

The Manipur (Village Authorities in Hill Areas) Act, 1956

(ACT NO. 80 OF 1956)

[*As on the* 1*st June,* 2026]

THE MANIPUR (VILLAGE AUTHORITIES IN HILL AREAS) ACT, 1956

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THE MANIPUR (VILLAGE AUTHORITIES IN HILL AREAS) ACT, 1956

ACT NO. 80 OF 1956

[22*nd December*, 1956.]

An Act to consolidate and amend the law relating to the constitution and functions of Village Authorities in the hill areas of the Union territory of Manipur.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follow:—

CHAPTER I

PRELIMINARY

1.Short title, extent and commencement.—(*1*) This Act may be called the Manipur (Village Authorities in Hill Areas) Act, 1956.

(*2*) It extends to the whole of the hill areas of the Union territory of Manipur.

(*3*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2.Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "Chief Commissioner" means the Chief Commissioner of Manipur;

(*b*) "Deputy Commissioner" means the Deputy Commissioner of Manipur and includes the Additional Deputy Commissioner thereof;

(*c*) "heinous offence" means—

(*i*) any of the following offences punishable under the Indian Penal Code (45 of 1860), that is to say, any offence under Chapter VI, rioting, any offence under Chapter XII, murder, culpable homicide not amounting to murder, grievous hurt, kidnapping or abducting in order to subject a person to slavery, buying or disposing of any person as a slave, habitual dealing in slaves, rape, robbery, dacoity, mischief by fire or explosive substance, and house breaking;

(*ii*) any offence punishable under the Indian Arms Act, 1878 (11 of 1878);

and includes any attempt, preparation or conspiracy to commit, and abetment of, any of the offences specified in sub-clause (*i*) or sub-clause (*ii*);

(*d*) "hill areas" mean such areas in the hill tracts of the Union territory of Manipur as the Chief Commissioner may, by notification in the Official Gazette, declare to be hill areas;

(*e*) "legal practitioner" includes a pleader, mukhtar or revenue-agent;

(*f*) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

CONSTITUTION AND FUNCTIONS OF VILLAGE AUTHORITIES

3.Constitution of Village Authorities.—(*1*) For every village having twenty or more tax-paying houses there shall be a Village Authority consisting of—

(*a*) five members, where the number of tax-paying houses in the village is not less than twenty but is not more than sixty;

(*b*) seven members, where the number of tax-paying houses in the village is more than sixty but is not more than one hundred;

(*c*) ten members, where the number of tax-paying houses in the village is more than one hundred but is not more than one hundred and fifty;

1. 18th April, 1957, *vide* notifn. No. S.R.O.88, dated 7th January, 1957, *see* Gazette of India, Part II, sec. 3.

(*d*) twelve members, where the number of tax-paying houses in the village is more than one hundred and fifty.

(*2*) The Chief Commissioner may, having regard to the general interests of the people of any village as also to the demand, if any, from the people of that village for an elected Village Authority, declare, by notification in the Official Gazette, that the village shall have an elected Village Authority, and thereupon the members of the Village Authority of that village shall be elected in accordance with the provisions of this Act and the rules made thereunder.

(*3*) Where no declaration under sub-section (*2*) has been made in relation to any village the members of the Village Authority of that village shall be nominated by the Chief Commissioner.

(*4*) Where there is a Chief or Khulakpa in a village, he shall be the *ex officio* chairman of the Village Authority of that village; and where there is no such Chief or Khulakpa in the village, the chairman of the Village Authority of that village shall be elected by the members of the Village Authority from among themselves.

4.Qualifications for membership of Village Authorities.—A person shall not be qualified to be chosen as a member of a Village Authority unless he—

(*a*) is a citizen of India;

(*b*) is not less than twenty-five years of age; and

(*c*) in the case of membership of an elected Village Authority, is registered in the electoral roll as a voter for the election of a member of the Village Authority.

