

CHAPTER – III

TRIPURA LEGISLATIVE ASSEMBLY: A STUDY OF ITS EVOLUTION AND SELECT LEGISLATIONS (1972-2002)

A. Objectives

The present study has sought to analyse some important legislative enactments for understanding the evolution and growth of the Legislative Assembly of Tripura as also the political development of the State. Now, in order to trace out the political development of Tripura during the period under review, it has been deemed necessary to highlight the gradual development of the State in three broad important facets and these are: a) Administrative decentralisation, b) Socio-Economic and c) Social welfare. The Tripura Legislative Assembly, during the period under discussion, enacted a good number of legislations in these areas with a view to propel political development in the State. It is only relevant to give a brief account of some important legislations enacted by the Tripura Assembly that fall within the purview of the three categories as mentioned above.

Administration decentralisation in the rural areas of Tripura did not get a real shape for long 23 years (1953-1982) as the state depended on the United Provinces Panchayat Raj Act, 1947 during the period. In view of the fact that this act was quite inadequate for regulating the Panchayat Institution in the State, the Tripura Panchayats Bill, 1983 was placed in the Assembly by the Left Front Government and it was unanimously passed and became an act. The act replaced the system of election of members of the Gaon Panchayat by show of hands by voting through secret ballots, provided for election of the Pradhan indirect in stead of direct as was in vogue so far, reduced the age of

voters from 21 to 18 and brought about procedural improvements in respect of its functioning, powers, financial resources as also the relation of the state government with the election of the Panchayat.¹ The act was amended in 1986,1988,1992 and 1994 to suit the changing needs of time and as a result, three –tier Panchayati Raj system has been functioning in the State with greater and greater success with the passage of time.

Again, an attempt at democratic decentralisation in the urban areas of Tripura by re-constituting Agartala municipality (the only municipality of Tripura) by elected members and to enable it to function as an unit of self-government was found when the Bengal Municipal (Tripura Amendment)Bill, 1972 (Tripura Bill No 8 of 1972) was introduced in the Tripura Assembly in 1972.

The Bill aimed at amending certain provisions of the Bengal Municipal Act, 1962 as extended to Tripura. The amendment related mainly to the preparation of electoral rolls by the Magistrate in charge of the Sub-Division in which a Municipality was situated, revision of qualification of the voters, making provisions for the holding of general election in default of timely election on the event of an election being set aside by the court and some other ancillary matters. Incidentally, election of the Agartala Municipality was kept in abeyance for long 14 years and the government wanted to hold an early election for reconstitution of the Municipality by elected commissions. But it was difficult to prepare the electoral rolls for the election of the Municipality under the existing Act, and hence was the Bill for amendment. The Bill for amendment was passed in the Assembly and it became an act in due course.² For all that, the government could not hand over the Municipal administration to an elected body during its life-time (1977—a part) similarly, the government failed to implement its own decision to declare some Sub-

Divisional towns of Tripura as Notified Areas. As a result, the Bengal Municipal (Tripura Amendment) Act, 1972 had to be amended by the Left Front Government in 1982, 1983, and 1994 in order to reconstitute the Agartala Municipality, handing it over to an elected body and also constitute Notified Area Authorities in the Sub-Divisional towns of Tripura and transfer power to those bodies.

Next, in order to have some light about socio-economic aspects of political development of the State during the period under review, we are to look back at the Tripura Land Revenue and Land Reforms (Second Amendment) Act, 1974 and its important subsequent amendments.

The TLRLR (2nd Amendment) bill, 1974 had three main objects before it. First, introducing Land Reforms in order to remove the obstacles in the matters of agricultural production and remove elements of exploitation and social injustice in the agrarian system by giving of security of tenure to holder and sharecroppers by reducing the ceiling of holdings. Secondly, providing restriction to transfer or partition of ST owners land and also making provision for restoration of the land of the ST owner transferred illegally on or after January, 1969. Lastly, repeal of the 'Tribal Reserve Order' of the last king of Tripura on the plea that it sought to protect the interests of 8 Tribes in Tripura as against 5 Tribes in the Maharaja's 'Reserve'. But the opposition in the Assembly strongly opposed the bill and it requested the government to withdraw the bill and accept its demand for reconstitution of Tribal reserve, but no heed was paid to the demand and the bill was carried after a vociferous debate.³

The main object of the 3rd amendment to the Act (moved in 1975) was to introduce a few restrictions on the rights on transfer in the areas

predominantly inhabited by the Scheduled Tribes for the Protection of their interest.⁴

The Fifth Amendment of the Bill (moved in 1979) mainly sought to extend the benefit of presumption of Barga interests on sharecroppers and to restore land to such sharecroppers who had been unlawfully evicted from the land. Provision of special machinery for recording barga interests and for dealing with all other matters relating to Barga interests was also made.⁵

