

NSF-ILRC's PRAYERS

A. The institution

1. Constitute the Nagaland Inner Line Regulation Commission by law

That the Government of Nagaland bring before the Nagaland Legislative Assembly a Bill constituting an autonomous Nagaland Inner Line Regulation Commission as the single authority responsible for the administration and enforcement of the Bengal Eastern Frontier Regulation, 1873, within the State.

The fragmentation of responsibility across the Home Department, the Commissioner, seventeen district administrations, the Police, the municipal and town councils and the Land Revenue Department is not an incidental weakness of the present arrangement. It is the cause of every finding in Part III.

We pray that the Commission be constituted with: a chairman of not less than the rank of Commissioner, or a retired Chief Secretary or Judge; members drawn from the Home Department, the Police, the Land Revenue Department and the municipal administration; not fewer than two members drawn from the apex tribal bodies and the recognised student organisations of the State; delegated authority to frame and revise the form of pass and the restrictions and conditions attaching to it under Section 4 of the Regulation; custody of the central register; power to call for returns from every district and to record the failure to furnish a return as an official lapse; and an annual report laid before the Legislative Assembly and published. [Instrument: State legislation.]

2. Pending that legislation, notify the enforcement directorate the Cabinet has already approved

That within ninety days of this representation the Government notify the multi-departmental enforcement directorate resolved upon by the Cabinet on the 14th May 2025, naming the officer who heads it, its sanctioned strength, the departments represented upon it and the budget head against which it is to function; and that the directorate so notified stand as the interim body until the Commission is constituted by law. [Instrument: executive notification. No new posts are required; the Cabinet decision itself was framed upon that footing.]

B. The record

3. Create a single central register of passes recording both entry and exit.

That a single real-time register of every pass issued in the State be maintained under the Commission, accessible to every Deputy Commissioner, every designated Police officer and every check gate, recording the holder, the category, the purpose, the districts to which the pass extends, the guarantor or employer, the date of entry, the date of expiry and the date of exit. The absence of any exit record is the single defect from which Findings 1 and 5 both proceed. [Instrument: executive instruction; the software already exists.]

4. Lay an annual Inner Line Return before the Legislative Assembly.

That the Government cause to be laid before the Assembly, and published, an annual return stating district-wise: passes issued by category; passes expired; passes extended; defaulters detected; defaulters fined and the amount; prosecutions launched and their outcome; removals

effected; revenue collected and the head of account to which it was credited; and the expenditure incurred upon enforcement. [Instrument: executive decision.]

5. Direct that the existing proforma be completed.

That the Commissioner issue a direction to all Deputy Commissioners that the fortnightly and monthly returns already prescribed be completed in every column, and that the submission of a return with the defaulter, action-taken and illegal-foreigner columns struck through or left blank be treated as a lapse recordable against the officer submitting it. The State need not design a new reporting system. It needs the one it has to be filled in. [Instrument: executive instruction. Cost: nil.]

6. Publish the State-wide revenue, and reconcile the online and offline accounts.

That the Government publish the State-wide revenue from the Inner Line Pass for each of the last ten financial years, including a legible copy of the revenue table appearing at page 21 of Annexure F to the Home Department's reply No. HOME/ILP-36/03/2026; that the online receipts credited to the Commissioner's account be reconciled district-wise against the passes issued; and that the head of account into which fines are deposited be notified to every district. [Instrument: executive instruction.]

C. Enforcement

7. Restore and man the check gates, and publish the list.

That the Government publish a State-wide list of designated check gates and checking points with their jurisdiction, sanctioned manpower and hours of operation; that the closures effected before the review meeting of the 21st September 2022 be revisited in the light of the extension of the Inner Line of the 20th September 2024 and of the present volume of movement; and that pass-issuing and verification counters be established at the Dimapur Airport and at the Dimapur Railway Station. Both were recommended by the Kesonyu Committee in 2017 and by this Federation in April 2025. Mizoram opened a counter at Sairang on the day the railway station opened. [Instrument: executive notification and budgetary provision.]

