment of business of outsiders like Commercial bank, Investment company, Insurance company, Manufacturing Company, Marketing Company and Service company, which had lawfully established their business in the state.

In any case, the issue of Inner line Regulation has occupied an important chapter in the politics of North East and recent developments related to the ILR that had taken place in some of the North East states has certainly revived the issue. There was a demand for introduction of the Inner Line Regulation in the states like Meghalaya, Tripura, and Manipur, which was not granted by the Central government. The demand of Tripura for practicing the Inner Line Regulation has been rejected by the Central Government arguing that the present Act was enough

¹⁷ R.N. Prasad, *Op Cit.*, p-101.

¹⁸ Rajesh Verma, *Op Cit.*, p-159.

and sufficient to protect the local tribals and their lands. This implies that the Tripura has had enough protection for the indigenous tribals and their lands from their assimilation and exploitation by the non-tribals in the state.

Likewise, the Central government has rejected imposition of the Inner Line Regulation in Meghalaya, arguing that it would harm the state's economy as it was found to be unconstitutional.¹⁹ Further, Manipur has been demanding the imposition of Inner Line Permit System, which was resulted in the rise of violence and riots in their state. Yet, they continue to demand the ILP system for the preservation of indigenous tribe in their state.

In another North East State like Meghalaya which did not impose the ILP system has already witnessed more infrastructural development than the Mizoram that practiced it. At the same time, large scale number of outsiders has frightened many local people as it could damage their future development. In Tripura too, the indigenous people had already become minority groups. Thus, it can be said that they were overlapped by the non-indigenous people or they are being assimilated as on date. In Manipur also, indigenous people are worried about their future as they are in a possibility of near extinction in future generation.²⁰

Thus, it can be assumed that these recent developments proved the importance of Inner Line Regulation for the ethnic minorities and tribes in the region, as the ILR was expected to protect tribals from the exploitation of their language, culture and tradition and ethnic identity. From the view point of Central government, it might

¹⁹ 'Delhi says no to ILP in Meghalaya' *The Telegraph* (December 6, 2013).

²⁰ Dr. Irengbam Mohendra Singh, Indo-Mongoloid Metei face a Collosal threat of extinction. The first duty of Govt. is defence of its realm. *The Sangai Express* (June 16, 2015).

become a tool of regionalism which might become harmful for national integration. Regulating the movements of outsiders and isolating them from other states might protect their identity, culture and tradition, while weakening the sentiments of Indian nationalism. But for the tribals, it is not about its applicability and relevance as it is connected with their identity, protection and their survival as a distinct tribe.

To conclude, this Inner Line Regulation did not lose its relevance to tribal communities, instead it effectively prevents them from their assimilation by the other larger tribes. For them, preservation and security are matters of more concern than the economic development. Economic development is sometimes a tool of exploitation for the backward class which could be seen from the case of Chakma tribals. In fact the Chakma/Reangs are now treated as unwanted and discriminated people as they are regarded as illegal immigrants but the reason of their immigration was due to an economic pattern in Bangladesh, which made them as illegal immigrants. If an economic development does not meet the interests of the local tribals these can become a tool for exploitation of the tribals.

Due to their backwardness and insecurity, the Mizos need legal protection against their possible exploitation by the outsiders. In fact, culture and tradition, religion and language occupied an important place in their communitarian lifestyle. So the ILR occupied an important place in the minds of the Mizos and they prefer security and safety more than their economic development. They chose to live and develop according to their level of standards and their security is heavily dependent on the continuity of Inner Line Regulation in the state of Mizoram.

CHAPTER 4

IMPLICATIONS OF ILR

The issue of Inner Line Regulation has been revived nowadays as there are growing demands from some other states of North East India. Tribals and ethnic minorities viewed it as an effective tool to prevent the growing numbers of outsiders as the local communities feel insecure without enforcing the protective mechanism like the ILR in Mizoram. The demand for Inner Line Regulation has been traced in the roots of various socio-economic and political problems that were faced by the indigenous people against the outsiders.

While the indigenous minority people have commended the existence of ILR, but, on the other side, a few non-local persons have always criticized it as the British policy of divide and rule which has outlived its utility in this globalized world. And, thus the ILR has been accused of being parochial and found to be as an obstacle to the process of national integration and economic development in Mizoram. For the mainland Indians, the ILR appears as merely a discriminatory mechanism which would strengthen the feeling of otherness as it discriminated them by regulating their free movements to the state.

Thus, for a better understanding of the Inner Line Regulation and its contribution towards various developmental dimensions of the local communities it is important to be acquainted with its implications in the state. While some of the implications are of positive nature, some other implications have been considered to be negative as these affect the socio-economic development of the state very badly.

Positive effects of ILR in Mizoram

In any case, the Inner Line Regulation has been attributed as one of the main reasons that had ensured the very survival of the Mizo tribes so far. This sort of ‘isolationist policy’ of the British India had certainly protected the backward tribes of Mizos from the external manipulation by the plain people in the country. It can be understood that if the ILR was not introduced in the Lushai Hills even during the British period, the backward tribals of the Lushais would have been assimilated by the plain peoples long ago.

Their economic backwardness due to lack of proper knowledge and their low population size would have made them easily exploitable in the region. The tribals are physically and mentally weaker than the plain people, but this Inner Line Regulation protected the Mizos from any sort of imposed assimilation even though they were to be easily dominated peoples.

The Inner Line Regulation was the main reason why Mizoram had avoided the demographic invasion and as a result of which they had escaped the outsiders’ problems in terms of politics, society and economy. Before the practice of ILR in the Lushai Hills, migration problems from both the Bengali and Nepali regions had already been there discernible, this had actually led to the introduction of ILR in the state.

During the time when the Lushais were seen to be more backward than what it is their present condition, they lacked needed awareness in business and trade as their

main occupation was dependent solely on the cultivation of shifting (jhum) nature. So, they would have been easily exploited by the outsiders if the ILR was not practiced in the state. Thus, the Inner Line Regulation was established for the purpose of providing security to the insecure people like the Mizos, and thereby it established their supremacy over the outsider people.

ILR protected Mizoram from demographic invasion

The very reason why the Mizos wanted to practice the Inner Line Regulation was about the protection of indigenous people from the demographic invasion by the outsiders. According to an estimate, in Sikkim, the indigenous peoples of Lepcha now constitute only 13% of the total population, while the Nepali migrants constitute 67% in the total population of the state.¹ In Tripura, the indigenous people constitute only about 31.82% whereas the Hindu Bengali percentage is as high as 60% of the state population.² Similarly, the state of Assam had recorded the highest decadal increase in the Muslim population from 30.9% in 2001 to 34.2% in 2011,³ which make them fear of the ongoing demographic invasion. Every North Eastern state had faced such outsider's problems and even India faced it especially from its neighboring countries like Bangladesh and Myanmar. But the small and backward state like Mizoram needs special protection for its very survival as a distinct tribe.

As a result of practicing the ILR, Mizoram avoided the possible demographic invasion as some other minorities had faced it over the years. Since the Inner Line Regulation controls the free movement of outsiders in Mizoram, indigenous people

¹ <http://www.bharatonline.com>. Retrieved on 25.11.2015.