The sixth Amendment Bill (moved in 1989) sought to define the term "Transfer" so as to include all possible transactions on land of Tribals. It also declared trespass on Tribal land as cognizable offence and made provision for imposing penalty on the trespassers. Provisions were also kept in it to waive limitation in any application or suit for restoration of land by a Tribal.⁶

The Tripura Land Revenue and Land reforms (seventh Amendment) ordinance 1996 was promulgated on 18th October, 1996 and it was placed before the Assembly in the form of a Bill in the year 1997. The main aim of the Bill was to provide special provisions for protecting the lands belonging to the Scheduled Tribes. The Bill was passed in the Assembly and became an act.⁷

It is evident from the above discussion that the Tripura Land Revenue and Land Reforms Act and its 2nd, 3rd, 5th, 6th and 7th amendments had been brought and passed in the Assembly with two specific intentions and those were :i) Extension of some economic safeguards to the tribesmen, and stoppage of alienation of their land and restoration of their illegally alienated land from the nontribals, and ii) making some economic benefits available to weaker sections of the nontribals and of the sharecroppers and the marginal and landless farmers and labourers in particular. In this attempt, the extent of success was not more than partial. While the attempts at stopping further illegal alienation of tribal land attained good success, the steps for restoration

of illegally transferred tribal land to the real owner are yet to go a long way. So far, the steps for the protection of right of sharecroppers on land has attained appreciable success, but steps for protecting other minimum rights to the marginal farmers and landless labourers are yet to overcome many hurdles. The solution of the problems depend on materialising development programmes, and for that peaceful atmosphere in the state is a pre-condition which , in its turn, depends largely on central response to the state's appeal for all possible assistance including supply of required number of Army and B.S.F. battalions for successfully combating the extremist activities.

Let us now turn to a set of important Legislations that went a long way in protecting and promoting social welfare of the weaker sections of the people of the State, and the Scheduled Tribes, Scheduled Castes and the womenfolk in particular. The Legislations were: a) Tripura Tribal Areas Autonomous District Council Act 1979(as amended in 1982 and 1985); b) Tripura Scheduled Castes and Scheduled Tribes (Reservation of vacancies in services and posts) Act, 1991 (as amended in 1997; and c) the Tripura Commission for Women Act, 1993(as amended in 1994).

The Tripura Tribal Areas Autonomous District Council Bill, 1979, that became an act on July, 30, 1979 led to the formation of the T.T.A.A.D.C. in terms of the 7th schedule of the constitution on 18th January, 1982. The object behind setting up T.T.A.A.D.C. by the state government was to transfer power gradually with adequate financial resources to the grass –roots institution to free the tribal people from injustice and to encourage them to draw the blueprint of over all developmental programmes of the locality. How the state government, since the birth of the T.T.A.A.D.C. in 1982 had already assigned to the grass-root organisation a number of programmes of development and how the areas of work and responsibilities of the T.T.A.A.D.C. increased year

after year may be revealed from the fact that while the institution started its journey in the first year with a budget of only Rs. 79.10 lakh, in the second and the third year it went upto Rs 9.74 crores and Rs 10.81 crores respectively. In this way, the annual budget was increasing day by day and the budget of the T.T.A.A.D.C. is undoubtedly a great index to understand properly the attitude of the state government towards the development programmes of this institution.⁸

This Act was amended in 1982 as, on scrutiny of the provisions of the Act, it appeared that amendment of some sections of the Act became necessary to remove some clerical errors and also some ambiguities. Some minor amendments of some other sections were also considered necessary for sake of clarity of some provisions of the Act.⁹ In view of this, an amendment Bill was brought on the Act and it was passed in the same year.

But the Autonomous District Council under the 7th Schedule of the constitution could not satisfy the tribals of Tripura who had been pressing their demand for long for the 6th schedule. The Tripura Assembly also adopted resolutions two times urging the Central Government to introduce the 6th schedule of the constitution into the predominantly tribal inhabited areas of the state. This persistent demand led the Central Government to amend the constitution and thus the long awaited Autonomous district Council in terms of the Sixth Schedule was introduced in April, 1985. With this was paved the way for the greater autonomy of the tribal people of Tripura and also more responsible functioning of the Autonomous District Council.¹⁰

