



MOVEMENT FOR ILPS IN MANIPUR DURING 2014-2016

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ARTICLE INFO

Article History:

Received 15th July, 2017

Received in revised form 19th

August, 2017 Accepted 25th September, 2017

Published online 28th October, 2017

Key words:

Assembly, Bill, British, Identity, Immigration, Kuki, Land, Memorandum, Population, Zomi

ABSTRACT

The demographic onslaught started with the massive swarming in of immigrant population following the integration of Manipur to India. The natives in the state started perceiving that it had seriously impacted the cultural, socio-economic and geo-political structure of the land. At such milieu, the people, mainly the students and the youths from all communities started a movement directing against the state to address the issue. The movement was officially raised by the Kuki National Assembly in the year 1972 followed by All Manipur Students' Union (AMSU), Sadar Hill Students Unions and others. After the movement remaining lull for quite some time, it again resurfaces and with Joint Committee on Inner Line Permit System (JCILPS), Manipur coming into existence to champion the cause of enacting and implementing appropriate laws to protect the indigenous people of Manipur. However, the Bill to protect the rights of Indigenous People's identity, land and resources of Manipur has been mired into controversy, not primarily because of its contents but mainly, by labelling it as anti-tribal as it was considered to be an opportune moment to push the polarised ethnic agendas.

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INTRODUCTION

In pre-colonial Manipur, the issue of immigration is not very much a cause of concern and does not lead any to any social tension. Post 1891, after Manipur came under British yoke, there were instances of patronizing foreigners to live and settle in 'British Reserved Areas' the absolute administrative authority of which is exercised by the British Colonial Authority. Even then, there were mechanisms for check and balances by restricting the entry of foreigners without permission by strictly limiting the number of days granted for stay. Besides, restriction, government also collect taxes in the form of (a) Foreigner Tax and Grazing fees and (b) Income Tax and Trading License fees. In addition, the GoM enacted a Citizenship Act entitled, Manipur Naturalization Act, 1949 which provides the provisions for the naturalisation process of aliens, and foreigners residing therein. However, following the integration of Manipur to India in the year 1949, the removal of restrictions on the entry of outsiders by the Government of India (GoI) at the behest of Congress Party and Socialist Party on 18 November 1950 was responsible for swarming in of immigrants in voluminous proportion.

In addition to demographic imbalance, large scale influx of migrant population also leads to increased pressure and shrinking of agricultural land and wetland and deforestation in the hill areas. The natives in the state started perceiving that it

had seriously impacted the cultural, socio-economic and geo-political structure of the land. At such milieu, the people of Manipur mainly the students and the youths started a movement directing against the state urging the government to expedite the process of deporting illegal immigrants from the state of Manipur in the early seventies of the late twentieth century. It is worth mentioning that the undesirable problems created by the large scale influx of immigrant population was first raised officially in the year 1972 to the GoM by Kuki National Assembly, a hill based political party. They demand the deletion of the names of the immigrants from the voter list. Again in the year 1980, the Sadar Hill Youth Union joined hands with the All Manipur Student's Union (AMSU) for the intense and radical form of agitation for the identification and deportation of immigrant population.

The movement for detection and deportation of immigrant population were at its peak during the period of 1980 to 1994. During the said period there have been two Memorandums of Agreement signed between the Government of Manipur (GoM) and the agitating student's body in the year 1980 and 1994 for the detection and deportation of illegal immigrants. However, it does not lead to fruition in the form of any tangible result. The first Memorandum of Agreement was signed between GoM and AMSU and AMSCOC on 22nd July and 05th August 1980; and the second Memorandum of Agreement was signed between the GoM and AMSU in the presence of Gen.V.K. Nayar, Governor of Manipur, on 09th November 1994.

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After the movement remaining lull for quite some time, it resurfaces with some concerted effort by United Committee Manipur (UCM), a conglomerate group of civil society organisations in Manipur, and others. It did able to mobilise the public and sensitise the elected legislature to an extent that in the year 2011 on 22nd March, RK Anand, MLA called the attention of the Home Minister in the floor of the state legislative assembly on the influx of immigrants at Jiribam. Similarly, on 22nd December 2011, Veteran Opposition Leader, Shri. O. Joy, moved the private member resolution bill proposing a resolution of the house to urge the state and the union government for adoption and extension of the Eastern Bengal Frontier Regulation (EBFR) 1873 in the state 'to save the indigenous people of Manipur from being overtaken by the outsiders.' The movement was further strengthened by the MSLA resolution to extend and adopt the EBFR, 1873 with necessary changes in the point of details to the State of Manipur and to urge the GoI to comply the same on 13th July, 2012. Again, the MSLA unanimously resolved to extend the provision of EBFR, 1873 for extension of Inner Line Regulation to the State of Manipur or to enact a suitable law under Clause (5) of Article 15 of the Constitution of India on 13th June 2013. Correspondingly, on 3rd August, 2013, GoM wrote a Letter to the GoI for extension of the provisions of EBFR, 1873 to the State of Manipur. In the meantime, JCILPS came into existence to champion the cause of enacting and implementing appropriate laws to protect the indigenous people of Manipur. With it, the movement became more broad-based and inclusive in the valley of Manipur, though same cannot be said of the hills.