5.Disqualifications for membership of Village Authorities.—A person shall be disqualified for being chosen as, and for being, a member of a Village Authority,—

(*a*) if he is a member of any other Village Authority;

(*b*) if he is of unsound mind and stands so declared by a competent authority.

6.Term of office of members of Village Authorities.—The term of office of members of a Village Authority shall be three years from the date appointed for its first meeting.

7.Election of members of Village Authorities.—The election of members of the Village Authority of a village shall be on the basis of adult suffrage, that is to say, every person who is a citizen of India and who is ordinarily resident in the village and is not less than twenty-one years of age on such date as may be fixed by rules made under this Act, shall be entitled to be registered as a voter at any such election.

Explanation.—A person shall be deemed to be ordinarily resident in a village if he ordinarily resides in that village or owns, or is in possession of, a dwelling house therein.

8.Power to remove members of Village Authorities.—(*1*) The Deputy Commissioner may remove any member of a Village Authority from his office—

(*a*) who is convicted of any non-bailable offence; or

(*b*) who refuses to act, or becomes incapable of acting, or is declared to be insolvent; or

(*c*) who has been declared by notification to be disqualified for employment in the public service; or

(*d*) who, without an excuse sufficient in the opinion of the Deputy Commissioner, absents himself from six consecutive meetings of the Village Authority; or

(*e*) who has been guilty of misconduct in the discharge of his duties, or of any disgraceful conduct, if two-thirds of the total number of the members of the Village Authority at a meeting recommend his removal.

(*2*) No person who has been removed from his office under clause (*a*) or clause (*c*) of sub-section (*1*) shall be eligible for re-nomination or re-election except with the previous permission of the Chief Commissioner obtained by such person in the prescribed manner.

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9.Resignation of members.—A member of a Village Authority may resign his office by writing under his hand addressed to the chairman of the Authority but shall continue in office until his resignation has been accepted in a meeting of the Authority.

10.Filling of causal vacancies.—When the office of a member of a Village Authority becomes vacant by his removal, resignation or death, a new member shall be nominated or elected to fill the vacancy and shall hold office so long as the member whose place he fills would have been entitled to hold office if such vacancy had not occurred.

11.Bar to interference by courts in election matters.—No election of a member of a Village Authority shall be called in question in any court, and no court shall grant an injunction,—

(*a*) to postpone the election of a member of a Village Authority; or

(*b*) to prohibit a person, declared to have been duly elected under this Act, from taking part in the proceedings of a Village Authority of which he has been elected a member; or

(*c*) to prohibit members nominated or elected for a Village Authority from entering upon their duties.

12.Election disputes.—(*1*) If a dispute arises as to the election of any member of a Village Authority, the matter shall be referred to the Deputy Commissioner who shall decide the same after giving notice to the parties concerned and after taking such evidence as may be produced.

(*2*) The order of the Deputy Commissioner may, within thirty days from the date thereof, be revised by the Chief Commissioner whose decision shall be final and shall not be questioned in any court.

13.Validation of acts and proceedings.—No act done or proceedings taken by a Village Authority under this Act shall be questioned on the ground merely of—

(*a*) the existence of any vacancy in, or any defect in the constitution of, the Village Authority;

(*b*) any defect or irregularity not affecting the merits of the case.

14.Incorporation of Village Authorities.—Every Village Authority shall be a body corporate by the name of the village for which it is constituted and shall have perpetual succession and a common seal, and shall by the said name sue and be sued, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and do all other things necessary for the purposes of this Act.

15.Control of Village Authorities by sub-divisional magistrate.—Subject to the general superintendence and control of the Deputy Commissioner, the sub-divisional magistrate shall have control over all the Village Authorities within the local limits of his jurisdiction.