Tripura Scheduled Castes and Scheduled Tribes (Reservation of vacancies in services and posts) Act, 1991 and its amendment in 1997 also went a long way in solving the problems being faced by the S.C. and S. T. population of the state in respect of the issues of reservation of vacancies in

services and posts and also some of the allied issues. The act came into force with effect from October, 1992 and at that time, reservation for SC's and ST's in the services was fixed at 15% and 28% respectively (as the S.C. & S.T population in the state was then 15.12% and 28.44% respectively). But the Act had to be amended in 1997 on some grounds such as (i) As per 1991 Census Report, the percentage of SC and ST population increased to 16.36 and 30.36 respectively and hence the percentage of reservation for SC's and ST's in services and posts was to be replaced by 16% and 31% respectively; (ii) the SC's and ST's were not as yet adequately represented in the services and posts; (iii) Provision should be there in the proposed amended Act empowering the government to review any decision taken in respect of appointment / promotion or in issuing and cancelling SC/ST certificates; (iv) the Schedule to the Act containing the 100 point roster was also needful; and (v) the modified policy of the government of India regarding reservation for ex-servicemen and physically handicapped had also to be taken into consideration.¹¹

Thus, incorporating all the above five issues, the Tripura Scheduled Castes and Scheduled Tribes Act, 1991 was amended in 1997 and in the amended act provisions were made for extending the facilities of reservation of vacancies in services and posts for the SC's and ST's, and ex-servicemen and physically handicapped alike. At the same time, provisions were kept empowering the government to review any decision regarding appointment/promotion or in issuing and cancelling SC/ST certificates.

The Tripura Commission for Women Bill, 1993 was placed before the Assembly and passed and it became an act after it received the assent of the Governor in January, 1994. The Tripura Commission for women was constituted in February, 1994 with a Chairperson, a Vice-Chairperson, 5

members and a member secretary. The major functions of the Commission, according to Tripura Commission for Women Act, are to “look into complaints and take suo moto notice of matters relating to (i) deprivation of Women’s rights, (ii) non-implementation of laws enacted to provide protection to women and also that it has all the powers of a civil court while investigating such cases of complaints”¹² The Commission dealt and has been dealing with all such cases with all seriousness. In consideration of seriousness of the cases, it takes direct action or refers some cases with due considerations to appropriate authorities which include law enforcing agencies and police department.¹³

Among the cases directly dealt with by it, the commission took and has been taking prompt steps to expedite action in the cases of serious nature like dowry murder or suicide, dowry torture, rape, kidnapping, abduction, sexual harassment in place of work, harassment of widow and her deprivation from properties, and other serious types of cruelty and torture by husband and in-laws etc. In case it is found that no action worth the same has been taken by the appropriate authority and in order to expedite the process, the commission under the leadership of the Chairperson or a member conducts enquiry with a team that visit the concerned place, enquire into the matter, cross the victims, identify the truth, prepare reports and send the same to appropriate authority with suitable recommendations for proper action.¹⁴

Again, since the commission has been strongly of the view that rehabilitation of the victim woman is the most important part of offering justice to them, it always tried and is still trying to initiate some measures in a bid to rehabilitate them. Furthermore, in course of looking into the complaints, and redressing women’s grievances, the commission tried and has been trying its utmost to solve the problems and settle their disputes amicably

outside police station and court. But when all the efforts of the commission fail to settle dispute amicably and it finds that the allegation of the victimised woman is true, the commission is left with no option but to advise the party to go to court for redress. But as the existing legal system does not work smoothly to help the women properly, the commission has to prepare a panel of legal practitioners that has started and continued to provide legal assistance to the victimised women with minimum charge of litigation.¹⁵

From the role being played by the commission for women in line with the provisions of the Act, the womenfolk of Tripura and the depressed and victimised sections among them in particular are expected to go on getting protection by the commission in the days to come also.

NOTES AND REFERENCES

1. The main motto as envisaged by the Tripura Panchayats Bill, 1983 that was passed and became an act in the same year.
2. The Bengal Municipal (Tripura Amendment) Bill, 1972 (Tripura Bill no 8 of 1972) as became an act in that year.
3. Majumder, B.M., the Legislative Opposition in Tripura, Tripura State Tribal Cultural Research Institute & Museum, Govt. of Tripura, Agartala 1997, pp. 174-176
4. Third Amendment Bill to TLRLR Act, statement of objects and reasons thereof.
4. Fifth Amendment to TLRLR Act.
5. Sixth Amendment to TLRLR Act.
6. Seventh Amendment to a TLRLR Act.
7. M. Chakraborti, "The TTAADC and the state government. An overview". Paper Presented in a seminar on Local self government in Tripura organised by Department of Political Science, Women's' College, Agartala on 22 and 23 Nov, 1991

8. Tripura Tribal Areas Autonomous District Council Act, 1979 (as amended in 1982)
9. B. Mahanta, "Tribal Areas Autonomous District Council, its inevitability in Tripura", paper presented in the seminar on Local Self Government in Women's' College, Agartala during 22-23 Nov,1991
10. From Tripura Scheduled Castes and Scheduled Tribes Act (as amended in 1997)
11. The commission for Women Act, 1993,p.2.
12. Maunder B.M., " Problem of Protection of Human Rights of Womenfolk of Tripura and Role of the State Commission for Women, An Assessment", paper presented in the seminar on 'Women participation in Decision making and Development Process in Tripura' as organised by the department of History, Tripura University in the year 1999.
13. Ibid.,p.5
14. Annual Activity report of Tripura commission for Women Act, 1993

B. Universe of the Study

To trace political development of the state of Tripura through legislative initiatives is highly instructive and interesting. Since its merger with the Indian Union in 1949 Tripura attained the status of statehood in 1972 through a protracted process of political development. The present study has, at the beginning, historically taken into consideration important landmarks in that evolution and a brief account of the same is as given below.

