

THE MANIPUR NAMES OF PLACES BILL, 2024

(As introduced in the Manipur Legislative Assembly on)

[Recommendations of the Governor under clauses (1) and (3) of article 207 of the Constitution of India have been obtained.]

THE MANIPUR NAMES OF PLACES BILL, 2024

A

Bill

to regulate the naming of places in the State of Manipur.

Be it enacted by the Legislature of Manipur in the Seventy-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Manipur Names of Places Act, 2024. Short title, extent and commencement.
- (2) It shall extend to the whole of the State of Manipur.
- (3) It shall come into force with effect from the date of its publication in the Official Gazette of Manipur.
2. A place which was, immediately prior to the commencement of this Act, known by a particular name, shall continue to be known by that name, unless and until the name of that place is altered under the provisions of this Act. Savings.
3. In this Act, unless the context otherwise requires:- Definitions.
 - (a) "member" means a member of the Place Names Committee constituted under section 5 this Act;
 - (b) "Place" shall have the meaning as defined in section 4(1) of this Act;
 - (c) "State Government" means the Government of Manipur;
 - (d) "Central Government" means the Government of India;
 - (e) "Director" means the Director of Settlement & Land Records, Manipur;

- (f) "Leikai" means a locality known as a leikai before the commencement of this Act;
- (g) "Khul" or "Khun" means a locality known as a khul or khun respectively, before the commencement of this Act;
- (h) "Leirak" or "Lambi" means a street or a road, known as a leirak or lambi, before the commencement of this Act;
- (i) "Loukon" means a locality or an area, known as a loukon, before the commencement of this Act;
- (j) "Committee" means the Place Names Committee constituted under this Act;
- (k) "Shamasana" or "mang" means a cremation ground set aside under Hindu or Meetei ritualistic practices;
- (l) "Urban local body" means a small town committee, a municipal council, or a municipal corporation constituted under the statutes;
- (m) "Rural local body" means a gram panchayat or a village authority constituted under the statutes; and
- (n) "Land Resources Department", "Rural Development & Panchayati Raj Department", "Public Works Department", "Arts & Culture Department", "MAHUD Department" and "Tribal Affairs and Hills Department" means those Departments under the State Government called as such.

Meaning of place. 4. (1) A place includes:-

- (a) a geographic or topographic feature (whether or not covered by water);
 - (b) a leikai, village, khul, khun, locality or town;
 - (c) a road, street, leirak, lambi, lane, trail or throughfare that is open to or used by the public;
 - (d) a park, garden, loukon, grazing reserve or religious, recreation, community or sporting ground that is open to, or used by the public;
 - (e) a public cemetery, burial ground, cremation ground or shamasana or mang; and
 - (f) public infrastructure associated with transport facilities, educational institutions or medial institutions; and
 - (g) a place, structure or building that is or may be of public or historic interest.
- (2) The following administrative units, shall be outside the scope of Place Names Committee constituted under this act:

- (a) a division of an area, for the purpose of conduct of Census and other enumeration exercises, and elections conducted by or under the Central Government; or
- (b) a protected forest, reserved forest, national park or wildlife sanctuary, constituted under statutes; or
- (c) a revenue village, a revenue circle, a revenue sub-division, or a revenue district; or
- (d) a development block, established under the Rural Development & Panchayati Raj Department or the Tribal Affairs and Hills Department; or
- (e) an area established as an administrative unit or a ward, under urban or rural local bodies; or
- (f) a police station; or
- (g) a national highway, or state highway.

Notwithstanding the above, the naming of any administrative unit including the above but not defined hereto, which has the connotation of the name of a place, in any way whatsoever shall require the concurrence of the Land Resources Department, Government of Manipur.