The All Tribal Students' Union Manipur (ATSUM) also submitted an open memorandum to the Chief Minister of Manipur with a demand to extend the existing ILPS Act to Manipur. Likewise, Indigenous Minority Socio-Cultural Organisation, Manipur, a hill based organization, with its membership consisting mostly from the numerically marginalized tribes had expressed support stating that with ILP the indigenous people could retain its tradition without fear of getting overwhelmed.

In response to the movement, the GoM constituted an All Manipur Political Party on ILPS under the Chair of Gaikhangam, Deputy Chief Minister and Home Minister, Manipur on 06 August, 2014. After examining for six month, they submitted the 280 page report on 10th December 2014, which is a compilation of the reviews and opinions of experts towards framing appropriate provision of law for Protection of the Indigenous People of Manipur. The Committee recommends the state government to consider: i). for enacting a law to regulate the entry of visitors, who are non-permanent residents of the State, to the State under the Article 19(5) read with Article 19(1) (d) (e) and Article 35 with the provisions for issuing a permit for proper verification of the character and antecedent of such visitors exemptible to the persons employed in connection with the affairs of the Union Government and State Government of Private/Public undertaking or a local authority or the body established by law or the Student or person employed from outside the State in educational establishment in the State or such other persons as may be determined/decided by the State Government. The law shall in addition to but shall not be in derogation of any law for the time being in force; ii). to enact a law for compulsory reporting and verification of antecedents of

tenants and domestic/professional helpers in the line of the Sikkim Tenants and Domestic and Professional Helps (Compulsory Verification) Act, 2014; iii). For the strict enforcement of the existing law relating to the foreigners by the State Government to check the entry of illegal migrants from neighboring countries; iv). to suitably amend the Manipur Land Revenue and Land Reforms (MLR&LR) Act, 1960 to incorporate a provision for imposing restriction on the transfer of land to the non-residents of the State with protecting the interest of local inhabitants while ensuring that the development of the State is not hampered as the basic intention behind its enactment; v. to take immediate action for strict implementation of the existing labor laws in the State so as to enable the State Government to identify and to restrict anti-social elements who tried to enter the State as the workmen; vi. to create a separate Directorate under the State Home Department for monitoring and effective implementation of the proposed law on the Manipur Visitors Compulsory Registration, after its enactment.

Earlier, JCILP had insisted for the inclusion of its five points already made known to the GoM. The points include: Registration of the outsiders (non-Manipuri); Cut off base year of 1951 in demographic influx into the state; Giving no-land ownership rights to all non-indigenous people; Strengthening of labour department for registration and regulation of inter-state migrant labourers; and Detection and deportation of illegal immigrants.

The government responded by introducing the Manipur Regulation of Visitors, Tenants and Migrant Workers (MRVT&MW) Bill in the floor of the Manipur Legislative Assembly and the same was passed even as 05 opposition MLAs walked out of the house on 13 March 2015. A day ahead of it JCILP had strongly opposed the bill with its Convener stating it as totally against the bill. On 12 July 2015, the ruling Congress Legislature Party had resolved to withdraw the MRVTMW Bill, 2015 and accordingly withdrew it on 15 July by convening a special session of the MSLA. Also, at the same time the Chief Minister of Manipur gave a commitment that a new bill in place of the one withdrawn will be brought out within three months.