8. Issue the authorisations under Section 6 of the Regulation.

That the Government accord its approval, and that every Deputy Commissioner thereupon issue written instruments under his hand under Section 6 of the Regulation, authorising Police officers of and above a named rank in his district to arrest and produce before him any person found beyond the Inner Line without a pass, or any pass holder who has committed an infraction of its conditions. At present the Police act, when they act, under the general criminal law, because no such instrument exists. This is the cheapest and the most consequential single measure in this representation. It requires a signature. [Instrument: written instruments under Section 6, with the approval of the State Government. Cost: nil.]

9. Settle the question of the Magistracy.

That the Government, in consultation with the Law and Justice Department, notify which class of Magistrate — Executive or Judicial — is the competent authority before whom offences under Sections 3 and 4 of the Regulation are to be laid, Section 11 providing only that such offences are triable by Magistrates of the first or second class and are bailable. The ambiguity is a

substantial part of the reason why detection is not followed by prosecution. [Instrument: notification, with the concurrence of the High Court where required.]

10. End the practice of undertakings in lieu of penalty.

That the Commission, or pending its constitution the Commissioner, direct that no defaulter be released upon an undertaking to apply for a pass; that every detection be entered in the central register, disposed of according to law and reported; and that the disposal of every detection recorded during the drives of April 2026, in which six hundred and forty-four defaulters were detected in forty-eight hours, be called for and published. [Instrument: executive instruction.]

11. Build the machinery of removal.

That a holding facility be established at Dimapur for persons awaiting removal beyond the Inner Line; that the cost of removal be recovered from the guarantor or the employer, as was done in the Tuensang order of July 2025; and that the facility and the removals be funded from receipts under the Regulation. Recommended by the Sentianger Committee in 2015 and by the Kesonyu Committee in 2017. [Instrument: executive decision and budgetary provision.]

12. Move for the enhancement of the penalties.

That the Government initiate the amendment of Sections 3 and 4 of the Regulation to raise the maximum penalty. We state the position accurately: the original penalty of a fine not exceeding Rs. 100 for a first offence and Rs. 500 with imprisonment up to three months for each subsequent offence was substituted by Section 2 of Regulation V of 1925 with imprisonment which may extend to one year, a fine not exceeding one thousand rupees, or both. The present statutory ceiling is therefore Rs. 1,000 and one year. A fine of one thousand rupees fixed in 1925 is today no deterrent at all, and no notification under Section 4 can raise it, the ceiling being statutory. This is the one prayer in this representation that cannot be granted by executive instruction, and we do not pretend otherwise. We pray that the Government take the necessary steps, and in the meantime exercise Section 4 to attach conditions whose breach carries consequences the Regulation does permit — cancellation, debarment from reapplication for a stated period, and forfeiture of the guarantor's deposit. [Instrument: amendment of the Regulation; interim measures by notification under Section 4.]

D. The economic linkage

13. Link the trade licence to the pass.

A person who overstays a pass suffers no consequence in the ordinary course of daily life. No trade, however, may be carried on without a licence, and no licence endures without periodic renewal. The licensing counter is therefore the single most effective point at which lawful presence may be verified, and it requires no new legislation — only the use of machinery that already exists in every municipal and town council of the State. Our enquiries with the Deputy Commissioners in respect of trade licences issued to non-indigenous traders have disclosed how difficult it presently is to reconcile the licensing record with the record of passes: the two are maintained separately, by authorities that do not speak to one another. We pray that the Government issue instructions to all trade licensing authorities, including the municipal and town councils and the district administrations, to the following effect:

- (a) that no trade licence be issued or renewed to a non-indigenous applicant except on production of a valid Inner Line Pass, the number and period of validity whereof shall be recorded upon the licence and in the licensing register;
- (b) that the validity of the licence shall not extend beyond the validity of the pass;
- (c) that the licence shall stand suspended upon the expiry or cancellation of the pass, until a valid pass is produced;
- (d) that every application shall declare the non-indigenous partners, employees and occupants of the licensed premises, together with the pass particulars of each, so that the requirement is not defeated by a licence held in the name of an indigenous person while the business is in truth carried on by another;
- (e) that the licensing register be reconciled periodically with the central register of passes, and the result of such reconciliation reported to the Commission; and
- (f) that a like linkage be examined in respect of tenancy and house-tax records, where the same difficulty arises.