Tripura stands between Assam and Bengal. The history of the kingdom of Tripura is long, extending over several centuries. During the period of British rule in India, Tripura was influenced by the patterns of administration introduced elsewhere by the British Government.

With the demise of Maharaja Bir Bikram Kishore Manikya Bahadur on 17.05.1947 there was a virtual end of Monarchy, i.e. the Raj in Tripura. After the demise of the Maharaja, the Regent Maharani signed the Instrument of

accession on August 13, 1947 and with this was solemnised the accession of Tripura to Indian Union.¹

In May, 1948, the Gana Mukti Parishad, a tribal platform for fighting was formed in Sadar, Agartala. The main objective of the Organisation was to highlight the demand for a responsible government among other demands. The Parishad organized a big rally of Tribal people followed by a conference in August, 1948 and observed a demand day. After some time the leaders went underground in the face of repressive measures by the regent government and raised the demand of independent Tripura in stead of responsible government as sought earlier. It was perhaps the gravity of the situation that led the government of India to think in terms of taking over the administration of the state without any further delay. The additional task of looking after the large number of refugees from the then East Pakistan was also considered as one of the causes of the take-over.² The merger agreement was, accordingly, signed by the Regent, on behalf of the minor Prince on 9th September, 1949, and the state was taken over as a Chief Commissioner's Province on 15th October, 1949.³

An administrator was, accordingly, appointed by the Government of India who took over the administration as Chief Commissioner of Tripura which was declared as part "C" State of India. This was in contravention of the wishes of the people who sought for democratic system of government under the leadership of various political outfits. So in Agartala a " Protest day" was observed on February 25, 1951 by holding a big rally of the people of all shades of opinion and colour under the chairmanship of Advocate Nibaran Chandra Ghosh expressing resentment to the decision of the government of India to make Tripura a part "C" State. After that meeting, an organisation named "Tripura Rajya Ganatantrik Sangha" was formed as a common platform

of the people of all shades of opinion and colour for fighting the undemocratic decision. The T.R.G.S. organised many meetings in different parts of Tripura. At the call of the T.R.G.S, 15 August, 1951 was observed as a "Demand Day", for introduction of a responsible government in Tripura.⁴

Thus different political parties (Congress, CPI, Forward Block and other political parties) and non-political organisations fought unitedly, under the banner of the T.R.G.S, for a responsible government. But this unity did not last long. As the first General Election of 1952 came near Congress dissociated itself from the T.R.G.S. and participated in general election as a separate political party.⁵

The Communist Party of Tripura made a front with the T.R.G.S. and some other progressive groups and individuals. The alliance occupied 18 out of 30 seats of the Tripura Electoral College. Congress got 10 seats and unattached individuals got 2 seats. Both the Lok Sabha seats were won by CPI candidates Dasarath Deb and Biren Datta. ⁶ The Struggle for responsible government by the joint Front at the leadership of the Communist Party was resumed shortly after the General election. The Front demanded that as the Electoral College had no function other than sending one of its representatives to the Rajya Sabha, the Government of India should convert it into Legislative Assembly forthwith, and that would fulfil popular aspiration for responsible government to some extent. But no heed was paid to the demand. Shortly after that an agit-prop. movement spearheading the demand for responsible government was started by the Front all over Tripura. In order to suppress the movement, the Government of Tripura declared 144 Cr. P.C. in some subdivisions and thus meetings, processions and demonstrations were banned. ⁷

The ban lasted till the end of January, 1953. Almost simultaneously, the government of India announced its decision that as Tripura was a frontier state, it would continue to remain under the direct control of the Chief Commissioner and an advisory council would be constituted to advise the Chief Commissioner on administrative matters. Large public meetings were organised by the left parties all over Tripura, protesting against the proposed advisory council and demanding immediate setting up of a legislature.⁸ But no heed was paid to the demand and on 14.4. 1953, a three member Advisory Council was appointed by the President of India to aid and advise the Chief Commissioner in the discharge of his duties. The formation of Advisory Council with its members nominated primarily from a political party, in disregard of political verdicts could hardly meet the political aspiration, recently generated by parliamentary politics.