16.Functions of Village Authorities.—(*1*) Every Village Authority constituted under this Act shall, within the local limits of its jurisdiction, perform the following functions, namely:—

(*a*) it shall, to the best of its ability maintain law and order and for that purpose exercise and perform the powers and duties generally conferred and imposed on the police by or under the Police Act, 1861 (5 of 1861):

Provided that a Village Authority shall not be deemed to be a police officer within the meaning of sections 25 and 26 of the Indian Evidence Act, 1872 (1 of 1872) or section 162 of the Code of Criminal Procedure, 1898 (5 of 1898);

(*b*) it shall cause to be arrested without any order from a magistrate and without a warrant—

(*i*) any person who is a vagrant or commits a heinous offence or who has been concerned in any such offence or against whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been so concerned,

(*ii*) any person against whom a hue and cry has been raised on the ground of his having been concerned in any heinous offence, whether such offence has been or is being committed within its jurisdiction or outside it,

(*iii*) any person for whose arrest a requisition has been received from a police officer; provided that the requisition specifies the person to be arrested and the offence or other cause for which the arrest is to be made or it appears therefrom that the person might lawfully be arrested without a warrant by the officer who issued the requisition,

(*iv*) any person designing to commit any heinous offence of which the Village Authority has knowledge, if the commission of offence cannot otherwise be prevented,

(*v*) any person who obstructs the Village Authority in the performance of its functions under this Act or rules made thereunder or a police officer while in the execution of his duty, and

(*vi*) any person who has escaped, or attempts to escape, from lawful custody:

Provided that where a Village Authority is unable to arrest an offender it shall forthwith report the matter to the sub-divisional magistrate who shall provide the Village Authority with such assistance as it requires:

Provided further that the Village Authority may pursue beyond the local limits of its jurisdiction any person who has committed a heinous offence or is a vagrant or of bad or suspicious character, and arrest such person outside the local limits of its jurisdiction with the consent of the Village Authority within the local limits of whose jurisdiction the person pursued is found;

(*c*) it shall give immediate information to the sub-divisional magistrate of every unnatural, suspicious or sudden death which may occur, and of any heinous offence which may be committed, within the local limits of its jurisdiction and shall keep the sub-divisional magistrate informed of all disputes which are likely to lead to a riot or serious affray; and

(*d*) it shall supply any information which any police officer or the sub-divisional magistrate or the Deputy commissioner may require from it.

(*2*) No person who is arrested under this section shall be detained in custody without being informed, as soon as may be, of the grounds of such arrest.

(*3*) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

17.Obligation to assist Village Authorities.—(*1*) Every person shall be bound to render, to a Village Authority performing the functions under this Act, all the assistance which he is bound to render to a police officer under section 42 of the Code of Criminal Procedure, 1898 (5 of 1898), and every person who refuses or neglects to comply with any requisition for such assistance shall be punishable with fine may extend to—

(*a*) two hundred rupees, where the sentence is passed by a village court; or

(*b*) five hundred rupees, where the sentence is passed by the court of a sub-divisional magistrate.

(*2*) Against an order passed under sub-section (*1*) an appeal shall lie—

(*a*) to the court of sub-divisional magistrate, where the order is passed by a village court;

(*b*) to the court of session, where the order is passed by the court of the sub-divisional magistrate,

Within a period of thirty days from the date of such order or within such longer period as the appellate court may allow:

Provided that no appeal shall lie in any case in which a village court passes a sentence of fine not exceeding twenty rupees or in any case in which the court of a sub-divisional magistrate passes a sentence of fine not exceeding one hundred rupees.

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18. Power of Chief Commissioner to call for records of Village Authorities, sub-divisional magistrate or Deputy Commissioner.—The Chief Commissioner may at any time call for and examine the record of any proceeding before a Village Authority, village court, sub-divisional magistrate or Deputy Commissioner under section 17 for the purpose of satisfying himself as to the correctness, legality or propriety of any finding, sentence or order recorded or passed and after perusing the record set aside, modify or confirm such finding, sentence or order:

Provided that where an order has been made by the court of session in an appeal preferred under sub-section (*2*) of section 17, the Chief Commissioner shall not interfere with such appellate order.