² <http://www.tripura.org.in>. Retrieved on 24.11.2015.

³ <http://www.hindustantimes.com/india/census>. Retrieved on 24.11.2015.

became a majority population and thus they had enjoyed almost all the job and business opportunities whether in terms of economy or otherwise. The nature of their small population made them disadvantageous community and thus they would have become prone to exploitation without proper protection. The main reason why the indigenous tribals are majority people and the low number of non-indigenous population is certainly due to the practice ILR as it prevented their illegal influx into Mizoram.

Table 1.1 Comparative Status of North East

States	Population(as per Census 2011)	Area(Sq Km)	Percentage All India		Person(per Sq Km)
			Population	Area	
Arunachal Pradesh	1382611	83743	0.11%	2.54%	16.51
Assam	3,11,69,272	78438	2.57%	2.38%	397.37
Manipur	2721756	22327	0.22%	0.67%	122.17
Meghalaya	2964007	22429	0.24%	0.68%	132.15
Mizoram	1091014	21081	0.09%	0.64%	51.75
Nagaland	1980602	16579	0.16%	0.50%	119.46
Sikkim	6,07,688	7096	0.05%	0.21%	85.63
Tripura	36,17,032	10486	0.29%	0.31%	344.93
Total NE	4,55,33,982	262179	3.07%	7.97%	173.67
All India	121,00,00,000	32,87,263			374.17

Source: Government of India, Ministry of Home Affairs. Retrieved on 22.11.2015.

From the above table, it can be understood that the practice of Inner Line Regulation had protected from the possible demographic invasion as it maintains the local population in the state. The three North East states that are practicing ILR in the region have maintained population status compared to those states that did not practice it. For the minorities like Mizos, the ILR greatly protected the indigenous people from demographic invasion and as a result, indigenous people constitute majority population today.

ILR made it a homogenous society

Control of illegal migration and making proper entrance made the homogeneous society like the Mizo and their integrity in Mizoram.⁴ In Mizoram, Schedule Tribes constitutes 94.5% having the highest proportion of Schedule Tribe in the Indian states.⁵ Since the indigenous peoples are a majority population, their social norms and values are encouraged under the guidance and influence of the local people. Due to its unique character of non-mixing population there resulted in a situation of social solidarity and integrity in the state. Usually, any society and its values are created by the local people according to their customs and culture and thereby emphasizing their originality, which helped to build their solidarity and integrity among them. The general perception and dominant attitude has been influenced by the Mizo sentiments.

Controlling the illegal migration has made the Mizo society a very homogenous and integrated one. For example, the local in the present Mizo society, people simply follow social instructions and traditional practices under the guidance of Young Mizo Association (YMA). Also, social customs and traditional practices have commonly been followed by the indigenous people as a result of their total integration in the state. Obviously, the ILR limits the influence of external factors, which might have contributed to the process of disintegration of the Mizo society.

⁴ Interview with J.V. Hluna on 17th October, 2015.

⁵ Govt.of India. Ministry of Home Affairs, Office of the Registrar General & Census Commissioner India. <http://www.censusindia.gov.in>. Retrieved on 23.11.2015.

Racial Issues

Moreover, the regulation of free movement and control of illegal migration has also made them to be a community of racial spotlessness and thus there is an element of pride being noticed among the Mizos. According to an Ex-MLA, 'ILR created racial purity and Mizo pride which is extremely important for tribal minorities like Mizo'.⁶ Due to the practice of Inner Line Regulation in the Mizoram, the people are considered racially pure and thus their inter-racial marriages are hardly seen in the society.

Further, the ILR helped the local peoples to acclaim their originality and distinct identity. It helped them to value their original nature and that was marked by their distinctive character. Less interaction with different racial people prevented the possibility of inter-racial marriages, which made it a racial purity community for being maintained as an example for the future generations. It makes a case for a 'Mizo pride', among the indigenous people by approving their uniqueness and let them feel superior within their state. As a result of practicing the ILR in the state, the possible inter-racial marriages have also been avoided to a great extent, which is extremely necessary for the ethnic minorities like the Mizos in their future endeavors.

Indigenous culture and tradition are protected

Besides, the Inner Line Regulation has certainly protected the Mizo distinct identity by protecting their indigenous culture and traditional practices. Thus, the Inner Line Regulation is considered as the main foundation for the survival of

⁶ Interview with Dr. Kenneth Chawngliana (Ex-MLA) on 11th October, 2015.

Mizos as a distinct tribe.⁷ After the British left India, the Mizos got the opportunity of protecting their distinct identity due to the existence of the Inner Line Regulation in the state.

Evidently, the Inner Line Regulation has protected the Mizo culture and tradition and it is the precise reason why the Mizos were not assimilated by the plain people, as is the case with other states in the region.⁸ By regulating the outsiders' movements the ILR has greatly contributed in preserving the indigenous culture and tradition. For, it controlled their large scale influx into the state of Mizoram which clearly helped in the Mizos to inculcate their culture, and tradition into the state.

Moreover, the Christian religion is one of the most important factors which had always determined the socio-cultural attitudes of Mizos in the state, as it is observed in this study. Almost all the respondents of this study have held that the Inner Line Regulation was extremely important for the Mizos to protect their religious interests. People believed that as India is Hindu dominated country, Christianity needs to be protected from their exploitation of other dominant religions in the country. Incidentally, there appeared a strong feeling for fear of assimilation in terms of religious domination in the state.

Although there are different large cultures and traditions enclosed by the Mizos, like Hindu culture in mainland India, Buddhism and Islam in Myanmar and Bangladesh (even though they are different countries, having Mizoram as their international boundary), they did not have much influence in the Mizo society.

⁷Interview with K. Vanlalvena, President MNYF on 24th September, 2015.

⁸Questionnaire replied by Lalmuanpuia Punte, President ZNP Thalai Pawl on 14th October, 2015.

And, there are hardly any larger tribes in the region that could make an effective influence in Mizoram. As a result of their less interaction with outsiders, indigenous tradition and culture seem to be protected better in the state.

According to the 2011 census, 87.16% of the state population belonged to the Christianity in Mizoram,⁹ and it was believed that all the Mizos are Christians. So, the ILR protected the indigenous religion by limiting their external influence of the other religions which could have encountered the tribal religion. Mixing population does not only mean ‘personal affair’, but it would also bring about the culture, religion, traditions of different peoples.

Thus, the Inner Line Regulation has protected not only their culture and tradition, but also their tribal customary laws. As a result of practicing the ILR, the Mizos continuously followed their same old methods and practices as well as their spirit and values that were influenced by the Mizo customs and traditions. Consequently, the ILR acted as the main protector of their indigenous culture, tradition, religion, which were described as their identity as a distinct tribe.

It helped establishing society clean and healthy

In fact, regulation of people’s free movements not only prevents illegal migration but it also prevents the dangerous and unscrupulous citizens coming into the state. As Mizoram is strategically positioned in the international boundary, between India and Bangladesh and that with Myanmar, it has always been faced with illegal practices from the foreign immigrants. But fortunately as a result of controlling the illegal migrants and characters into the state, a few illegal practices like the

⁹ <http://www.census2011.co.in>Home>Religion>. Retrieved on 26.11.2015.

smuggling, drug addiction, and criminal acts are less perceived from plain peoples in the state.