The States Reorganisation Commission envisaged constitutional changes in the structure of the state. On the basis of its recommendations, Indian constituent states were reclassified in November, 1956 as (a) the State and (b) Centrally Administered territory. Tripura was regrouped as a centrally administered territory in 1957 with an Advisory Council at the centre to advise the Union Government. As a measure of democratisation of administration of the Territory, the Territorial Council Act 1956 was passed in keeping with the structural changes of the states. Consequent upon the second general election in 1957 the Tripura Territorial Council was formed on August 15, 1959 with 32 members.⁹ In the Election of the T.T.C. held in 1957, the Congress Party secured 15 seats while the CPI and its alliance got 15 seats. The 2 Lok Sabha seats were equally shared by 2 major contesting parties with 2 additional members nominated by the government from the Congress party, the party

could somehow achieve majority in the council. As a result Congress leader Sachindra Lal Singha was elected Chairman of the TTC.

But the subsequent election of the T.T.C. held in 1962 marked a sign of improvement in the position of the Congress as the party secured 18 seats in the election. Under the dispensation a sort of diarchical government was introduced u/s 28 of TTC Act. Some of the wings of the Education, P.W.D., Medical and agriculture departments of the Tripura Administration were transferred to the T.T.C. to be administrated by its authority.¹⁰ Thus some Autonomy status was granted in local matters but with the Provision of Central interference at every stage. Hence the new arrangement though partially fulfilled the demand for a popular government, could not satisfy the people's aspiration for self-government. Yet the T.T.C. provided the extended training background in democracy which really proved worthy for the people of the state for achieving further democratic outlook.¹¹

The Territorial Council held its last meeting on June 24, 1963 and on July 1, 1963, the Union Territories Act came into force. "Under this Act a Union Territory shall be administered by an Administrator appointed by the President of India under Article 239 of the Constituion", it was pointed out. It was also mentioned that there would be a Legislative Assembly for the Union Territory. All the seats to the Legislative Assembly would be filled by persons chosen through direct election. Such members would be 40 in Himachal Pradesh and 30 in each other territory. So Tripura got 30 members.

In respect of the extent of the Legislative power, the Legislative Assembly of a Union Territory like Tripura might make laws for the whole or any part of the Union Territory with respect to any matters defined in the state list or the concurrent list in the 7th Schedule to the constitution. When a bill was to be passed by the Legislative Assembly of such Union Territory like

Tripura, it was to be presented to the Administrator who would reserve the right for the consideration of the President.

Further, there was provision for a council of Ministers in each Territory with Chief Minister at the head to aid and advise the Administrator. The Chief Minister would be appointed by the President and other ministers would be appointed in the same way on the advice of the Chief Minister by the President. The Council of Ministers would be collectively responsible to the Legislative Assembly of the Union Territory. Like other Union Territories, Tripura was also placed under this status. With the introduction of Government Union Territories Act, the diarchy in the administration of Tripura came to an end.¹²

The popular ministry of Tripura was inaugurated on July 1, 1963 and the Tripura Legislative Council was converted into the Tripura Legislative Assembly. The former Chief Commissioner became the Administrator as the head of the state.

The composition of the first popular ministry in Tripura was confined to two ministers and three deputy ministers. The strength of the second ministry (1967-1971) was expanded to five ministers including the chief minister and one deputy minister. The designation of the administrator was changed to Lt. Governor in the early part of 1970 without initiating any change in the basic structure of the Administration in Tripura.¹³

The people of Tripura, however, were not fully satisfied with the introduction of the democratic set up in Legislative Assembly and the Ministry under the Government Union Territories Act 1963. Hence a vigorous movement led by the Communist Party of India (Marxist) was launched in the demand of full-fledged statehood under the Indian Union started. Agitational movements in the demand of statehood started and continued in Manipur

and Mizoram also. At the pressure of the movements in Tripura, Manipur and Mizoram, the Centre became lenient. As a result, the North Eastern Areas (Re-organisation) Act, 1971 was passed in the parliament and assented to by the President on December 30, 1971. According to this Act Tripura, Manipur and Meghalaya attained the statehood of the Indian Union. In Tripura the Act was given effect to and from January 21, 1972. The people of Tripura thus won the long-drawn battle .¹⁴

The Delimitation of Assembly Constituencies of the first full-fledged Tripura Legislature was done as per section 4 of the North eastern (Regulation) Act 1971 which 6 provided that the total number of seats in the Legislative Assembly of Tripura would be 60 out of which 6 seats would be reserved for the Scheduled Castes and 19 seats for the Scheduled Tribes. The first election of the State Assembly of Tripura was held in 1972. In that election, Congress got 41 seats, CPI (M) –led front won 18 seats and the CPI got 1 seat.