CHAPTER III

ADMINISTRATION OF JUSTICE BY VILLAGE AUTHORITIES

19.Constitution of village courts.—Whenever a Village Authority has been constituted for any village, the Chief Commissioner may, by notification in the Official Gazette, appoint any two or more of the members of the Village Authority to be a village court during their term of office as members of the Village Authority.

20.Jurisdiction of village courts in criminal cases.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), the village court shall have jurisdiction concurrent with that of the criminal court within the local limits of whose jurisdiction the village is situated for the trial of all offences specified in the Schedule.

21. How cases may be instituted.—(*1*) A case before a village court may be instituted by a complaint, made orally or in writing, to a member of the village court.

(*2*) If the complaint is made orally, the member shall record the name of the complainant, the name of the person against whom the complaint is made, the nature of the offence and such other particulars, if any, as may be prescribed, and shall direct the complainant to appear before the village court.

22.Power of village courts to dismiss or refuse to entertain complaint.—(*1*) If upon the fact of the complaint, or on examining the complaint, the village court is of opinion that the complaint is frivolous, vexatious or untrue, it shall dismiss the case by order in writing.

(*2*) If at any time it appears to the village court—

(*a*) that it has no jurisdiction to cry the case, or

(*b*) that the offence is one for which the sentence which the court is competent to pass would be inadequate, or

(*c*) that the case is one which should not be tried by the court,

it shall direct the complainant to the proper court.

23.Dismissal of case for default.—If in any case before a village court the complainant fails to appear on the day fixed, or if in the opinion of the court he shows negligence in prosecuting his case, the court may dismiss the case for default, and such order of dismissal shall operate as an acquittal.

24.Proceedings preliminary to trial.—(*1*) If the complaint is not dismissed, the village court shall, subject to the provisions of section 53, by summons or otherwise require the accused to appear and answer the complaint.

(*2*) If the accused fails to appear or cannot be found, the court shall report the fact to the nearest magistrate, who may issue a warrant for the arrest of the accused and when arrested may forward him for trial to the village court or release him on bail to appear before it.

(*3*) The village court shall, if possible, try the case on the day on which the accused appears or is brought before it; but if that is not possible, the village court shall release him on his executing a bond for a sum not exceeding two hundred rupees to appear before the court on any subsequent day to which the trial may be adjourned.

25.Bar to appeal from the order of village courts, but power to order retrial.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), there shall be no appeal by a convicted person in any case tried by a village court:

Provided that the Deputy Commissioner or the sub-divisional magistrate, if satisfied that a failure of justice has occurred, may, of his own motion or on the application of the parties concerned, cancel or modify any order of conviction or of compensation made by a village court or direct the retrial of any case by a court of competent jurisdiction subordinate to him.

26.Power of village courts to impose fine or to award compensation.—(*1*) A village court shall record its decision in writing and may sentence an offender convicted by it to pay a fine not exceeding two hundred rupees or in default to imprisonment for a term not exceeding one month.

(*2*) When a village court imposes a fine under sub-section (*1*), it may, when passing the order, direct that whole or any part of the fine recovered shall be applied in payment of compensation for any loss or injury caused by the offence.

(*3*) When a person has been sentenced to imprisonment under sub-section (*1*) in default of payment of fine, if such fine be not paid within ten days of the passing of the sentence or within such further time, if any, as the village court may allow, the court may cause him to be arrested and may commit him to the nearest jail to serve his sentence:

Provided that notwithstanding anything contained in the Indian Penal Code (45 of 1860)—

(*a*) the fine imposed by a village court shall not be realised from any person who has served his term of imprisonment under this section;

(*b*) the person serving his term of imprisonment shall be forthwith released, if the fine is paid before the expiry of the term of imprisonment:

Provided further that no woman shall be sentenced to imprisonment in default of payment of fine.