5. (1) For the purposes of this Act, there shall be a Place Names Committee for the State of Manipur. Place Names committee.
- (2) The Committee shall consist of a Chairperson and six (6) other members.
- (3) The Chairperson shall be appointed by the State Government, from amongst retired All India Services Officers, who shall be below 65 years of age.
- (4) The Director shall be a member of the Committee.
- (5) The remaining five members shall be representatives of the following departments, not below the rank of Joint Secretary to the State Government:
- (a) Public Works Department; and
 - (b) Rural Development & Panchayati Raj Department;
 - (c) Arts & Culture Department;
 - (d) Tribal Affairs & Hills Department;
 - (e) Department of Municipal Administration, Housing & Urban Development or MAHUD Department;

(6) The Deputy Commissioner(s) of the revenue district in whose jurisdiction the place lies, and the naming of which is being considered by the Committee, shall be invited to participate in the proceedings of the Committee. When so invited, the Deputy Commissioner concerned shall attend in person.

Acting Chairperson. 6. When the office of Chairperson is vacant or in the event of the absence, illness or other incapacity of the Chairperson, the Director shall have the power to exercise the functions and perform the duties of the Chairperson.

Term of appointment 7. (1) Subject to sub-section (2), the Chairperson shall hold office for such period not exceeding 3 years, and shall be eligible for reappointment.

(2) The appointment of the Chairperson may be terminated at any time by the State Government.

(3) The Chairperson may resign from his office by giving a notice in writing to the Minister-in-charge of the Land Resources Department, Manipur.

Committee's reports and recommendations. 8. (1) Subject to this section, the Committee may, from time to time as occasion requires, make reports to the State Government containing recommendations in relation to the naming of, or the altering of the name of a place.

(2) Before making a report under sub-section (1), the Committee must request the following persons to seek the views of interested persons and provide a report to the Committee of those views;

(a) if a person requested the naming or altering of the name of a place - the person;

(b) any other person the Committee considers appropriate.

(3) Notwithstanding anything contained in sub-section (2) above, the Committee may on its own initiative, seek the views of interested persons. The Committee may also dispense with the requirement for seeking views of the interested person, if the interested person is an urban local body or a rural local body, and such body is not functional for the time being, for any reason.

(4) The Committee shall forward to the State Government with each report under sub-section (1), any communications and particulars of any representation received by it in relation to the naming of or the altering of the name of a place to which the report relates.

(5) A reference in this section to the altering of the name of a place shall be read as including a reference to the substitution of another name for the name of the place.

(6) In this section:-

interested persons include the following:-

- (a) If the report relates to a place within an urban local body or a rural local body- the urban local body or the rural local body established for the area;
- (b) If the report relates to the naming of an individual plot of privately owned land- the owner or developer of the land;
- (c) The family or descendants of a person proposed to be commemorated through the naming of a place.

9. (1) The Chairperson of the Committee:

Meetings of
Committee.

- (a) may convene a meeting of the Committee at any time on the Chairperson's own initiative; or
- (b) must convene a meeting of the Committee when requested to do so by the State Government.

(2) Subject to this Act, the Committee is to determine the procedures to be followed at or in connection with its meetings.

(3) At a meeting of the Committee:-

- (a) the Chairperson shall preside;
- (b) five members shall form a quorum;
- (c) all questions shall be decided by a majority of votes of the members present and voting; and
- (d) the Chairperson shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

10. (1) The State Government may, in relation to the naming of or the alteration of the name of a place, direct the Committee to consider certain names or recommend specific names, and the Committee shall make recommendations thereon in accordance with section 8.

Powers of
State
Government.

(2) Upon receiving a report under section 8, the State Government may;

- (a) approve, either without alteration or subject to such alteration as it thinks fit, any recommendation contained in the report;
- (b) reject any recommendation contained in the report; or
- (c) return the report to the Committee for further consideration and the submission of another report under that section.

(3) The State Government shall notify the Committee of a recommendation approved under sub-section (1).

(4) Notwithstanding anything in this Act, the State Government shall have powers to name a place, including an administrative unit listed

under section 4(2) located anywhere within the State of Manipur, or alter an existing name, by executive orders.