On 17 August 2015, the GoM represented by the Special Secretary (Home), issued a press release accepting to incorporate all the five points JCILPS suggested in different relevant bills. On the following day, a public convention organised by JCILP at Manipur Dramatic Union to take stock of the public opinion on the issue adopted ten resolutions which include - reiteration of the earlier public convention resolution to include the five-point demand of the JCILPS in the new bill: inclusion of the Electoral Roll of 1948, the Census Report of 1951, and the Village Directory of 1951 in the definition of Manipur People; removing the reference in Section 8 (2) of its draft bill that persons to be exempted include (a) Private Undertaking (b) Local Authority and that once the bill is passed into an Act, during the framing of rules and regulations, the cut of base year of 1951 should be included in the 'power to make rules' of section 10 (2) of the bill; Putting the 'non-Manipuri Peoples' Firm, institutions or any other similar entities' under section 14 (a) of the proposed draft bill no 2 (The MLR & LR, 7th amendment bill 2015); not allowing outsiders to buy land; provide a copy of the proposed amendment bill of the Labour Act which is under the State purview; replacing section 2 (j) of the proposed draft

bill 1 by 'non-Manipur people means those citizens of India who is not covered by section 2 (b) of this Act; inclusion of JCILPS representatives during the framing of rules and regulations when the draft bill becomes an Act; etc.

Accordingly, a breakthrough was achieved between the government and the JCILPS on 25th August, 2016 at the Chief Minister Office with the Chief Minister in the chair and attended by Deputy Chief Ministers, Cabinet Ministers and MLAs of the ruling parties. This includes the tribal Cabinet Ministers and MLAs of the ruling party. The agreement was signed between PC Lawnkunga, Chief Secretary of Manipur on behalf of GoM and member of JCLIPS led by Khomdram Ratan, Convenor-in-Charge. The agreement acknowledged the growing issue of influx in the State of Manipur and also to bring forth peace and tranquillity in the state. The seven point of the agreement are: 1. to enact three laws for which the following bills shall be passed in the Manipur Legislative Assembly (i) the Protection of Manipur People's Bill, 2015, (ii) the MLR&LR (Seventh amendment) Bill, 2015, and (iii) The Manipur Shop and Establishments (Second Amendment) Bill, 2015. The government had also agreed to incorporate all the five point demands of the JCILPS placed before the Government while passing the bills; 2). The GoM shall associate the experts selected by Joint Committee on ILPS while framing the rules of the Protection of Manipur Peoples Bill, 2015; 3. That the GoM shall constitute a Manipur State Population Commission to assess the problems and issues of demographic imbalance and other related matters so as to take up measures towards social harmony and peaceful development. A white paper on population influx shall also be brought out by the State Government within one year; 4. that the State Government shall also constitute a Manipur State Land Reforms Commission to undertake a review of the situation arising out of complexities related to land, resources and populations dynamics and advice the Government on effective measures of land use policies- and help ameliorate inter-community tensions and enhance the respect for democracy and diversity in the state; 5. that the State Government shall implement the relevant clauses in the agreement between AMSU and AMSCOC with the Government on 22nd July 1980 and 5th August 1980 which were also reaffirmed by the Government on 9th November 1994 on the issue of foreigners as mentioned in the agreement under the Foreigners Act 1946; 6.that the GoM shall urge upon the Central Government to enact any other appropriate/necessary Acts and Rules which may be beyond the purview of the State Government for the protection of the Manipur People; 7. that the JCILPS agreed to the proposed three Bills for introduction in the Manipur Legislative Assembly by the Government namely (i) the Protection of Manipur Peoples Bill, 2015, (ii) MLR&LR (Seventh amendment) Bill, 2015, and (iii) The Manipur Shop and Establishments (Second Amendment) Bill, 2015.

In continuation with the process, on 26 August 2015, the then state Governor, Syed Ahmed had given consent on tabling three bills aimed at providing constitutional safeguard for protecting indigenous people of Manipur in the Assembly. So, the Protection of Manipur Peoples Bill 2015; the MLR&LR (Seventh Amendment) Bill 2015, and the Manipur Shops and Establishment (Second Amendment) Bill 2015 were introduced on 28 August 2015. It is a well recorded fact that no individuals of organisation particularly the tribals voice

any concern to the bills and also to the process. For instance, on 29th July 2015, United Naga Council, which claims to be the apex body of the Manipur Nagas, submitted a memorandum to Shri Narendra Modi, Hon'ble Prime Minister of India to expedite the 'Indo-Naga Peace Process'. Likewise, on 25th August, 2015. ATSUM also submits a memorandum to Hon'ble Chief Minister to extend the existing ILPS Act to Manipur to stop further entry of non-natives/non-locals and formation of a fully represented committee to examine the demographic impact of existing non-local/non-natives in the State. It was only the Gorkha civil societies that submit their concerns to the Governor of Manipur to protect their constitutional in any eventuality of the introduction of bills. So, the bills was passed without any debate on 31 August 2015 as there was no objection from any of the members of the MSLA including those of the NPF. Likewise, there was no report of any kind of objection from any of the tribal civil societies or tribal activist based in Manipur or elsewhere.