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27.Power of village courts to release certain offenders after admonition or on probation of good conduct.—When any person is convicted by a village court of an offence punishable under section 26 and no previous conviction is proved against him, if it appears to the said court, regard being had to the age, character and antecedents of the offender and the circumstances in which the offence was committed, that it is expedient—

(*a*) that the offender should be released after due admonition, the village court may instead of sentencing him to any punishment, release him after due admonition; or

(*b*) that the offender should be released on probation of good conduct, the village court may, notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), instead of sentencing him at once to any punishment, direct that he be released on his executing a bond for a sum not exceeding two hundred rupees to appear and receive sentence when called upon during such period not exceeding one year as the village court may direct, and in the meantime to keep the peace and be of good behaviour.

28.Power of village courts to permit compounding of offences.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), the village court may allow the parties to compound any offence tried by it.

29.Power to transfer criminal cases.—The Deputy Commissioner or the sub-divisional magistrate, either on application made to him in this behalf, or on his own motion, may transfer any case from one village court to another or to any other court subordinate to him.

30.Jurisdiction of village courts in civil cases.—Notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908), or in any other law for the time being in force, but subject to the provisions of section 31 and section 32, the village court and the ordinary civil court, within the local limits of whose jurisdiction the village is situated, shall have concurrent jurisdiction to try the following classes of suits, namely:—

(*a*) suits for money due on contracts;

(*b*) suits for the recovery of movable property or the value of such property;

(*c*) suits for compensation for wrongfully taking or injuring movable property; and

(*d*) suits for damages by cattle trespass;

when the value of the suit does not exceed five hundred rupees.

31.Certain suits not to be tried by village courts.—No suit shall lie in any village court—

(*a*) on a balance of partnership account,

(*b*) for a share or part of a share under an intestacy or for a legacy or part of a legacy under a will,

(*c*) by or against the Government or public officers in their official capacity,

(*d*) by or against minors or persons of unsound mind,

(*e*) for the assessment, enhancement, reduction, abetment, apportionment, or recovery of rent of immovable property,

(*f*) for recovery of immovable property, or

(*g*) for enforcement or redemption of a mortgage of immovable property.

32. Local limits of jurisdiction of village courts.—No suit shall lie in any village court, unless at least one of the defendants resides within the local limits of its jurisdiction at the time of the institution of the suit, and the cause of action has arisen wholly or in part within those limits.

33. How suits may be instituted.—(*1*) A suit before a village court may be instituted by a petition made orally or in writing, and if the petition is made orally, the court shall record such particulars as may be prescribed.

(*2*) The plaintiff on instituting his suit shall state the value of the claim.

34.Suits barred by limitation are not triable by village courts.—(*1*) If at any time the village court is of opinion that the suit is barred by limitation, the court shall, by order in writing, dismiss the suits.

(*2*) If at any time it appears to the village court that it has no jurisdiction to entertain the suit, the court shall direct the plaintiff to the proper court.

35.Dismissal of suits for default.—If in any suit before a village court the plaintiff fails to appear on the date fixed or if in the opinion of the court he shows negligence in prosecuting his suit, the court may dismiss the suit for default:

Provided that a village court may restore a suit dismissed for default, if within thirty days from the date of such dismissal the plaintiff satisfies the court that he was prevented by sufficient cause from appearing on the date fixed.

36. Summons to defendants to appear and answer.—If on receiving the petition the village court is satisfied that the trial of the suit may be proceeded with, it shall by summons or otherwise require the defendant to appear and answer orally or in writing the claim made in the suit.

37. *Ex parte* decision.—If the defendant fails to appear and the village court is satisfied that he has received notice of the date fixed for hearing, the court may decide the suit *ex parte*:

Provided that any defendant against whom a suit has been decided *ex parte* may, within thirty days from the date of executing any processes for enforcement of the decision, apply orally or in writing, to the village court to set aside the order; and the court, if satisfied, that the defendant did not receive due notice of the date of hearing or was prevented by any sufficient cause from appearing on the date fixed, shall set aside the decision and shall appoint a day for proceeding with the suit.

