



RTI Matter

By fax / By hand

No. 9/5/2014-NE-II

Government of India / भारत सरकार  
Ministry of Home Affairs / गृह मंत्रालय  
NE Division / पूर्वोत्तर प्रभाग

North Block, New Delhi -- 110001  
नॉर्थ ब्लॉक, नई दिल्ली -- 110001

Dated 03.03.2014

Office Memorandum

Sub: Transfer of RTI application of Sh. Biju Kumar Chakma dated 05.02.2014.


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Enclosed please find herewith a RTI application dated 05.02.2014 of Sh. Biju Kumar Chakma seeking information under the RTI Act, 2005. The applicant has paid the requisite fees of Rs. 10/- vide receipt no. 28950 dated 19/2/2014.(copy enclosed) The applicant has sought miscellaneous information relating to Bengal East Frontier Regulation Act, 1873, Chakma Citizenship issue and Chin Hills Regulation Act, 1896, etc.

2. The information available in this Section has been furnished to the applicant. Some information sought by the applicant appears relating to other Ministries and Divisions of MHA. Accordingly, the RTI Application is transferred herewith under Section 6(3) (i) of the RTI Act to provide the necessary information, if available directly to the applicant.

3. In case it does not come under your jurisdiction, it may kindly be transferred to the Public Authority under Section 6(3) (i) (ii) of RTI Act, 2005 to which the subject matter is more closely related, under intimation to the applicant.

Encl. as above

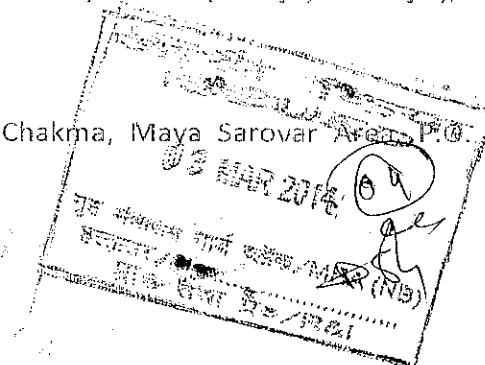
  
(J.P.N. Singh)  
Director (NE) & CPIO  
Telefax: 23092485

To,

1. The Director & CPIO (BSM), Ministry of External Affairs, South Block, New Delhi-
2. The Director & CPIO (Ms. Pravin Horo Singh), Foreigners-B, MHA, NDCC-II Building, New Delhi.
3. The Director & CPIO (K. Muralidharan), CS-I Division, MHA, NDCC-II, New Delhi
4. The Deputy Secretary & CPIO (Sh. Ajay Kanoujia), NE-IV Section, MHA, North

Copy to:-

Sh. Biju Kumar Chakma, Maya Sarovar Area, P.O. Bodhgaya, Distt. Gaya, Bihar-824231.



MOST IMMEDIATERTI MatterBy Speed post

No. 9/5/2014-NE-II  
 Government of India / भारत सरकार  
 Ministry of Home Affairs / गृह मंत्रालय  
 NE Division / पूर्वोत्तर प्रभाग

North Block, New Delhi – 110001  
 नॉर्थ ब्लॉक, नई दिल्ली – 110001

Dated 03.03.2014

To,

Sh. Biju Kumar Chakma,  
 Maya Sarovar Area,  
 P.O. Bodhgaya, Distt. Gaya,  
 Bihar-824231.

**Sub: - Petition for information under the Right to Information Act, 2005-reg.**

This has reference to your RTI application dated 05th February, 2014 seeking information under RTI Act, 2005. Requisite fee of Rs. 10/- is acknowledged vide receipt no. 28950 dated 19/2/2014.(copy enclosed)

2. The information available (Sl. No. 1) in NE-II Section is furnished as under.

1.	Supply complete and clear photocopies of following notifications of the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896.	Photocopy of the BEFR Act, 1873 is enclosed.
1. (A)	In how many Indian States, the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 have been notified to enforce after independence of 1947? Supply clear photocopies of the complete notifications as information about it.	As per BEFR Act, 1873 the Inner Line Permit is in force in the States of Arunachal Pradesh, Mizoram and Nagaland.
1. (D)	In how many Indian States, both the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 are in force at present?	-Do-

4. For remaining information, your RTI application has been transferred to concerned CPIOs in Ministry of Home Affairs/ Ministry of External Affairs for providing information directly to you.