Thus, the ILR has made an impact on these outsiders from across the borders and their illegal activities as they are under the careful watch and thus they try to be a good citizen in the state. The Inner Line Regulation filters bad citizens who could be dangerous and harmful for the Mizo society. Thus, the ILR is claimed as one of the main reasons why there are less cases of illegal business like drugs, arms and ammunitions from the plain people.

Besides, the control of illegal migration also makes it easy to detect the criminal activities and thereby to ensure maintaining law enforcement agencies effectively so as to benefit the state government.¹⁰ Obviously, the state population without having heavy number of outsiders certainly helped to create a healthy environment in the society, which ultimately contributed towards making the Mizo society clean and very peaceful. In other words, the Inner Line Regulation filters the entry of both necessary and unnecessary persons into the state and as a result of which the Mizo society has been witnessing social harmony and lasting peace in the state.

Some Limitations of ILR

Although the Inner Line Regulation has safeguarded the tribals in many ways it does suffer from many criticisms which make it controversial over the years. Regarding the practice of ILR, there are many critics who accused it as a source of underdevelopment and harmful for national integration. From the regional

¹⁰Interview with Lalchungnunga, Addl. D.C. Aizawl on 7th October, 2015.

perspective, the ILR works as a protector against assimilation from outsiders and it safeguarded the indigenous tribals and their identity from exploitation, whereas from the national perspective, it endangered the national integration by encouraging regional sentiments. Also, there are others who considered its isolation from the outsiders through the defensive mechanism like ILR as barbaric and obscurantist in the globalized world. Therefore, it needs to study the limitations of ILR for a better understanding of its nature and implications in the state.

It generated regionalism

The Inner Line Regulation is related to the identity of the people and identified with or identity politics. The Mizo regionalism has its roots traced in their identity and as a result, the local people acclaimed their distinctiveness as a tribe. Local people believed that the regional feeling is necessary for ethnic minorities like the Mizos, for their survival as a distinct tribe. Due to their fear of assimilation, the Mizo culture and tradition are extremely commended and thus the people had tried to ignore other cultures and traditions as they viewed them as dangerous to their own. According to an eminent political leader, regional feeling is necessary for the Mizo tribes for their survival but this sort of regionalism could not imply violence and separatism in any way.¹¹

Of course, the Mizo regionalism did not necessarily indicate any separatist movements as the Mizoram had faced before. This sort of regional feeling was generated by their insecurity from the outsiders. Due to their insecurity from

¹¹Interview with Dr. Kenneth Chawngliana, Ex-MLA on 11th October, 2015.

outsiders and economic backwardness, the Mizos extremely praised their distinct nature and thus they believed their regionalism as an important feature of their survival. In fact, the local people believed that if the Mizos had lost their regional feelings, they would have been eventually in their way of extinction.

At the same time, this sort of Mizo regionalism gradually changed its extremist nature and separatist tendencies which was the order of the day earlier. Thus, the Inner Line Regulation was not considered harmful for promoting the national integration as there was no isolationist tendencies as was the case before and the local people could still have broad outlook in spite of the practice of ILR in the present globalized world.¹²

Further, practicing the Inner Line Regulation might limit the growth of Indian national sentiments and other Indian culture and tradition to some extent, but that did not have much influence on Mizo society, interestingly. Yet, at the same time, absence of free movement for the outsiders had certainly made a distinction or discrimination between peoples in the state. It made a division between the local people and the outsiders. In other words, it limited the growth of brotherhood between the indigenous people and those of the plains by making different treatment of the latter. Even inside the state, it made a distinction in the minds and hearts of the people internally and thus the outsiders were treated as strangers who could hardly make the outsiders feel at home. Likewise, the Mizo people also did

¹² Interview with Prof. Lalnuntluanga of MZU on 21st October, 2015.

not feel at home on numerous occasions when it comes to the Mainland India and they lacked confidence in the outsiders.¹³

Thus, it made the internal misunderstanding and confusion between the relationship of plain people and local people. By showing discriminatory treatment towards the fellow Indian citizens, the Mizos created some confusion regarding the other Indian states. This sort of discriminatory treatment hindered the growth of mutual understanding and national integrity especially for outsiders. And, it did give both the outsiders as well as indigenous people the feeling of separation or otherness, rather than promoting equality and mutual friendship in the state.

It makes unlawful activities

For the effective enforcement of the Inner Line Regulation in Mizoram, some NGOs like the Mizo Zirlai Pawl (MZP), the Young Mizo Association (YMA), and the Mizo Students Union (MSU) had been working actively to check and monitor the Inner Line Permit holders in the state. These civil societies were very strong and influential in the Mizo society. Especially, the YMA is one of the most influential organizations in the state. Many times, these NGOs particularly the MZP and the MSU identified illegal migrants who did not have any valid ILP in the state. They paid attention in the enforcement of ILR and they were the active groups who made the ILR effective to a great extent. But, from the legal point of view, these involvements and activities of NGOs in the course of enforcement of ILR was unjust and illegitimate as it could make unfavorable consequences in the state and outside in the region.

¹³ Interview with J.V. Hluna on 17th October, 2015.

For long, the state of Mizoram had been witnessing the problems about foreigners and outsiders, which sometimes became social problems between the indigenous and non-indigenous peoples in the state. When there were a few social problems in relation to the outsiders as were raised in the state, some of the civil societies became more active than the government.

On 11th August 2011, the Central Young Mizo Association (CYMA) had made a public announcement and issued a ‘quit Mizoram’ notice to the non-Mizo traders who were engaged in the illegal practices in Mizoram. The President of the CYMA, Lalchungnunga, had criticised that there were non-Mizo traders who had been practicing certain unregistered trades, and those were the non-Mizo traders who used the Mizo names on some occasions.¹⁴ On 10th April 2013, the Central Coordination Committee (CCC), the highest Committee of the CYMA, decided to have mass inspection by every YMA branches to strictly inspect the outsiders in the state as there were many outsiders who lived in the state with certain fake Inner Line Permits.¹⁵

The former president of the Mizo Zirlai Pawl (MZP), James Thanghmingmawia, had once said that there were many non-Mizo traders who were engaged with the benami trade transactions. He also said that it seemed like that there was no one who monitored properly the conditions of outsiders whether they were legal or

¹⁴ ‘CYMA-in Mizo hming hawh Vai sumdawngte a ko khawm; An Sumdawwna titawp turin a hriattir (CYMA call non-Mizo traders who used Mizo names; They inform to stop their business)’. *Vanglaini*, (August 11, 2011).

¹⁵ ‘YMA branch-te’n a rualin ILP endik dawn (YMA branches are plan to conduct mass inspection on ILP)’. *Vanglaini*, (April 11, 2013).

illegal migrants in the state.¹⁶ From the gathering of views of different respondents and their ideas on the subject, it could be understood that the local NGOs inevitably involved in that issue and social force was indispensable for the betterment of the Mizo society in the state.