38.No order to be set aside without notice to opposite party.—No decision or order or a village court shall be set aside under section 35 or section 37 unless notice in writing has been served by the village court on the opposite party in the prescribed manner.

39.Power of village courts to determine necessary parties.—(*1*) Subject to the provisions of clause (*c*) or clause(*d*) of section 31 the village court may add as parties to a suit any persons whose presence as parties it considers necessary for the proper decision thereof, and shall enter the names of such parties in the register of suits, and the suit shall be tried as between the parties whose names are entered in the said register:

Provided that when any party is added, notice shall be given to him and he shall be given an opportunity of appearing before the trial of the suit is proceeded with.

(*2*) In all cases where a new party appears under the proviso to sub-section (*1*) during the trial of a suit, he may require that the trial shall begin *de novo.*

40.Certain suits not to be tried by village courts.—No village court shall proceed with the trial of any suit in which the matter directly and substantially in dispute is pending for decision in the same court or in any other court in a previously instituted suit between the same parties or between parties under whom they or any of them claim, or has been heard and finally decided in a suit between the same parties, or between parties under whom they or any of them claim.

41.Decision of village courts.—When the parties or their agents have been heard and the evidence on both sides considered, the village court shall, by written order, pass such decree as may seem just, equitable and according to good conscience, stating in the decree the amounts payable as fees under section 45, and the amount, if any, paid to witnesses under section 51 and the persons by whom such amounts are payable.

42.Instalments.—A village court in ordering the payment of a sum of money or the delivery of any movable property may direct that the money be paid or the movable property be delivered, by instalments.

43.Decision of village court to be final; but power to order retrial.—The decision of a village court in any suit shall be final as between the parties to the suits:

Provided that the district judge may on application of any party to the suit made within thirty days from the date of the decree of the village court, cancel or modify the decree or order of the village court or direct a retrial of the suit by the same or any other village court or by any other court subordinate to him if he is satisfied that there has been a failure of justice.

44.Death of parties.—If the plaintiff or defendant in any suit dies before the suit has been decided, the suit may, subject to the provisions of clause (*d*) of section 31, be proceeded with at the instance of or against the legal representatives of the deceased plaintiff or defendant, as the case may be.

45.Fees.—(*1*) In all suits instituted in a village court a fee of one anna in the rupee shall be payable in advance by the plaintiff on the amount of the claim upto fifty rupees, and of half anna for every rupee of the claim above fifty rupees, and such fees shall not be paid to either party.

(*2*) If the claim in the suit is decreed in full, the amount equal to the fee shall be realised from the judgement-debtor together with the amount decreed.

(*3*) If the claim in a suit is decreed in part, an amount equal to a proportionate part of the fee shall be realised from the judgement-debtor together with the amount decreed.

(*4*)Any amount realised under sub-section (*2*) or sub-section (*3*) shall be paid to the decree-holder.

46.Execution of decree.—(*1*) If the village court passing a decree is unable to effect satisfaction thereof, it shall grant the decree-holder a certificate to that effect stating the amount due to him on account of the decree and the amount due on account of fees under section 45.

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(*2*) Any decree-holder wishing to execute a decree of a village court may apply to the court of the munsiff within the local limits of whose jurisdiction the village is situated and shall present with his application a certified copy of the decree of the village court; but no application for execution shall be entertained by the court of the munsiff,—

(*a*) unless the village court has certified that it is unable to effect satisfaction of the decree, and

(*b*) unless the application is made after the expiry of three months from the date of the decree.

(*3*) In executing a decree of the village court the court of the munsiff shall have the same powers and shall follow the same procedure as if it were executing a decree passed by itself.