So, if there were any objections, there was enough time to voice their concerns. Moreover, tribal scholars and sympathisers observed that since they are already protected by the Constitution of being scheduled tribes, they don't feel the need to object to the bills and also to involve in the process. However, violence erupted in Churachandpur (CCPur) District which is more or less exclusively inhabited by tribes belonging to CHIKIMZ in the aftermath of passing the Protection of Manipur Peoples' Protection Bill, 2015 alleging it as 'anti-tribal'. Many Naga organizations including the political party and the frontal as well, by exhibiting solidarity with the Anti-ILP Bills protestor from the CHIKIMZ Community in CCPur find it as a chance occasion to reset their foot in the Churachandpur district which for long had not been accessible to the Nagas after their strained relationship with the Kukis following the bloody clashes between them in the last decade of the twentieth century. Grabbing the emerging opportunity, without leaving any stones unturned, hoards of frontal Naga organisations with expressed solidarity just jumped the bandwagon of demonizing the bill.

It is indeed a clear case of politicising the bills to further advance the polarising ethnic politics and not of being 'anti-tribal'. It all starts on the day of passing the bills by Zomi Council by submitting a memorandum to the Governor of Manipur and quickly followed by many other tribal organisations. President of Kuki Inpi Manipur (KIM), Thangkhoisei Haokip during a discussion programme, 'Manung Hutna' at Impact TV on 24 August, 2016 categorically stated that there were differences of opinion between the KIM and the JAC-ATB, MTFD and OMTF as KIM wants to stick to the issues of the bill while others were not. However, the height of politicisation came with the resignation of four NPF MLAs on the alleged grounds of not being given chance to voice their concern. After submitting their resignation, the NPF MLA too joins the lobby for the President Rule in Manipur. Later, those resigned NPF MLAs were found to be claiming their salary and other allowances, perhaps indicating that the resignation was not voluntary.

The Bill to protect the rights of Indigenous People's identity, land and resources of Manipur has been mired into controversy, not primarily because of its contents but mainly, by labelling it as anti-tribal, an opportune moment was crafted out of the situation to push forward the polarised ethnic agendas. An undated Anti-Meitei pamphlet which was

circulated openly in Churachandpur during the height of agitation speaks volume of the politicisation of the bills. Its contents are hereby reproduced in free English translation: 1. Howsoever rich you are, you cannot buy even a piece of land in Meitei land; 2. Any business enterprise can no longer be taken up (Shop & Estd. Act); 3. Will no longer have the advantage of getting State Government employment; 4. Our sons and daughter will not get admission in MBBS/Engineering and other professional course; 5. We will not be allowed to buy land even in 'Lamka' which we took pride as our own; 6. Our students will no longer get Tribal fellowship; 7. Whatever benefits we so far get from the government will no longer be available; 8. Those tribals who possess land at Imphal and other valley area will face immense hardship. Many of them will be dispossessed from the land they bought and settle; 9. The Land for which we took pride for possessing 'pucca patta' will no longer be hill areas. Government will have the power to forfeit it by enacting any laws; and 10. Various documents will be asked to produce to just prove that we are natives of Manipur not outsiders. Your sons will no longer get the admission if you cannot produce the approved referral documents. One among the said referral Documents: Where did your forefathers inhabit before 1951? Even if it is in Manipur, can you produce relevant documents to prove it? Even if you produce, does it either exists in or matched with Government records? You become 'outsider' when you lack any of these. If you are outsider.... "Outsider from where?"

When the first day casualties of anti ILPS agitation which happened in the intervening night of 31st August 2016 were reported, six houses belonging to local MLAs and Ministers of the district were set ablaze. Seven including six protestors were killed on the spot, four in firing by security forces, two charred by the arson fire, and one died due to road accident. At the sight where casualties occurred, Assam Rifles (AR) was deployed in the frontline on that intervening night. 23 Jawans of AR were also reportedly injured due to stone pelting. The reinforcement of the state force came only in the second day. Two more were killed the next day in police firing when the rioting mob reportedly tried to set ablaze the CCPur Police Station. Of all the six died due to bullet wounds only the two killed on 1st September 2015 were certain to have died of police bullets. But those masterminding the Anti-ILPS protest deliberately projected as if all the nine death casualties are due to police firing. The big national media houses, both the print and the audio-visual without verifying the authenticity of the facts so projected by the protestors just went on echoing and disseminating it thereby bringing their ethical standings to the peril of serious disrepute. If one is to fathom using the desperation of the protestors to perversely politicise and publicise all nine death casualties as being killed by the state forces, it will not sound awry to conjecture that those charred to death were deliberately let to 'martyre' so as to increase the death count to further their cause of jeopardising the prospect of bill becoming an act.