The state government had ordered the police department to pay surprise visits and make the checking and monitoring on the activities of the outsiders so as to make the ILP system effective. But the concerned department did not perform in any better way so as to meet the demand of some civil societies which led them to involve themselves in the enforcement of Inner Line Regulation. Many times, these Civil Societies had tried to detect the illegal migrants who did not have valid permission to work in the state.

Obviously, these NGOs inevitably involved, as part of to their social responsibility, since the government did not perform its legal responsibility effectively. If the state government had effectively enforced this official system, then perhaps, the civil societies would not have involved in any sort of unlawful activities in this regard. The activities of such non-state actors towards the outsiders revealed the weaknesses of the state government in the case of law enforcement activities. Thus the activities of these non-state actors in general had certainly frightened the non-local people in the state.

Incidentally, the consequences of such activities or undue interference of the NGOs in the enforcement of ILR was recently exposed as when the joint

¹⁶Interview with James Thangmingmawia Ex-President MZP & Chairman MPCC Media Department, on 29th September, 2015.

organizations of Cachar district of Assam had protested against the activities of these NGOs, particularly the MZP in Mizoram. For instance, the protest was conducted by different organizations of the Cachar District by blocking the national highway-54 and 154 in Lailapur and Ramnathpur respectively which was the main road towards Mizoram that was made use of mostly for collecting material needs. They criticized the involvement and harassment made by such unauthorized groups for inspecting or checking the non-Mizo merchants and made problems for them.¹⁷ Thus, the protest actions that were made by the joint organizations in Cachar were an inevitable outcome of the activities of NGOs in Mizoram as they were not the legitimate authority in any manner.

Way back in 2008, an interim order was issued by the Guwahati High Court Division Bench that directed the government of Mizoram not to arrest or deport any Indian national from outside the state under the Inner Line Permit regulation. This interim order was issued on June 13, 2008, following a Public Interest Litigation (PIL) filed by the North East Plain's People Traders and Youth Federation (NEPPTYF), which claimed that the ILP stood in the way of their right to freely trade in Mizoram which was against the Indian Constitution.¹⁸ The petitioners also alleged that non-Mizo businessmen were harassed by the MZP and the YMA at the inter-state check gate on the Assam-Mizoram border, and thereby warning them that those found entering the Mizoram without the ILPs would be arrested.¹⁹

¹⁷ 'Mizorama thil tih demin Assam-ah kawngzawh (Rally in Assam as an objection of the activities in Mizoram)', *Vanglaini*, (April 28, 2015).

¹⁸ 'High Court-in ILP a khuahkhirh; ILP nei lo man theih ani dawn tawh lo (Those who do not have valid ILP could not evict as the High Court prohibits ILP)', *Vanglaini*, (June 19, 2008).

¹⁹ 'Mizoram Protests Gauhati High Court interim order on Inner Line Permit', *The Indian Express* (June 27, 2008).

Evidently, the main problem in the enforcement of ILP regulation was due to the unsatisfactory performance of the state government which led to the involvement of such non-state actors. These NGOs became active looking after the illegal migrants as the government did not effectively check the activities and conditions of outsiders. The activities of such NGOs were always criticized by the outsiders and even by the local people as they were merely non-state actors though the reason of this involvement was basically due to the weakness of the state government. As a result, the ILR is found to be mishandled by making unlawful activities in the state, and if the NGO activities were not organized under proper discipline it could be harmful for both the local and non-local communities and their relationships could destroy communal harmony in the long run.

Communication problems

Due to less interaction with the mainland Indians, as the Mizos look weak in Hindi language, for instance, and thus faced with the communication problems. As a result of lack of proper less interaction with the outsiders, the Hindi language was not used in the state and the local people had faced several problems whenever they visit the mainland India due to their weakness in Hindi. For Example, almost all the shopkeepers, workers who needed to deal with the local people could communicate with their broken Mizo language, which means the Mizos can communicate with outsiders in their local language. So, a local person does not need to use other language than their own because they could communicate with almost every outsider in the Mizo language. Thus, as a result of less interaction

with the outsiders local people became weak in Hindi language and thus they had faced such communication problems in the Mainland India.

ILR limits the growth of trade relations with outsiders

Further, the Inner Line Regulation seems to have protected the local people and their business interests in terms of trade and economy as their business opportunities are safeguarded. Local businesses are controlled by the local people who had greatly contributed towards their economic development. But regulating the free movements of outsiders certainly limits the growth of trade and business relationship with the other states, which is an important step for promoting the economic development in the state. It is true that the Mizoram was a backward state and around 70% population was dependent on agriculture alone. Lack of major and minor industries and needed infrastructure added to the critical conditions of the state, which are badly necessary for the development of the state. To establish some industries or business companies, whether in private or public sectors, the basic important thing needed is capital. But Mizoram does not have any sufficient capital to establish these developmental ventures in the state.

In any case, practicing the ILR did not totally block all the economic activities of the outsiders, as such people could still come and establish their business ventures in Mizoram. However, as long as it blocks the free movements of the outsiders it might hardly be discouraged to the potential entrepreneurs and capitalists who could do any sort of business investment in the state. Besides the remoteness and backwardness, its nature of low population is an important factor for determining commercial success in the state. If it did not meet the interest of outsiders to establish big business, then there was no question of Inner Line Regulation. So, if

Mizoram has little chance and ability even without the ILP system, then the practicing ILP system might decrease the interest of outsiders/mainlanders to establish their business ventures in the state.

Meanwhile, less interaction with outsiders might also create less competitive spirit among the local people. There are also some local people who misused their responsibilities and positions of power which had certainly created many problems in the enforcement of the ILR. Some local people who sponsored the outsiders and misused the Inner Line Permit just for the sake of making of personal money, and this kind of cases also happened occasionally in the state.²⁰ As a result, there are cases wherein outsiders practiced certain unregistered trades and their sponsors did not pay any attention to them.

Relevant Issues and possible challenges

Tourism

In 2013, the cases of some non-Indian citizens were permitted to visit certain parts of India, including Mizoram were removed by the Central government to boost tourism and its related revenues. The Foreigners (Protected Areas) Order 1958 that was practiced for more than 50 years had been removed in Mizoram, Nagaland and Manipur states by the Central government for promoting free movements of foreign tourists with the exception of those from Afghanistan, China, Pakistan, Myanmar.

Similarly, the Restricted Area Permit has been removed in view of boosting the tourism industry in these North East states as such permits had discouraged the

²⁰Interview with Lalchungnunga, Addl. D.C. Aizawl on 7th October, 2015.

foreign nationals to explore these isolated areas. Thus, the Inner Line Regulation might face some problems in the future as it blocked the free movements of other Indian citizens, for the purpose of tourism. For the promotion of tourism in Mizoram, the central government might change or lift the Inner Line Regulation in future just like as it removed the Restricted Area Permit, perhaps.

In 2007, the three opposition parties in the state, the Mizoram Pradesh Congress Committee (MPCC), Zoram Nationalist Party (ZNP) and Mizo People's Conference (MPC) had submitted a joint memorandum to the Central Home Ministry on account of their opposition to the lifting of both ILR and RAP. As they believed that the government was trying to lift the Inner Line Regulation.²¹ But the state government had said it was considering relaxation of the ILR/RAP to boost the tourism industry in Mizoram since there were big hurdles against tourists from visiting Mizoram. Absence of free movements for the Indian citizen might discourage the outsiders to explore the state and visit its tourist spots. And due to that, the Inner Line Regulation might be in danger in the future, as was felt by some respondents during the course of this study.