5. If you are not satisfied with the reply, you can make an Appeal as per provisions of the RTI Act, 2005 to Shri Shambhu Singh, Joint Secretary (NE), Room no. 109-C, Ministry of Home Affairs, North Block, New Delhi-110001, within one month from the date of receipt of this communication.

Yours faithfully



(J.P.N Singh)

Director (NE) & CPIO

Telefax: 23092485

[1873: Reg.5]

EASTERN FRONTIER

Annexure-III

[PART III]

[REGULATIONS MADE UNDER THE GOVERNMENT OF INDIA ACT, 1870 (32 & 34 VICT., C.3), AND GOVERNMENT OF INDIA ACT, 1915, IN FORCE IN THE PROVINCE OF ASSAM.]

REGULATION 5 OF 1873

(BENGAL EASTERN FRONTIER REGULATION, 1873)<sup>1</sup>

*(27<sup>th</sup> August 1873)*

A Regulation for the peace and Government of certain  
districts on the Eastern Frontier of Bengal.

WHEREAS the Secretary of State for India in Council has by Resolution in Council, declared the provisions of Act 33 Vict. Chap. 3, Section 1, to be applicable to the districts of Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur (Garo Hills)<sup>3</sup>, Khasi and Jainta Hills, Naga Hills, Cachar. \*<sup>4</sup>

Preamble.

And whereas the Lieutenant Governor of Bengal has proposed to the Governor General in Council a draft of the following Regulation, together with the reasons for proposing the same, for the peace and government of the said districts;

And whereas the Governor General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor General's assent;

The following Regulations is now published in the Gazette of India, and

will be published in the Calcutta Gazette, and will thereupon have the force of law, under the 33<sup>rd</sup> of Victoria, Chapter 3 :-

1. This Regulation shall extend to the districts named in the preamble, and shall come into force on the 1<sup>st</sup> of November, 1873.

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1 SHORT TITLE – This short title was given by Notification No. 13; dated 11<sup>th</sup> October, 1875, published in Gazette of India, 1875, Part I, page 529.

LOCAL EXTENT – This Regulation extends pro prio vigore to the districts of Cachar, Darrang, Kamrup, Khasi and Jainta Hills, Lakhimpur, Naga Hills, Nowgong and Sibsagar – see the preamble and section 1.

It has been extended, by notification under the Scheduled Districts Act, 1874 (XIV of 1874), section 5, to the following Scheduled Districts, namely:-

THE Eastern Duars in the Goalpara District – see Vol.I of Manual of Local Rules and Orders, Local extent

the Mokokchang subdivision of the Naga Hills District – see *ibid*.

the Sadiya Frontier Tract,

the Balipara Frontier Tract,

the Lakhimpur Frontier Tract and the Lushai Hills district.

(see the Manual of Assam Local Rules and Orders, Volume I and Notification No713-L., dated the 27<sup>th</sup> September, 1937.)

The Government of India Act, 1870. It is printed in the Collection of statutes relating to India, Vol.I

Reg. V of 1873, so far as it applied to the Garo Hills Districts, was repealed by the Repealing Act, 1897 (V of 1897).

The words "and Chittagong Hills," which were repealed by the Amending Act, 1903 (I of 1903), are omitted.

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2. It shall be lawful for the [State Government] \* \* \* \* to prescribe, and from time to time to alter by notification in the [official Gazette]<sup>3</sup>, a line to be called "The Inner Line" in each or any of the above named districts.

The [State Government]<sup>1</sup> may, by notification in the [official Gazette], prohibit all [citizens of India or any class of such citizens]<sup>5</sup> or any persons residing in or passing through such districts from going from 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]<sup>1</sup> may, from time to time, cancel or vary such prohibition<sup>1</sup>.