A nine member council of Ministers headed by Sukhamoy Sengupta took over the charge of administration of the state in March, 1972 and in the next month, 2 more ministers were included. This Congress led government functioned upto March, 1977 and it used the Legislative Assembly in order to pass legislations for propelling socio-economic development of the state. Some of these legislations were relating to administrative decentralisation, socio-economic and social welfare and a brief account of those are as given below:

Regarding decentralisation of powers to the rural areas of Tripura, no legislation was made in the life-time of this government. It however went on following the United Provinces Panchayat Raj Act, 1947 as was extended to Tripura in 1959. Some assurances were given in the Assembly from time to

time that the task of executing the development plans of the localities would be entrusted to the Panchayats. Accordingly, provision for some money had been made for the panchayats in the budget of 1972 -73, but the money so earmarked was too meagre to meet the requirements of development of the Panchayats. In March, 1973 again, the government assured that decentralisation was its motto and that it was trying to revitalise the panchayats with that end in view, but no step worth mentioning was evident in practice. Hence, the opposition in the Assembly pointed out that though transfer of powers was one of the essential pre-requisites for activating the panchayats, the government was not at all serious about the required delegation of powers. It, therefore, demanded that immediate necessary steps should be taken to activate the panchayats by amending the existing act in order to provide for delegation of powers to them, but no heed was paid to the demand.¹⁵ The Government, however, accepted the demand subsequently to some extent by declaring its resolve to "gradually associate them with work connected with development, food distribution, etc. and thus enable them to shoulder higher responsibilities in future."¹⁶

However, step for democratic decentralisation in the urban areas of the state by reconstituting Agartala Municipality (the only Municipality in Tripura) by elected members was taken by introducing "the Bengal Municipal (Tripura Amendment) Bill, 1972 in the Assembly. The aim of the Bill was to amend some provisions of Bengal Municipal Act, 1962 as was extended to Tripura previously. Selection of the Agartala Municipality was kept in abeyance for long 14 years and the government wanted to hold an early election for reconstitution of the Municipality by elected commissioners. But it was difficult to prepare the electoral rolls for the election of the Municipality under the existing act and hence the bill was to be moved. The bill was passed

in the Assembly and became an act. But the Government could not hand over the administration of the Municipality to an elected body during its life time.¹⁷ Similarly, the government did not succeed in implementing its own decision to declare some Sub-Divisional towns of the state as Notified Areas.

Next, in order to have some light about socio-economic aspects of political development of the state during the period, we are to look back at the Tripura Land Revenue and Land reforms (Second Amendment) Act, 1974 (as amended in 1975 and 1976).

The TLRLR (2nd Amendment) Bill, 1974 mainly had three objects before it. First, introducing Land Reform which were essential to remove exploitation in the matters of agricultural production and remove elements of exploitation and social injustice in the agrarian system by giving of security of tenure to holder and sharecroppers by reducing the ceilings of holdings from 2 hectares to 7.2 hectares. Secondly, providing restrictions to transfer or partition of ST owner's land and also making provision for restoration of the land of ST owner transferred illegally on or after January, 1969. Lastly, repeal of the 'Tribal Reserve Order' of the last king of Tripura on the argument that it sought to protect the interests of 8 Tribes of Tripura as against 5 Tribes in the Maharaja's Reserve'. But the opposition in the Assembly raised its voice against the repeal of the 'Tribal Reserve' and it requested the government to withdraw the bill and accept its demand for reconstitution of the tribal Reserve, but no heed was paid to its demand, the bill was passed.¹⁸

The main object of the 3rd Amendment (moved in 1975) to TLRLR Act was that it ought to introduce a few restrictions on the rights of transfer in the areas predominantly inhabited by the Scheduled Tribes for the protection of their interest.¹⁹ The main objects of the 4th Amendment (moved in 1976) Bill was to provide exemption from the operation of ceiling for land held by Bank.

The Bill also sought to allow the members of the ST's to mortgage land for the purpose of securing repayment of any loan in favour of a Bank.²⁰

The first State Assembly functioned upto March, 1977 with the Congress Party in power and in April, the Congress government fell as most of the congress MLA's defected to the newly formed CFD party (Centre For Democracy) and then, the first coalition Government of Tripura was formed with the CFD and the CPI (M) and it lasted for 4 months. Then most of the CFD MLA's defected to the Janata Party and the Janata-CPI (M) coalition government came about and it lasted upto November, 1977 and then the government fell and the Assembly was dissolved and President's Rule was imposed on the state and that marked the end of the first State Assembly of Tripura.²¹

The second State Legislative Assembly of the State was constituted through the Assembly election held on 31st December, 1977. Out of 60 seats, this time 17 seats were reserved for Scheduled Tribes and 6 seats were reserved for the Scheduled Castes. Out of 60 seats, the Left Front won 56 seats out of which CPI(M) alone got 53 seats including one independent supported by it; RSP got 2 and FBI 1 seat, while TUJS secured 4 seats. INC, CFD and Janata Party lost all the seats they contested.²²

After the result of the elections were declared , the first Left Front Government was formed in the state under the leadership of CPI(M), Shri Nripen Chakraborty became the Chief Minister of the Government, other constituents of the Ministry were RSP and Forward Block.