Railways

The Railway line between the Silchar-Sairang roads has been designed towards making for the easy access of people and goods and thereby to the development of Mizoram. When the railway service was opened in Arunachal Pradesh, a month after the introduction of the passenger train service in April 2014, and its services

²¹ 'Party pathumin Home Ministry-ah ILR chungchangah lehkha an thawn (three party sent a letter to the Home Ministry regarding ILR)', *Vanglaini*, (June 13, 2007).

were suspended due to the ILP issues. There was a protest and local people feared it as it would open massive entry of non-local people, which would be dangerous for their identity.²² Mizoram is also in a position of facing this kind of problems based on the attitude of the local people. In fact, opening the railways would surely make it easy access and regulating free movements through the ILP might be harder than before. It will need systematic arrangement and preparations for issuing the ILP in order to prevent illegal migration thereafter in the state.

Mizoram has already had the Aero plane (flight) service which also makes easy access for the outsiders to gain entry into the state. But persons who could afford to this facility were mostly the 'haves' and who were not searching for jobs and sustainable living in the state. Most of the outsiders living in the state were those belonging to people who were searching for ordinary jobs and in low-level professions. Thus, opening the railways will make it easy access for the outsiders who wanted to search for jobs in the state and it might be harder than before to enforce the Inner Line Permit system effectively in the state. There could be some changes and it might become difficult as there were some problems in the state if the government had not enforced this Inner Line Permit system systematically.

Concluding Remarks

As was already observed the Inner Line Regulation was created by the British India government under the Bengal Eastern Frontier Regulation 1873. After the British left India, the Central government respected its sanctity and importance for the ethnic minorities, and thus the Inner Line Regulation was continuously practiced by Mizoram, Nagaland and Arunachal Pradesh. But if this Inner Line

²² David Gao, Railways and the issues of Inner Line Permit in Arunachal Pradesh (Economic and Political Weekly, Vol-L No. 8, February 21, 2015).

Regulation had promoted separatist tendency, which could destroy national integration, it will need to be abolished for the security of the nation. The state government should be careful in its enforcement as it can destroy communal harmony. If the state government does not systematically practice this system, the Inner Line Regulation needs to be abolished for the growth of national integration.

In fact, the Inner Line Regulation does not only indicate the prohibition of illegal migration, it has rooted in social, economic and political activities in the state. The mizo people believed that the ILR was the main reason why Mizos were not assimilated by the plain peoples so far in the state. Tribals and ethnic minorities like the Mizos have had no confidence in the growth and development, without any special treatment and protection towards the locals. The feeling of insecurity and fear of outsiders due to their backwardness made them wanting to practice the ILR in the state.

Besides, the experiences of other minorities made an impact in the minds of the Mizos as they regarded the Inner Line Regulation as the only way for the overcoming the outsider problems in the state. In any case, fast economic development is not necessary as it could create problems for the local minorities like the Mizos. The local people believed that their safety and security was more important than their economic development for minorities as they were easily exploitable by the advanced people.

Further, the culture and tradition also occupied an important place in the tribal society as they viewed it as the definition of their distinctiveness. The Inner Line

Regulation is an important mechanism for the protection of tribal culture and tradition. These local people believed that the free movement of the outsiders would rapidly change the local environment and thus the Mizo culture and tradition would be exploited at once. But as a result of practicing the ILR in the state, the Mizo culture and tradition could be safeguarded.

On the other hand, the Inner Line Regulation had certainly created a feeling of distinction between the local and non-local peoples as a result of making different treatments towards the outsiders, due to the practice of ILR in the state. But, the lifting of ILR will surely result in a social and cultural crisis in view of the Mizo attitude and their living conditions. So, it needs more time to make them feel secure without protective mechanism and the local people also need to grow and adjust according to the changing circumstances in order to survive without special treatment.

Mizoram had experienced the age old insurgency for about twenty years under the leadership of Laldenga. The experiences of Mizoram will have an impact in the minds of outsiders as a result of separatist movement. From the central government perspective, it might be easy to think that the Mizo regionalism as separatist tendency was harmful for national integration. For the Indian nationals, regionalism and discrimination are a few obstacles towards the process of nation building which could destroy the country's integrity. The national integration is a necessary condition for development of any society. Disintegration and violence always hinder the growth of national development and it threatens the security and

safety of the people. For the achievement of development, peace and integrity are prerequisite conditions in the state and outside in the country.

In the meanwhile, the Mizo regionalism had been regarded by the Mizo people as necessary element for their very survival. From the gathering of primary data, it was found out that the Mizo regionalism was generated by their insecurity towards the outsiders. Due to their fear of exploitation, their culture and tradition are extremely distinct that were praised, they believed that regionalism alone could save them from exploitation. And, if this regionalism was lost, it would eventually lead to their extinction as a tribe. Fear of losing their ethnic identity and assimilation contributed to the growth of regional feeling in the Mizo community.

Anywhere, the minorities and backward people need some protection as they are vulnerable and easily exploited. But, too much emphasis or extremist attitude also destroys the brotherhood relations between the peoples. The local/indigenous people need to adopt a broader outlook so as to promote the cordial relationship between the local and non-local people. If the local people solely depend on the ILR for their survival in the future, there will be a problem for them. In this globalized world when there are more and more interconnections with the outside world, there will be a time when Mizoram has to face the outside world with the ongoing process like the India's Act East policy, there will be more interconnection and interdependence with the outside world in future.

Thus, peaceful co-existence is an important condition for the development of any country including India. Of course, the tribal and ethnic minorities like the Mizos

are different than the advanced plain peoples. Their culture and tradition as well as their customary laws are distinct from the mainland India. This distinctiveness drives them to have their prevalent attitude and exploitation of their distinct identity appears to be their biggest fear. So, for the achievement of peaceful co-existence, understanding and tolerance it is critically important. Of course, India is a diverse country wherein different diverse identities can live together. The very reason why India preserved peaceful co-existence is due to its mutual tolerance. India's greatness lies in its tolerance towards different religions, culture, identities. If this spirit of tolerance is destroyed, then there will be communal violence and disintegration.

Lastly, if the Inner Line Regulation is relaxed or abolished, the local tribals would sharply react as they were heavily dependent upon this protective mechanism. But if this ILR is used as a tool of disintegration, it will destroy the Centre-State relationship. Thus the state government then needs to enforce this mechanism carefully in order to avoid any other problems in the future. If this ILR is used as a tool of disintegration it will need to be abolished in the future. But if the state government enforces this mechanism carefully and systematically, the Inner Line Regulation will not go against communal harmony and national integration in any way.

CHAPTER 5

CONCLUSION

At the outset, as part of the conclusion, the main objectives of the study have been studied and a few paragraphs have been included in this section a summary of the study findings. These help one to understand the concept and significance of the Inner Line Regulation in Mizoram. Besides, the present research is conducted to examine the relevance and implications of the Inner Line Regulation in the state development. To find out all these issues, interview schedule was conducted mainly in Aizawl during the period of August-October 2015. Primary and secondary data are carefully analyzed to draw certain conclusions of the study.