47.Limitation for execution of decree or order.—An application for execution of a decree of a village court made after the expiry of three years from the date of the decree or of any order under section 43 modifying any such decree, shall be dismissed, although limitation has not been pleaded:

Provided that where the application is made for execution of a decree or order to enforce payment of a sum of money or delivery of any movable property which the decree or order directs to be made at a certain date, the application may be made within three years from that date.

48.Procedure before village courts.—(*1*) The provisions of—

(*a*) the Court Fees Act, 1870 (7 of 1870),

(*b*) the Code of Criminal Procedure, 1898 (5 of 1898), and

(*c*) the Code of Civil Procedure, 1908 (5 of 1908),

shall not apply to any trial or any criminal case or civil suit before a village court.

(*2*) The procedure to be followed by a village court in any criminal case or civil suit and in the enforcement of its decisions, sentences, decrees and orders, and in the method of forming a quorum shall be prescribed by rules made under this Act.

(*3*) The Indian Evidence Act, 1872 (1 of 1872) shall not apply in the trial of any case or suit by a village court but the village court shall observe as far as possible the principles underlying that Act.

49.Persons who are to preside over village courts.—(*1*) The village court shall be presided over by the chairman of the Village Authority if he is a member of the court.

(*2*) If the chairman of the Village Authority is absent from a sitting of the village court or if he is not a member of the court shall elect its own President.

(*3*) In the case of difference of opinion among the members of the court the opinion of the majority shall prevail and the decisions and orders of the court shall be expressed in terms of the views of the majority.

(*4*) In the case of an equality of votes the person presiding over the court shall have a second or casting vote.

50.Village courts not to try any case or suit in which the Village Authority or any member thereof is interested.—No village court shall try any criminal case or any civil suit to or in which the Village Authority or any member thereof is a party or is interested.

51.Attendance of witnesses.—(*1*) Subject to the provisions of section 53 a village court may by summons or otherwise send for any person to appear and give evidence or to produce or cause the production of any document.

(*2*) A village court shall refuse to summon a witness or to enforce a summons already issued against a witness, where in the opinion of the court the attendance of the witness cannot be procured without an amount of delay, expense, or inconvenience which under the circumstances of the case would be unreasonable.

(*3*) A village court shall not require any person living at a distance of five miles or more from the seat of the village court to give evidence or produce any document unless such sum of money be paid to him

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as appears to the court to be sufficient to defray his travelling and other expenses in passing to and from the court and for one day's attendance.

(*4*) If any person whom a village court summons by written order to appear or give evidence or to produce any document before it, fails to obey such summons, such person shall be guilty of an offence and the village court may take cognizance of such offence and may sentence any person convicted thereof to a fine not exceeding twenty-five rupees.

52.Appearance of parties before village courts.—(*1*) The parties to criminal cases triable by a village court shall appear personally before the court:

Provided that the village court, if it sees reason so to do, may dispense with the personal attendance of the accused and permit him to appear by agent.

(*2*) The parties to civil suits triable by a village court may appear by agent.

Explanation.—In sub-section (*1*) and sub-section (*2*), "agent" means a full-time servant or a partner or a relative of the party whom the village court may admit as a fit person to represent that party and who is authorised to appear and plead for such party.

(*3*) Notwithstanding anything contained in any law, legal practitioners shall not be permitted to practise before a village court.

53.Appearance of women.—No woman shall, against her will, be compelled to appear in person before a village court as an accused or as a party or as a witness.

54.Realisation of fees, fines, etc.—All fees and fines imposed, all sums decreed or compensation awarded and all sums due on bonds under this Act may be realised under orders of the village court in such manner as may be prescribed.

55.Registers and records.—Every village court shall maintain registers and records and submit such returns as may be prescribed.

56.Language of village courts.—All proceedings before a village court shall be in Manipuri.