From the very beginning of its assumption of power, the question of ethnic harmony became a major issue to the Left Front Government. The Front decided to form a district Council in the tribal majority area of the state and declared that steps for restoration of illegally alienated tribal land would

be taken up soon. Accordingly, the Tribal Area Autonomous District Council Bill, 1979, a bill in terms of 7th Schedule of the constitution was brought in the Assembly. The bill envisaged creation of a single compact District comprising predominantly Tribal areas. For securing self-government TTAADC was to be administered by representatives voted to the power by votes of both Tribal and non-Tribal with majority reserved seats for the former. The bill was unanimously passed in the Assembly in March, 1979 and became an act after getting the assent of the President of India on July, 30, 1979.²³

Shortly after that 'Amra Bangali' a Bengali chauvinist Party of the state called for Tripura Bandh and organised mass meetings to oppose the formation of district council. By the middle of the year communal tension in Tripura became very high. On 15th March, 1980, the TUJS, in its general meeting held in an interior place of South Tripura, adopted resolution for expulsion of "foreigners" (all people who migrated to Tripura after 15th October 1949) from Tripura. Two courses of action were taken after that meeting: (a) deputation and demonstration in front of all block offices simultaneously on 21.5.1980 and (b) the boycott of all markets in the state by Tribal people during the 1st week of June, 1980. This Bazaar boycott movement created more tension. Mischief and rumour mongers took advantage and it came to a flash point on 4th and 5th June, 1980 to escalate genocide. Numerous villages were laid waste. Thousands of people were rendered homeless and properties destroyed. Hundreds of people of both the communities were murdered. Tripura government took prompt actions, and declared pacification programmes with a view to resettle the misguided extremists to which some of them responded.

The autonomous district Council for the Tribal Areas comprising an area of 7,132,53 square Km. came into being on 18th of January, 1982 under

Schedule III of the Constitution, in terms of Tripura Tribal Areas Autonomous District Council Act, 1979. The TTAADC introduced , for the first time, tribal self-government into Tripura, allowing an elected 28 member council an opportunity to direct tribal life in a compact area comprising 164 revenue villages and 47 tehsils to protect tribal right to land , guarantee employment and to ensure the right against exploitation by village money lenders.²⁴

Although an ADC in terms of the Seventh Schedule was introduced into Tripura, it did not satisfy the aspirations of the tribals who were for an Autonomous Council under Schedule II. The Assembly also adopted resolutions on two occasions calling upon the Central Government to introduce the sixth Schedule of the constitution of India into the Tribal areas of Tripura, but to no effect within the life-time of the second state Assembly.

Another significant step of the government was to move the Fifth Amendment Bill (Bill no 6 of 1978) to the Tripura Land Revenue and Land Reforms Act in the Assembly. The Bill sought to bar the jurisdiction of civil courts in matters relating to settlement of land revenue or incidents of any tenancy to which record of rights related Provisions had also been made for revision of any entry in record of rights by Revenue officer within 3 years on application or at any time on his own notion.

The Bill also sought to confer the benefit of Presumption of Barga interests on Bargadars and to restore land to bargadars evicted from land. A special machinery for recording Barga interests and for dealing with all other matters relating to Barga interests was also provided for.²⁵

The Assembly election of 1983 in Tripura was held in January, 1983. The main political parties in the election were the constituents of the Left Front, i.e. C.P.I.(M), CPI, RSP and Forward Block on the one hand and INC and

TUJS on the other. Moreover, Amra Bangali candidates and some individual members were there.

In the election, the Left Front won the majority of seats to run the State government for the consecutive second term. The Front got 39 seats in total of which the CPI(M) captured 37 seats and RSP won 2 seats . The other constituents of the Front CPI and Forward Block could not win any seat in the election. In the opposition camp INC won 14 seats including 2 individuals and the TUJS got 6 seats. The Amra Bangali won 1 seat. ²⁶

Side by side its various pro-people activities as was pursued by the first left front government, this government raised and continued the demand for introducing the Sixth Schedule of the constitution of India into the Tribal Areas of Tripura as was done by the previous government. It was in the wake of a persistent demand that the Central Government agreed to introduce the Sixth Schedule. Accordingly, on August 23, 1984 the Constitution (Forty-Ninth Amendment) Bill, 1984 was introduced before the parliament and it was passed, providing for making applicable to Tripura the provisions of the Sixth Schedule to the constitution on such date as might be appointed by Central Government by notification in the official gazette.²⁷