3. Any \* \* \* \*<sup>6</sup> person so prohibited, who after "the Inner Line" has been prescribed and notified in accordance with section 2 of this Regulation, goes beyond such line without a pass, shall be liable, on conviction before a Magistrate (to imprisonment of either description which may extend to one year, to a fine not exceeding one thousand rupees, or to both).

Power prescribe  
and alter inner  
line.

4. The [State Government]<sup>8</sup> may from time to time prescribe by notification in the Official Gazette<sup>3</sup> a form of pass<sup>9</sup> for each district, and may in such form fix such restrictions or conditions as the [State Government]<sup>8</sup> may deem fit and may require the payment of such dues and fees for such passes as the [State Government]<sup>8</sup> may seem proper.

Any holder of such a pass shall, on breach of any restriction or condition be liable, on conviction (to imprisonment of either description which may extend to one year, or to a fine not exceeding one thousand rupees, or to both.)<sup>10</sup>

1 The Chief Commissioner of Assam (Now, the State Government) see the Bengal, Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912)s.3, and Sch.D, Pt.III, ante (as adopted by the A.O. 1937 and 1950).

2 The words "with the previous sanction of Governor General in Council", omitted by the A.O. 1937.

Penalty for  
crossing line  
without pass.

3 Now the official Gazette – see the Bengal Bihar and Orissa and Assam Laws Act, 1912 (VII of 1912) s.3, and Sch.D, Pt.III, ante (as adopted by the A.O.) 1937.

4. For notifications prescribing and altering Inner Lines, and prohibiting persons from going beyond such lines without a pass, see the Manual of Assam Local Rules and Orders.

5. Substituted for "British subjects or any class of British subjects" by A.O. 1950.
6. The words, "British subject or other" omitted by A.O. 1950.
7. The words under brackets were substituted for the words "to a fine not exceeding Rupees 100 for a first offence and to a fine not exceeding Rupees 500 or to simple or rigorous imprisonment, which may extend to three months or to both, for each subsequent offence" by s.2 of Regulation V of 1925.
8. Substituted by the A.O. 1937 for "L.G." which was again substituted by A.O. 1950 to read as above.
9. For notifications prescribing forms of pass, the Manual of Assam Local Rules and Orders, Vol.III.
10. The words under brackets were substituted for the words "to a fine not exceeding Rupees 100 for a first offence and to a fine not exceeding Rupees 500 or to simple or rigorous imprisonment, which may extend to three months or to both, for each subsequent offence."

Power to  
prescribe form of  
pass.

5. (1) Any rubber, wax, ivory or other jungle-product,<sup>1</sup> (or any book, diary, manuscript, map, picture, photograph, film, curio or article of religious or scientific interest) found in the possession of any person convicted of any offence under this Regulation may be confiscated to Government by an order to be passed at the time of conviction by the Magistrate.

<sup>2</sup> (2) If the Magistrate has reason to believe that any article which if found in the possession of a person convicted under this Regulation would have been liable to confiscation under sub-section (1) has been acquired or wholly or partly written, made or taken by such person beyond "the Inner Line", the Magistrate after giving the person in whose possession the article is found an opportunity to show cause why an order under the sub-section should not be passed in respect of the article any, unless it is proved that the article was not acquired, written, made or taken as aforesaid, order that such article be confiscated to Government.

6. The Chief Executive Officer of any district comprised in any notification as aforesaid may, subject to the approval of the [State Government]<sup>3</sup> authorize,

by a written instrument under his hand any public servant to arrest and bring before him with the least practicable delay -

*firstly*, any person prohibited from crossing "the Inner Line" prescribed for such district, if such person shall be found beyond the line and when asked to produce his pass shall refuse or be unable so to do.

*secondly*, any person to whom a pass may have been granted and who has committed any infraction of its conditions.

7. It shall not be lawful for any \* \* \* person, not being a Native of the districts comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said "Inner Line" without the sanction of the [State Government]<sup>3</sup> or such officer as the [State Government]<sup>3</sup> shall appoint in this behalf.

Any interest so acquired may be dealt with as the [State Government] or its said officer shall direct.