Just a glance at the profiles of the Manipur Police shows the first seven top rung position at present are hold by those from the kindred tribe of CHIKIMZ community. The profiles with the superiority of positions in ascending order are as follows: DGP: L.M. Khaute; ADGP: P. Doungel; ADGP (AP/Trg & HG): C. Doungel; ADGP (L/O) K.T. Vaiphei; IGP (Zone-III

& IGP Trg/HR/RTI): Thangkhanlal Guite; IGP (Zone-II & AP/Ops): Lupheng Kailun; IGP (Zone-I): Clay Khongsai. Even then the Anti-ILPs protestors still have the audacity to allege the state government/ police as 'communal government' / 'communal force'.

By middle of June 2016, it became public knowledge that the Bill particularly the Protection of Manipur Peoples Bill 2015 was withhold and not given assent by the President of India. Similarly, the other two amendment Bills became insignificant as the principal act has been rejected. However, the corpse of those nine victims killed during the Anti ILPS agitation remains unburied. The continuing agitation and the refusal to give a decent ceremonial burial to those 09 killed even after the prospects of bill becoming an act is ruled out exposes the intention of those sticking to protest. With it, Kukis and Hmars have declared the severing of ties with JAC-ATB just ahead of observing the second anniversary of the Anti-ILP protest started in 31st August 2015. Covert rift within becomes overt. Many Kukis particularly Thadous had been very critical with the enthusiastic opportunism of the UNC and other Naga frontals which at one time had the impudence of serving Quit Notice to the Kukis in Manipur hills. In fact, those communities who disapprove the movement being piloted by the UNC and its cohorts dissociated themselves. Similarly, the Deputy CM Gaikhangam expressed disappointment that the JAC-ATB is continuing their protest even after the rejection of the three Bills. In continuation, the Kuki Inpi, Churachandpur (KIC) also took a stated stand along with all its subordinate organisations to sever ties with the JAC-ATB with immediate effect. Even there were reports that group of womenfolk stood guard at the Lighthouse Area of CCPur to disrupt the JAC-ATB organised rally on 28th August to mark the run-up to the observance of the anniversary which later dispersed only at the persistence of some community leaders. A decent burial is unlikely till the completion of the forthcoming election. For instance, the OMTF and JAC-ATB in a joint meeting held at Haokip Veng, Imphal on July 18 have resolved to boycott the Congress party in all tribal areas of Manipur with effect from the day (July 18). The JACAATB had made a five-point declaration pertaining to the 11th MAE 2017. The declarations included - to refrain from casting their votes in favour of the boycotted tribal MLAs who still chose 'to turn a blind eye to the cries and sentiments' of their tribal electorates even after more than one whole year of unrelenting protests; to declare public boycott, till further notice, on all the sitting tribal MLAs who refused to feel the pulse of the tribal populace and declined to resign in spite of the mounting pressure from the general public to do so; The tribal MLAs includes D. Korungthang of Tengenoupal assembly constituency; Janghemlung Panmei of Tamenglong; Victor Keishing of Phungyar, Gaikhangam of Nungba; M.K. Preshaw of Chingai; Dr. Chaltonlien of Tipaimukh; Yamthong Haokip of Saikul (ST) ; Vungzagin Valte of 56 Thanlon (ST); Francis Ngajokpa of 49 Tadubi; T. Manga Vaiphei of Henglep; Nemcha Kipgen of Kangpokpi; Phungzathang Tonsing of Churachandpur; Ngamthang Haokip of 51 Saitu (ST); T.N. Haokip – 59 Saikot (ST); Z. Kikhonbou Newmai of Tamei and Ginsuanhau Singngat assembly constituency. The stricture against the INC candidate by the JACAATB led to the abandoning of the party by three sitting MLAs in Churachandpur District. They were Phunzathang Tonsing of Churachandpur AC, Manga

Vaiphei of Henglep AC, and V. Valte of Thanlon AC. There have been comment that in the 11 MAE 2017, United People's Front (UPF), a conglomerate group of 'Zomi' armed outfit existingly in SoO was closer to BJP so as to continue the 'political dialogue' with the GoI on 'Kuki political issues'.

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How to cite this article:

Aheibam Koireng Singh (2017) 'Movement For ILPS in Manipur During 2014-2016 ', *International Journal of Current Advanced Research*, 06(10), pp. 6730-6735. DOI: <http://dx.doi.org/10.24327/ijcar.2017.6735.1005>