We record that this is not a new proposal of ours. The Abhishek Singh Committee recommended in 2018, in terms, that departments issuing trade licences ensure that no trade licence is issued beyond the period of validity of the pass. We ask only that the Government's own recommendation be given effect. It must be framed as a direction to licensing authorities grounded in the Regulation and in Article 371(A), and not as a fresh eligibility bar. [Instrument: executive instruction to licensing authorities.]

14. Give effect to Section 7 of the Regulation.

That the Government notify the officer appointed under Section 7 to grant or refuse sanction for the acquisition by a non-native of any interest in land or in the product of land beyond the Inner Line; that every sanction granted since the statehood of Nagaland be called for and published; and that the power under the same section to deal with any interest acquired without such sanction be exercised. Section 7 is the provision of the Regulation that speaks directly to the economic question, and it has not been used at all. [Instrument: notification under Section 7.]

15. Enforce and reconcile the registration of tenants.

That the requirement notified on the 14th August 2025, that house owners register non-local tenants with the Village Council or the Police, be given a reporting line: that the registers so maintained be reconciled with the central register of passes, and that the failure of a house owner to register be attended with a stated consequence. A registration requirement with no reconciliation and no consequence will produce registers that no one reads, which is the difficulty described in Finding 3. [Instrument: executive instruction.]

16. Act upon the benami question.

That the Government cause an enquiry into businesses carried on within the State under the names of indigenous persons while in truth owned or operated by others, and that its findings be acted upon. We do not raise this on our own authority alone. You raised it yourself, Sir, from the dais at our seminar on the 29th August 2026, and we ask that the observation be given effect. [Instrument: executive decision; the linkage at prayer 13(d) is the practical mechanism.]

E. THE GUARANTOR

17. Make the guarantor answerable.

That the form of pass prescribed under Section 4 require of every guarantor or employer a signed declaration of the particulars of the holder; that a ceiling be fixed upon the number of passes any one guarantor may stand for, with an advance deposit as recommended by the Kesonyu Committee; that a false declaration attract the penalty for breach of a condition of the pass, and forfeiture of the deposit; that no non-indigenous person stand as guarantor for another non-indigenous applicant; and that the employer bear the obligation to report the expiry of a pass and to secure the return of the holder beyond the Inner Line. We note that the registers of one district disclose one thousand five hundred and thirty-nine records with no guarantor identifier at all, and that a ceiling of ten appears to operate in practice without appearing in any notification we have seen. [Instrument: notification under Section 4.]

F. NOMENCLATURE

18. Adopt the expression “Inner Line Pass” officially, in place of “Inner Line Permit”.

The parent Regulation does not use the word “permit”. Section 2 empowers the State Government to prohibit persons from going beyond the Inner Line “without a pass under the hand and seal of the chief executive officer of such district”. Section 3 provides the penalty where a person so prohibited “goes beyond such line without a pass”. Section 4 empowers the State Government to prescribe “a form of pass for each district”. “Permit” is a later administrative usage with no foundation in the Regulation.

The distinction is not merely one of words. A permit suggests a permission conferring standing upon its holder; a pass denotes conditional and time-bound entry, revocable upon breach of the conditions attached to it. The latter is what the Regulation provides for, and it is also the expression in ordinary use among our people. The continued official use of “permit” has, over time, encouraged the belief that the document confers a right to remain and to acquire interests within the State. We pray that the Government officially adopt the expression “Inner Line Pass” in all notifications, forms, registers, signage, online portals and official correspondence, and issue instructions to all departments and district administrations accordingly, amending the State’s rules and executive instructions where required. [Instrument: executive notification.]