Confiscation of  
jungle products  
found with  
offender.

The [State Government]<sup>3</sup> may also, by notification in the [Office Gazette]<sup>5</sup> extend the prohibition contained in this section to any class of persons, Natives of the said districts, and may from time to time in like manner cancel or vary such extension.

8 to 10. [Killing or capturing elephant]. Rep by Reg. 1 of 1880.

11. Offences against this Regulation may be tried by Magistrates of the first or second class, and shall be bailable.

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1. The words under brackets were inscribed by s.3 of Regulation V of 1925.
  2. Section 5(2) was inserted by s.4 of Regulation V of 1925.
  3. Substituted by the A.O. 1937 of "L.O." which was again substituted by A.O. 1950 to read as above.
  4. The word "British subject or other" omitted by A.O. 1950.



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11/2/2014

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C.No. 237312/AN/NO/2014

11/2/2014

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Ref: MHA OM No. 9/5/2014-NE-II dt 03.03.20  
(RTI Transfer)

To  
The Central Public Information Officer & Director  
Mr. J.P.N. Singh, NE Division-II, Ministry of Home  
Affairs North Block, New Delhi-1100011

Dated, 5.2.2014

Sub:- Petition for information under the Right to Information Act, 2005.

1. Supply complete and clear photocopies of following notifications of the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896. A. In how many Indian States, the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 have been notified to enforce after independence of 1947? Supply clear photocopies of the complete notifications as information about it.  
B. In how many Indian States, both the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 have been already scrapped, lifted or cancelled the notifications for past enforcement?  
C. What was the reason of scrapping or cancellation? supply photocopies of complete notifications of cancellation as information about it.  
D. In how many Indian States, both the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 are in force at present?  
E. whether the constitutional validity and its legal utility of the Bengal Eastern Frontier Regulation Act, 1873 and the Chin Hills Regulation Act, 1896 have been challenged in the past in the High Court or in the Supreme Court? if yes, supply photocopies of the complete information about it.
2. In how many Indian States, "Restricted Area Permit" system is in force at present? Supply complete and clear photocopies of notifications of introduction of the "Restricted Area Permit" system.
3. Supply complete and clear photocopies of notifications, dated 19/5/1995 issued for removal of "Restricted Area Permit" system from Assam, Meghalaya and Tripura.
4. Supply complete and clear photocopies of the Protected Area Order of 1958 and its relevant notifications issued for enforcing the said order.
5. Supply complete and clear photocopies of the order/notifications issued on 29/12/1995 to form a high level group to solve the pending issue of citizenship of Chakmas of Arunachal Pradesh, under the Home Minister of India wherein Chief Minister of Arunachal Pradesh was a member.
6. Did this high level group to solve the pending issue of citizenship of Chakmas of Arunachal Pradesh held any meeting in the past? If yes, supply complete and clear photocopies of the minutes/record of proceeding of the meeting.
7. Supply complete and clear photocopies of the letter, dated, 16/2/1996 sent to the

A similar  
RTI application was  
submitted recently.  
Pl. check.