- Register. **11.** (1) The Committee shall maintain a register.
- (2) The register shall be in the form as may be determined by the Committee.
- (3) The Committee shall record in the register, a name approved under section 10 as soon as practicable after being notified under section 10(3).
- (4) The Committee shall ensure that the register is able to be inspected by the public.
- Notification of naming of place. **12.** (1) The State Government shall publish, by notification, in the Official Gazette, the name of place approved under section 10.
- (2) The name of place so notified under sub-section (1) shall be the name of the place from the date of such publication.
- Penalty. **13.** Any person who uses in any form, or who causes to be used, either by himself, or through another person, or agency by whatsoever name called, a name for a place, other than or in place of the name allowed under this Act; or a name for an administrative unit falling under section 4(2), other than the name officially recognized for such administrative unit; shall, on conviction, be punishable with imprisonment of either description for a term which shall not be less than one year but which may extend to three years, and shall also pay fine which shall not be less than fifty thousand rupees but which may extend to two lakh rupees.
- Cognizance of offence. **14.** No court below the court of Chief Judicial Magistrate shall take cognizance of any offence punishable under this Act, except on a complaint in writing of the fact constituting such offence, by an officer of the Land Resources Department, authorised by the State Government for the same.
- Grant of injunction, etc. by civil courts. **15.** No civil court shall grant an injunction or make any order for any other relief against the State Government or any officer authorised under this Act, in respect of any act done or purporting to be done by the State Government or such officer under this Act or the rules or notifications made thereunder, unless notice of such injunction or other relief has been given to the State Government or such officer, as the case may be.
- Protection of action taken in good faith. **16.** No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done in pursuance of any provisions of this Act.

17. The State Government may make rules and or regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act. Power to make rules and regulations.

18. The Land Resources Department shall be the Nodal Department for implementation of this Act. Nodal Department.

19. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removal of the difficulty. Power to remove difficulties.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

The proposed law is for framing a law to establish an institutional mechanism to enforce correct use of names of places, and also to lay down procedures for giving names to places, and also for altering names of places.

2. There have been multiple instances of use of unauthorized names of places by certain individuals or groups of people or organisations, with possible malafide intent which had the potential to create confusion in the administration and potential to disturb the social harmony in the State.

3. Certain administrative challenges are also faced due to such unauthorized use of names of places at the time of discharging their duties by Government officials.

4. Therefore, in this regard, the draft Manipur Names of Places Bill, 2024 has been prepared to enact a law by the legislature of Manipur to establish an institutional mechanism for naming of places and for laying down procedures for giving names to places, and for altering the names. Under the proposed legislation, a Place Names Committee will be created which will make recommendations regarding the names of places subject to the approval of the Government. The names of places in this context however will exclude certain names of administrative units which are defined within the law. The misuse of names of places will be a punishable offence, and the offending person shall, on conviction, be punishable with imprisonment of 1 (one) to 3 (three) years and with fine of fifty thousand rupees to two lakh rupees.

The Land Resource Department shall be the Nodal Department for implementation of this proposed law.

Hence, this Bill.

N. Biren Singh
Chief Minister, Manipur

FINANCIAL MEMORANDUM

As and when the proposed legislation is enacted and brought into operation, there will be an additional expenditure from the Consolidated Fund of the State.

MEMORANDUM ON DELEGATED LEGISLATION

1. Clause 10(1) empowers the State Government to direct the Place Names Committee to consider certain names or recommend specific names of places.
2. Clause 10(2) empowers the State Government to approve, reject or return any recommendation of the Committee.
3. Clause 10(3) empowers the State Government to notify a Committee of a recommendation approved under clause 10(1).
4. Clause 10(4) empowers the State Government to name a place or alter an existing name of place.
5. Clause 12 empowers the State Government to publish a name of place, by notification, in the Official Gazette.
6. Clause 17 empowers the State Government to make rules and or regulations to carry out the provisions of the proposed law.
7. Clause 19 empowers the State Government to remove difficulties in giving effect to the provisions of this proposed law, by order, published in the Official Gazette.