The British administration in the North East India had officially begun in 1826 but before the occupation of Assam in 1826, the British had already recognized about the information of Assam trade when Lord Hastings began his administration of Bengal in April 1772. Therefore when the British occupied Assam, the tea plantation became one of the most flourishing economic resources and thus they gave special attention to it. Consequently, the British started their business in the Assam valley when they occupied Assam. But the expansion of tea cultivation on the foot hills of the hill tribes caused friction between the tea planters and the hill tribes.

The British felt it necessary to adopt a policy to bring under more stringent control of the commercial relations of the British subjects with the frontier tribes living on the borders of their jurisdiction. Hence, the Bengal Eastern Frontier Regulation of

1873, also known as Inner Line Regulation, was introduced for the protection of British economy in Assam, against the exploitation of frontier tribes. It was practiced in the southern frontiers of Assam from 1st November 1873 and certain rules were laid down regarding the trade and about the possession of land beyond the line.

The initial objective of the ILR was meant to curb the activities of tribals in the plains so that the British economy in Assam could be protected. Later on, it was realized that the Lushai Hills needed to be protected from the outsiders' exploitation. Consequently, the Inner Line Regulation was extended to the Lushai Hills on 28th August 1930. When the Inner Line Regulation was introduced in Lushai Hills, it was effectively used for the protection of Lushais against the exploitation of plains.

The Inner Line Regulation has been occupying an important place in the hearts of the Mizos as they viewed it as their protector from the advanced tribes. The British protectionist policy was viewed by them as a blessing in disguise, and also as a main reason for their survival as a distinct tribe against the advanced people. The feeling of insecurity from the outsiders made them fear of their assimilation and by the demographic invasion. Due to their economic backwardness, besides the sense of being minority as an ethnic group had greatly contributed for their insecurity and fear towards the outsiders.

During the years of 2010-2015, 62578 Inner Line Permits were issued in Mizoram and 5305 illegal migrants who did not have any valid Inner Line Permit were evicted. And, 22790 people who had entered the state in breach of the Inner Line Permit were punished as per law and 22461 people were sent back to their home states.¹ According to the state government sources, there are 53 non-Mizos (plain people) who had acquired the permanent trade licenses in Mizoram.² The state government has been practicing this mechanism to evict the illegal migrants in the state and some Non-Governmental Organizations were actively participating in the implementation of the Inner Line Regulation in Mizoram.

Further, the Inner Line Regulation gives the needed opportunity to the local people in business, employment, and trade as well as it preserves the indigenous culture, tradition, language and religion. In other words, it served as the protector of indigenous culture and tradition from the exploitation of plain people. Due to the regulation of free movement, most of the manual workers, businessmen, and shop owners though belonged to the indigenous people, the local people enjoyed their employment opportunities.

Moreover, the Inner Line Regulation also protected the indigenous people's opportunity in politics. It protected the local people to enjoy their political opportunities. As a result of practicing the Inner Line Regulation, all the Member of Legislative Assembly (MLA), politicians, contractors, continued to be only local people. Absence of outsiders in the political activities was responsible for

¹ 'Foreigner 500 chuang dan loin Mizoramah; ILP nei lovin mi 5000 chuang Mizoramah (More than 500 illegal foreigner in Mizoram; more than 5000 who do not have valid ILP in Mizoram), *The Aizawl Post* (21, October 2015).

² Vide No. P. 11050/1/06-DC(A)/215.

maintaining the state political system and also to ensure free and fair elections in the state. Avoiding illegal migration into the state had certainly helped to establish a homogeneous society, which contributed a great deal in advancing peace and integrity in the state. The mizo society and its traditional norms were protected under the influence of the indigenous culture and tradition.

Further, the Inner Line Regulation sheltered the Mizos from the possible threat of assimilation and they still constituted majority population whereby society norms and practices were influenced by the indigenous people. The question of being ‘majority’ was important in the tribal society as being the ‘minority’ in their own state was their biggest fear which would have led to their assimilation. Regulating the free movements also prevents the state from unhealthy business practices and undesirable person. It filters the person and business which greatly contributed in the state’s security and peace. It has made it easier to detect crime and unlawful activities for the state government as a result of low population.

In a way, the Inner Line Regulation protected the Mizo culture and tradition by limiting external influences. Meanwhile, religion is an important factor in the Mizo society which determined the attitudes of the Mizos. From the collection of primary data it is found out that the Inner Line Regulation was extremely important for the protection of their religion of Christianity. As there were major religions like Hindu, Muslim and Buddhist, enclosed the Mizos, there emerged a fear of exploitation on the grounds of religion.

While the Inner Line Regulation was regarded by the Mizos as a blessing in disguise, and the viable means of their survival, it has also some limitations which made it a controversy among the local people. Local people generally acclaimed the existence of this Inner Line Regulation and its negative impacts or limitations that were hardly accessible from the primary source of information. But there were many criticisms on the issue of ILR and some critics argued that ILR was the main reason for their economic backwardness in the state.

From the primary source, it has been found out that the limitations of ILR was that it created some unlawful activities in the state due to the effect of the bad performance of the state government. The unlawful activities that were organized by the local NGOs were mainly due to their concern about the effectiveness of ILR and its implementation in the state. It is also found out that due to the un-mixing population and less exposure, there might be less competitive spirit among the Mizos. When the ILR could protect the opportunity of local people in terms of employment and business it somehow might limit the growth of trade relations with the outsiders. Thus, regulating free movement might discourage the capitalist and commercial entrepreneurs to establish needed business and investments in the state.

In fact, the Inner Line Regulation was considered a discriminatory mechanism as it made a distinction between the indigenous and non-indigenous peoples in the state. Thus, it did not promote brotherhood as the non-local people were treated as strangers. It generated a regional feeling which limited the growth of national feeling by encouraging and emphasizing on the regional culture and their ethnic

identities. And, the ILR was already related to regionalism, territoriality as it stands for protection of indigenous culture and tradition, religion and language from the possible exploitation by the outsiders. But this sort of regionalism does not necessarily promote the separatist movements as Mizoram had witnessed long before.

Further, the Tourist industry and Railway lines which are an ongoing process of economic developments in the state might create a few problems in the state or they might face such problems in the near future. If the state government did not enforce the Inner Line Regulation systematically it could be less effective in future as it would bring about new social environment in the state. Regarding tourism, the Inner Line Regulation might discourage the entry of outsiders due to absence of their free movement in the state.

Meanwhile, the active involvement of the Non-Governmental Organizations towards the enforcement of ILR in the state was mainly because of the unsatisfactory performance of the local government. Thus, these NGOs were inevitably involved in the enforcement of ILR as the government did not meet the interest of NGOs during its performance. But these non-state actors and their activities at the same time were responsible for harassment of the outsiders, and if these NGOs were not organized properly they could certainly create numerous problems between the local people and outsiders.

From the perspective of Indian nationalism, it might appear to be an obstacle to the process of nation building in the state. While the ILR generates regionalist feelings and thus the indigenous tribals commended the existence of this protective mechanism for the protection of their distinctiveness as a distinct tribe. Thus, if the local peoples/Mizo do not systematically enforce this protective mechanism, the Central government might in the future abolish it in the name of national integration.