10/2

Sd/- NE II

18/2

- Government of Arunachal Pradesh, requesting for convenience of the state Government for a visit by the official level sub-committee in order to solve the pending citizenship issue of Chakmas of Arunachal Pradesh.
8. Supply complete and clear photocopies of the letter, dated,30/6/1995, regarding the Bangladeshi foreigners for inclusion in the electoral roll. The said letter was written by the Chief Minister of Mizoram, addressed to the Union Home Minister of India including the letter written by the then Union Home Minister of India in response of said letter of the Chief Minister of Mizoram.
  9. Supply complete and clear photocopies of the letter letter No. D.O.F.22015/52/90-HMP,dated,5/7/1995 by the then Mizoram Chief Secretary, Mr. Lalfak Zuala, addressed to Mr. K. Padmanabhaiah, then Home Secretary of India including the letter written by the officers of the Union Home Ministry in response of the said letter of the Chief Secretary of Mizoram.
  - 10.A. Supply complete and clear photocopies of full reports/records furnished by Govt. of Mizoram to the Ministry of Home Affairs, Govt. of India, regarding incident of burning of tribal Chakma houses, happened on 20/8/1992 in Marpara, Hbahva and Sachan villages of Mizoram wherein 304 families were fully affected.  
B. Did any individual Chakma/Chakma organization such as "Chakma Jatiya Parishad" submitted memorandums, representations regarding incident of burning of tribal Chakma houses, happened on 20/8/1992 ? I  
C. Did the "Chakma Jatiya Parishad", "Chakma Development Forum" and "Mizoram Chakma Welfare Committee" submitted memorandums, representations in the past regarding Chakma issues/problems ? If yes, supply clear photocopy of complete records of the memorandums, representations submitted regarding Chakma issues/problems and its complete record of Action Taken Report filed by the authorities concerned and submitted to the Ministry of Home Affairs.
  11. Supply complete and clear photocopies of information of the Indira-Mujib Accord of 1972.
  - 12.A.How many Sri Lankan Tamil refugees/Afghan refugees have been granted Indian Citizenship ? B. From which year Sri Lankan Tamil refugees/Afghan refugees have been granted Indian Citizenship? C. Any rehabilitation packages were given to these Sri Lankan Tamil refugees/Afghan refugees ? Supply complete and clear photocopies of those records of decision of ministry/cabinet/proceedings regarding granting of Indian Citizenship/Resident Permit for Sri Lankan Tamil refugees/Afghan refugees as information.
  13. Supply a list/chart of all the refugees living in India from different foreign countries since 1947 to 2013.A. Supply complete and clear photocopies of all those records of decision of ministry/cabinet/proceedings regarding granting of Indian Citizenship/Resident Permit for other refugees belongs to different countries.
  14. Did any organization submitted memorandums, representations in the past

- demanding Gorkhaland, Bodoland, Karbiland and Telenghana States ? If yes, supply clear photocopy of complete records of the memorandums, representations submitted demanding Gorkhaland, Bodoland, Karbiland and Telenghana States and its complete record of Action Taken Report filed by the authorities concerned and submitted to the Ministry of Home Affairs.
15. Has any dialogue taken place in the past between the Ministry of Home Affairs, Govt. of India, Govt. of States concerned and any organizations demanding for Gorkhaland, Bodoland, Karbiland and Telenghana States ? If yes, supply clear photocopy of complete records of the minutes/proceedings of dialogues taken place demanding Gorkhaland, Bodoland, Karbiland and Telenghana States and its complete record of Action Taken Report filed by the authorities concerned and submitted to the Ministry of Home Affairs.
16. Did the Govt. of India notified in the past for the creation of the states and Union Territories of Arunachal Pradesh, Chhattisgarh, Mizoram, Meghalaya, Nagaland, Jharkhand and Uttarakhand ? If yes, supply clear photocopy of complete Gazette notifications notified in this connection.
17. When did first time memorandums, representations submitted in the ministry in the past demanding for creation of Chhattisgarh, Jharkhand and Uttarakhand? supply clear photocopy of complete records of the memorandums, representations submitted demanding for creation of Chhattisgarh, Jharkhand and Uttarakhand States and its complete records of relevant decisions of ministry/cabinet including subsequent Action Taken Report filed by the authorities concerned and submitted to the Ministry.
18. Did the National Federation for New States submitted memorandums, representations in the past demanding for creation of new states and forming for a second State Re-organization Commission ? If yes, supply clear photocopy of complete records of the memorandums, representations submitted demanding for creation of new states and forming for a second State Re-organization Commission by the NFNS and its complete record of Action Taken Report filed by the authorities concerned and submitted to the Ministry.

If requested information are not available in your office, please transfer my petition u/s 6(3) of the RTI Act, 2005 to the Public Authority concerned with intimation to the undersigned. A postal order No.24F 394384 Rs, 10/- (ten) is enclosed herewith as fee. With high regards,

Encl: As stated above,

Yours Sincerely,



(Biju Kumar Chakma)  
Maya Sarover Area, PO. Bodhgaya,  
Dist. Gaya, Bihar-824231