G. TRANSPARENCY

19. Publish the data, so that it need not be asked for.

That the Home Department publish under Section 4 of the Right to Information Act, on a quarterly basis and upon the State portal, the district-wise data on passes issued, defaulters detected, action taken and revenue collected. We would rather not spend the Federation’s means upon postal orders and speed post to obtain figures the State should publish of its own motion. [Instrument: executive decision.]

H. CAPACITY

20. Sensitise the officers who administer the Regulation, and give each district a cell.

That a structured programme of sensitisation upon the Regulation — its sections, its limits and its exemptions — be conducted for Deputy Commissioners, Additional Deputy Commissioners,

Extra Assistant Commissioners, Sub-Divisional Officers, Police officers manning check gates and the staff of pass counters; and that a dedicated Inner Line cell be established in every district headquarters from existing manpower, as the Sentianger Committee recommended in 2015, functioning under the Commission. The exemptions require particular attention: the position of the families and dependants of Government servants, and the position of Nepali and Gorkha persons, are both administered inconsistently across districts at present. [Instrument: executive decision.]

I. THE COMMUNITY

21. *Give community verification a lawful footing rather than leaving it in the cold.*

At present the verification of passes is undertaken in large measure by student bodies and community organisations, without authority of law, and those bodies are then blamed for acting without authority of law. That is an unsatisfactory arrangement for everybody, and it produces exactly the friction between the public and the administration that the Home Commissioner rightly cautioned against at our seminar. Mizoram's experience, laid before us by Prof. Lallianchhunga, is that the State and the community act in tandem: the joint operation of the 12th March 2024 between the Central Young Mizo Association and the Mizoram Police identified one thousand one hundred and eighty-seven persons without valid permits. We pray that verification drives be conducted jointly, upon the requisition of the district administration, with such community and student representatives as the Commission may authorise in writing, so that the authority is the State's and the vigilance is shared. We do not seek a policing role, and we would gladly surrender the one we have been left to carry.

WHAT ARE NOT ASK FOR

Because this representation will be read by others besides the Government, we state plainly what is not in it.

— We do not ask that Nagaland be closed. The Federation has said consistently, and says again, that any citizen of India is welcome in Nagaland.

— We do not ask that any person be refused a pass on the ground of origin, language, religion or community. We have said, and we repeat, that a valid Aadhaar card or elector's photo identity card should suffice as the documentary qualification for a pass, the scrutiny being directed to the purpose of entry and to the credibility of the guarantor.

— We do not ask that the pass be made costly, slow or difficult. A regime that is hard to comply with produces evasion, not compliance. Mizoram's online portal has reduced entry times while its enforcement has grown stricter; the two are not in conflict.

— We do not ask that students, patients, transit passengers, or those coming to trade honestly be inconvenienced.

— We do not ask for a share in the administration of the Regulation in place of the State. We ask for the opposite — that the State discharge the function, so that our units need not.

What we ask for is a record: that the State know who is within the Inner Line, upon what pass, for what purpose, until when, and that it know when they have gone. Every prayer in Part IV is directed to that single end.

THE RESPONSE SOUGHT

We pray for a written reply within thirty days of the receipt of this representation, stating against each of the twenty-two prayers whether it is accepted, accepted in part, under consideration or declined, and where accepted, the instrument by which and the date upon which it will be given effect. We further pray for a joint review meeting with the Home Department and the Commissioner at which the reply may be discussed, and we are ready to attend at any date the Government appoints.

We say, with respect, why we ask for it in these terms. Our Ten-Point Memorandum of the 10th April 2025 drew a reply upon those of its points that fell to the Directorate of Information Technology and Communication, and upon the five that fell to the Government of Nagaland it has drawn nothing, notwithstanding our reminder of the 17th July 2025. We do not wish to add this representation to that file. We therefore ask for a reply that addresses each prayer in turn, and we propose to publish this representation and to publish the Government's reply alongside it, whatever it may contain.