The present study found out that the Inner Line Regulation was successfully practiced in Mizoram in the protection of Mizos from the outsider's exploitation and it protected them from the forced assimilation and demographic invasion. Due to the practice of Inner Line Regulation, the indigenous people emerged as a majority population and their opportunity has always been safeguarded in terms of economy and development. As a result of checking the illegal migrants in the state, society had become very homogeneous and socially peaceful. It is effectively used in detecting the illegal migrants in the state and those who were practicing the illegal trade. In other words, regulating free movement of the outsiders had greatly contributed in maintaining peace and integrity in the society.

In any case, the Inner Line Regulation was effectively enforced in the state due to the involvement of the local NGOs. If these NGOs did not involve in the enforcement of Inner Line Permit system, the ILR would be less effective and there would be more illegal migrants in the state. But at the same due to the unsatisfactory performance of the state government, the local NGOs inevitably made unlawful activities towards the outsiders. These NGOs and their undesirable

involvements towards the outsiders were unlawful as long as they continued to act on behalf of the non-state actors.

Lastly, the Inner Line Regulation greatly protects the Mizo culture and tradition, religion and language that were safeguarded and there was still a strong feeling on account of their fear of forced assimilation. If the central government tries to abolish the Inner Line Regulation in the name of national integration and economic development, then there will be a sharp reaction from the Mizos as they are heavily dependent on the effective implementation of the ILR. Therefore it needs more time for them to feel secure along with the plain people in the state.

On the basis of these findings the following measures are suggested for resolving the problems on the issue of ILR.

1. The State government needs to pay more attention in the enforcement of Inner Line Regulation so as to make it more effective and systematic. If the state government effectively enforces this Inner Line Regulation, the local NGOs need not involve in the unlawful activities towards the outsiders. Therefore, the state government needs to improve its performance on the more effective enforcement of Inner Line Regulation in the state.
2. Local people need to adjust their mindset and attitudes, keeping in view of the ongoing developmental process, which need to improve upon the existing situations like India's Act East policy, Railways, Tourism etc. It is good if they prepare how to receive and face the ongoing process of development.

3. As the Inner Line Regulation creates some tension between the state and central government, there might be a time when the Central government wanted to lift it on the grounds of national integration. So, the state government needs to enforce this system carefully and systematically keeping in mind its sanctity and importance for the Mizos.
4. Protecting the ethnic identity should not conflict with their unity as India follows the theme of 'unity in diversity'. The tribal ethnic identity can be united with the other identities in the region and elsewhere in the country. So, the feeling of unity and brotherhood between the indigenous and non-indigenous people needed to be promoted.

INNER LINE REGULATION IN MIZORAM AND ITS IMPLICATIONS

**A Dissertation Submitted in Partial Fulfillment of
the degree of
Master of Philosophy**

**By
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MZU/M.Phil./236 of 1.5.2015**

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ABSTRACT

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ABSTRACT

Inner Line Regulation in Mizoram and Its Implications

Introduction

This introductory chapter deals with the evolution of Inner Line Regulation in the North East India during the British period and its development in the state. The British expansion of tea cultivation on the foot hills of the hill tribes caused friction between the tea planters and the hill tribes who considered those lands as theirs from their forefathers. When the British expanded their tea garden near the hill tribes, the hill tribes especially Lushai's and Naga's used to raid the plains which made the British worried for their administration in Assam valley. British felt it necessary to adopt a policy to bring under more stringent control of the commercial relations of the British subjects with the frontier tribes living on the borders of their jurisdiction.

Therefore Bengal Eastern Frontier Regulation of 1873 also known as Inner Line Regulation was introduced and came with effect from 1st November, 1873. Thus the reason for the formulation of Inner Line Regulation was for the protection of plains against the hill tribes. This regulation aimed at protecting the British economy in Assam from the exploitation of the hill tribes.

In accordance with the Bengal Eastern Frontier Regulation, 1873 (Regulation V of 1873) it was made applicable to the districts of Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Garo Hills, Khasi and Jantia Hills, Naga Hills and Cachar and Chittagong Hills, whereas both the Garo Hills and the Chittagong Hills were

repealed and omitted by the Repealing Act, 1897 (Act V of 1897) and the Amending Act, 1903 (Act I of 1903) respectively.

Then the whole of Assam was declared to be a Schedule District under the Schedule Districts Act, 1874 to signify those backward districts where normal administration could not be carried out. Further, the Inner Line Regulation as per the Schedule Districts Act, 1874 was extended to the areas of the Mokokchung sub-division of Naga Hills with effect from 30-12-1890, Balipara frontier Tract on 13-10-1917, Sadiya Frontier Tracts and Lakhimpore Frontier Tracts on 7-5-1928, Lushai Hills District on 28-8-1930 and Eastern Duars in the Goalpara District on 28-9-1937. Finally, the Regulation was amended by the Regulation of 1925 it was extended to Tuensang area in Nagaland by the Regulation 4 of 1955. This chapter also discussed the state government guidelines for the enforcement of ILR in Mizoram.

Mizoram was brought under the Inner Line Regulation with effect from 28th August 1930 under the Schedule Districts Act, 1874 for the protection of the Mizos from the exploitation of plain people. Prior to this Regulation, the Chin Hills Regulation of 1896 was enforced in Lushai Hills which had authorized the superintendent or the deputy commissioner to order any undesirable outsider to leave the area.

The Inner Line Regulation or Inner Line Permit system has been one of the most talked about issues in the North East India and there is an ongoing debate in the people comparing its relevance and limitations. Some critics believed that this ILR

is a hindrance for the economic development and the reason for the backwardness of the state. It is also argued that the ILR generated regionalism and separatist tendency which is harmful for national integration. But supporters of the ILR believed that minorities need protection from the possible assimilation by the larger tribes for their independent survival.

Objectives of Study

The main objectives of the study are as follows:

- To understand the concept, context and significance of ILR in Mizoram.
- To examine the effectiveness and relevance of ILR in the state.
- To evaluate the implications of ILR on the state development.

Research Questions

- Why was the Inner Line Regulation practiced in Mizoram?
- How effective was the ILR in the state?
- What are the implications of ILR on the development of the state?

Methodology

The study is conducted as per the Qualitative research methodology. It is based on the survey studies of social science research. The data for the study is collected from two sources-primary and secondary sources. Primary data is collected by using interview schedule and government documents. Interview was conducted with the leaders of political parties, businessmen, academicians, leaders of eminent civil society organizations in Aizawl and elsewhere in the state.

Secondary data is derived from range of books and journals, newspapers both local as well as national, websites. Content analysis is used for analysis of first-hand information from people about their experiences, ideas, beliefs on the subject. Data is interpreted descriptively to explain the phenomena in terms of the conditions or relationships that exist, opinions that are held by different people, processes that are going on, effects that are evident or trends that are developing in the state of Mizoram.