CHAPTER IV

MISCELLANEOUS

57.Power to make rules.—(*1*) The Chief Commissioner may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the preparation, revision and final publication of electoral rolls for election of members of a Village Authority and the particulars to be entered in such rolls;

(*b*) the preliminary publication of electoral rolls in the village to which they relate;

(*c*) the manner in which and the time within which claims and objections as to entries in electoral rolls may be preferred and the authority by whom such claims and objections may be decided;

(*d*) the nomination of candidates, the time and manner of holding elections and the manner in which votes shall be given;

(*e*) any other matter relating to elections to Village Authorities or election disputes arising therefrom;

(*f*) the regulation of the conduct of business of the Village Authorities and the number of members necessary to form a quorum;

(*g*) the registers and records to be maintained and the returns to be submitted by Village Authorities and village courts and the particulars to be entered in such registers, records and returns;

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(*h*) the procedure to be followed by a village court in the institution, trial and disposal of criminal cases and civil suits and the number of members necessary to form a quorum of a village court;

(*i*) the issue, service or execution of summons and other processes by village courts and the issue and service of notice by Village Authorities;

(*j*) the procedure for the transfer of criminal cases and civil suits from one village court to another village court or to any other court;

(*k*) the procedure for the execution of decrees, orders and sentences of village courts;

(*l*) the fees to be levied by village courts for copies of documents and the procedure to be followed in furnishing such copies; and

(*m*) any other matter which has to be or may be prescribed under this Act.

58.Repeal and savings.—The Manipur State Hill Peoples (Administration) Regulation, 1947, in so far as it relates to the constitution and functions of Village Authorities and the administration of justice, both civil and criminal, by courts of Village Authorities, is hereby repealed:

Provided that the said repeal shall not affect—

(*a*) the previous operation of the said Regulation, or

(*b*) any right, privilege, obligation or liability acquired, accrued or incurred under the said Regulation, or

(*c*) any penalty, forfeiture or punishment in respect of any offence committed under the said Regulation, or

(*d*) any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture of punishment may be imposed as if this Act had not been passed:

Provided further that subject to the above provisions, anything done or any action taken (including any appointment or delegation made or any notification, instruction or direction issued or any rule, regulation or form made or framed) under the said Regulation shall in so far as such thing or action is not inconsistent with the provisions of this Act, continue in force, and be deemed to have been done or taken under the corresponding provisions of this Act, unless and until it is superseded by anything done or any action taken under the provisions of this Act.

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THE SCHEDULE

[*See* section 20]

OFFENCES TRIABLE BY A VILLAGE COURT

1.Offences under sections 24, 26 and 27 of the Cattle Trespass Act, 1871 (1 of 1871).

2.Offences under enactments (other than the Indian Penal Code (45 of 1860) and this Act) or any rules and bye-laws made thereunder which are punishable with fine only upto a limit of two hundred rupees.

3.Offences under section 34 of the Police Act, 1861 (5 of 1861).

4.Offences under the following sections of the Indian Penal Code (45 of 1860), namely:—

sections 160, 178, 179, 269, 277, 289, 290, 294, 323, 334, 341, 352, 358, 426, 447, 448, 504 and 510; and when the value of the property in the opinion of the village court is not over two hundred rupees, sections 379 and 411.

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STATEMENT OF OBJECTS AND REASONS

The constitution and functions of Village Authorities in the hill areas of Manipur are at present governed by the Manipur State Hill Peoples (Administration) Regulation, 1947, enacted during the regime of the Maharaja of Manipur. The provisions of this Regulation are outmoded, and it is considered desirable to have legislation on more modern lines. The present Bill seeks to do this while at the same time keeping in view the peculiar conditions obtaining in these areas. The principal features of the Bill are: -

(1) election of village authorities on the basis of adult suffrage in suitable cases in place of nomination under the existing Regulation;

(2) the rationalisation of the existing provisions· and their simplification as far as possible;

(3) the omission of all references to trials by ordeal;

(4) the enlargement of the list of cases which village courts can try.

NEW DELHI;
The 3*rd February,* 1956. G. B. PANT.

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