Historical background of ILR

Chapter 2 deals with the historical background of Inner Line Regulation in Mizoram with the British administrative policy in Lushai Hills. The Bengal Eastern Frontier Regulation (V of 1873) was extended to the Lushai Hills and it was practiced from 28th August, 1930. But on 9th March 1933 the Inner Line was re-demarcated and a fresh notification was prescribed by the Governor in Council under the Bengal Eastern Frontier Regulation 1873 in superseding the original Inner Line as it was only the one line description, coinciding with the northern boundary description of the erstwhile Lushai Hills District. The new prescribed notification rather provides demarcations on all the four directions and tends to coincide with the boundary descriptions of the Lushai Hills district on all the four sides.

The Inner Line Regulation was viewed by the Mizo's as protector of their ethnic identity and exploitation from the plain people. Before the British left India on the eve of India's Independence, the first mizo political party Mizo Union and political

leaders had a meeting on the issue of the future of Mizoram. The meeting resolved that if the Lushais were to enter the Indian Union their main demands were-

- (1) that the existing safeguards of their customary laws and land tenure etc. should be maintained.
- (2) that the Chin Hills Regulation 1896 and Bengal Eastern Frontier Regulation 1873 should be retained until such time as the Lushai themselves through their District Council or other parallel district authority, declare that this can be abrogated.
- (3) that the Lushais will be allowed to opt out of the Indian Union when they wish to do so, subject to a minimum period of ten years.

The British exclusionary policy in the Lushai Hills with the Government of India Act, 1935 and their 'isolationist policy' with the Bengal Eastern frontier Regulation 1873 have made an impact in the minds of the Mizo people. It has led to prevail anti-Indian feelings as a result of less interaction with the mainland Indians. This Inner Line Regulation has generated regionalism today and it created distinction and discrimination between the local and non-local people. For the Mizos, this protective mechanism made them to avoid assimilation by the larger tribes and even in the Memorandum of settlement between the MNF and the Government of India, it has been mentioned which clearly revealed the significance of Inner Line Regulation for Mizoram.

However, the Inner Line Regulation received many a time a few criticisms from the central government and the first incident was happened in 1994. On 19th July 1994, the Union Home Ministry initiated the meeting of Chief Ministers of the North East States at Shillong under the guidance of Home Minister, S.B. Chavan. Among other issues, this meeting discussed basically about the issue of Inner Line Regulation operating in the three North East states as the main agenda. The Union Home Minister expressed the indication that the Inner Line Regulation had thwarted the economic development of the states which caused the underdevelopment of the states. But the three chief ministers of states like Mizoram, Nagaland and Arunachal Pradesh had opposed the idea of lifting the Inner Line Regulation and sharply reacted to the discussion thereof.

As a result of that meeting, the Mizoram Legislative Assembly on the 26th August 1994 convened an emergency session. After a prolonged discussion a resolution was unanimously passed that ‘the continuance of the ILR in Mizoram is imperative not only for safeguarding the interests of the people and for the maintenance of peace and tranquility, but also strengthening national integration, it resolved that the Bengal Eastern Frontier Regulation, 1873 should continue to remain in force in Mizoram’.

This chapter demonstrates how the ILR was continued in the state of Mizoram. Further, the chapter gives a historical description of the events and developments that culminated in the implementation of the policy so far.

Relevance of ILR

This chapter discussed the relevance of Inner Line Regulation in the state and its importance for the Mizos for their survival as a distinct tribe. It discussed how the ILR protects the local people and their opportunities in business, employment and how it protects the state from social and political exploitation by the outsiders. The Inner Line Regulation not only protects the Mizos from demographic invasion or assimilation, but it protects their culture and tradition which are an important factors in tribal society. Due to the practiced of ILR, indigenous people enjoy their economic opportunities in many respects and politically, the ILR helped in maintaining the states political system. This chapter also discussed the present condition and issues of ILR in the state.

On 20th August 2015, the state Home Minister Lalzirliana replied to an unstarred question ask by opposition MLA Lalruatkima in the Mizoram Legislative Assembly Session that, according to an estimate for the past five years (2010-2015 August) 5305 people who have entered the state without a valid Inner Line Permit have been evicted. Under the Bengal Eastern Frontier Regulation 1873 Section 3, about 22790 people were punished as per the law, and 22461 people were sent them back to their home states. From 2010 to 30th September 2015, about 62578 people lawfully issued the ILP in Mizoram. And, 598 foreign citizens have been arrested and deported over the past 5 years who had illegally entered into the state of Mizoram.¹ According to state government source, there are 53 non-local (plain people) who had acquired the permanent trade license in Mizoram.

¹ 'Foreigner 500 chuang dan lovin Mizoramah; ILP nei lovin mi 5000 chuang Mizoramah (More than 500 illegal foreigner in Mizoram; more than 5000 who do not have valid ILP in Mizoram)', *The Aizawl Post* (21,October 2015).

While the Inner Line Regulation is viewed by the Mizos and other minority people as a better protective mechanism it has on the other hand been criticized as discriminatory mechanism and also a hindrance to their economic development. The recent developments of Inner Line Regulation in different North East states has raised these questions and debates regarding its several other implications and relevance which are drawn from different perspectives.

Implications of ILR

Chapter 4 mainly deals with the positive and negative impacts of Inner Line Regulation in the state. The Inner Line Regulation protected the indigenous culture and tradition by limiting external influences. This chapter also discussed how religion occupied an important place in the minds of the Mizos. As a result of practising the ILR in the state, majority population was constituted by the indigenous people comprising 94.5% in the state.

But the ILR has also some limitations in the state which are found in social, political and economic activities. While the tribals/indigenous people viewed the ILR as an effective tool to detect illegal migrants in the state, this mechanism on the other hand limits the growth of trade relations with the outsiders as it could discourage the potential capitalists and entrepreneurs. It also made distinction and discrimination between the local and non-local peoples which limits the growth of brotherhood and mutual understandings. Incidentally, the ILR also generates regionalism in the state as the local tribals extremely praised their distinct identity. If the ILR is use as a tool of disintegration between the local and non-local people, it would harm the national integration and communal harmony.

This chapter also discussed the activities of Non-Governmental Organisations (NGO's) for the enforcement of Inner Line Regulation in the state and the possible challenges in the future. The activities of different NGO's for the effective enforcement of ILR makes unlawful activities towards the outsiders as these NGO's are illegitimate authority. But on the other hand, NGO's are inevitably involved for the effective enforcement of ILR in the state as a result of the unsatisfactory performance of the state government towards the outsiders. Hence, due to the activities of the NGO's, the ILR is effectively implemented in the state over the years.

Conclusion

This chapter is an overview of the previous four chapters. The Inner Line Regulation occupied an important place in the minds of Mizos which has rooted in their socio-economic and political conditions. For the tribals, ILR not only protected them from assimilation, it gave them security and safety wherein they found peace as they regarded it as their foundation for survival. Due to the practiced of ILR in the state, indigenous culture and tradition are protected, and social norms and values are created under the influence of local people. Based on the attitude of the Mizos, if the ILR is lift or abolish there will be a sharp reaction from the local people as they viewed it as their protector from the advanced people.

At the same time, if the ILR destroy communal harmony and national integration, it might need to lift or change for the promotion of national integrity. Therefore, the state government needs to enforce this mechanism carefully and systematically

in order to avoid possible problems in the future. This chapter also mentioned the research findings and give suggestions for the better enforcement of the ILR in the state.