The autonomous District Council in terms of the Sixth Schedule was introduced on April, 1985 replacing the 39-month old ADC under the Seventh Schedule. This paved the way for the greater autonomy of the Tripura Tribals and more responsible functioning of the Autonomous District council. The council provided for a 30-member council of whom 21 are elected tribal representatives, while 7 are general; and 2 are nominated. A 7-member Executive Committee including the Chief Executive member elected by the council disposes of all matters falling within the preview of the District Council. The Council covers now an area of 7,132,52 sq. Kms. including 462

revenue villages out of Tripura's total area of 10,477 sq. Kms and a population of about 7 lakhs out of which about 5 lakhs are Tribals.²⁸

The election of the Tripura Assembly, which was held in February, 1988, faced an unprecedented situation. One month before the election there was a stream of violence organised by the TNV (Tripura National Volunteers), a tribal extremist group that seceded from TUJS (under the leadership of Bijoy Hrankhwal). They killed more than one hundred innocent non-tribal people before 2/3 days of the election. The Union government declared the state as a disturbed area 72 hours before the election and deployed armed forces in the state ignoring the objection of the State government.

In the election, the INC bagged 24 seats and its electoral ally TUJS secured 7 seats. The CPI (M) got 26 seats and another partner of the Front RSP got 2 seats.²⁹ The Left Front got 49.26% and Congress and TUJS together got 47.48 % votes in election. Allegation of rigging for 3 seats in the counting centre at Agartala was raised by the Left Front.

This election of the State Assembly put an end to the one-decade long Left Front rule in Tripura, and the INC and the TUJS together formed a coalition government in the state under the leadership of Sudhir Ranjan Majumder.

Immediately after coming to power the coalition government dismantled the panchayats all over the state and did not take step to hold elections of those bodies as long as it was in power. In the parliamentary elections of 1984 and 1991 to the Tripura (West) parliamentary seat, shameful rigging was allegedly resorted to by the ruling alliance as a result of which congress candidates Santosh Mohan Deb won by a very big margin. In the election to reconstitute the TTAADC in 1990 also, allegation of shameful rigging and terror tactics were raised vigorously by the opposition, and the

Congress-TUJS alliance captured the ADC. For all that one commendable step of the government deserves mention and that was, it moved the Sixth Amendment Bill to the Tripura Land Revenue and Land Reforms Act in the Assembly in the year 1989. The Bill sought to further strengthen the measures to prevent alienation of tribal land and also for effective implementation of provisions for restoration. In the Principal Act the transfer of land belonging to a member of Scheduled Tribe to a person not a member of such tribe was restricted but the expression "Transfer" was not defined which created confusion in dealing with the various types of transactions of land. The bill sought to define the term "Transfer" so as to include all possible transactions on land. It also declared trespass on tribal land as cognizable offence and provided for imposing penalty on the trespassers. The bill also contained provision for constituting special court for speedy trial of such offences. The bill further provided to bar the jurisdiction of civil court in any suit for declaration of title by a non-tribal against a tribal. It also provided to waive limitation in filing any application or suit for restoration of land by a Tribal.³³ The bill became an act in the same year after obtaining the assent of the President.

The elections for constituting the Fifth State Legislative Assembly was held on 3rd April, 1993 under the President's rule. Before these elections, the INC & TUJS alliance had to quit office as their tenure was lapsed. In this election, the INC& TUJS alliance could not return to power. The Left Front already on the offensive (taking up the issue of restoration of democracy in the State and safeguarding the tribals and other minorities) came back to power securing 47 seats out of which the CPI(M) alone bagged 44 seats and F.B. and RSP got 1 and 2 seats respectively. The INC got 10 seats and its ally TUJS secured 1 seat only.³¹

After coming back to power, the first major step taken by the Left Front Government was to take the initiative to bring the extremists back to normal life. In August of the year, an agreement was signed between the state government and the ATTF (All Tripura Tribal Force) representatives and on the basis of that the ATTF members started to surrender in groups from November of the year and the process was completed within a short period of time. But another group of the ATTF named Tiger Force did not agree to surrender and its members have been continuing their terrorist activities. On the other side, the NLFT (National liberation Front of Tripura) also was divided into two factions as a result of internal contradiction and consequently another extremist organisation named TRA (Tripura Resurrection Army) was born, but in February, 1997 all the members of the organisation surrendered to the government and that marked the dissolution of the organisation. Within 1997, more than five thousand Tribal extremists surrendered and came back to normal life. For all that, no lasting solution to the extremist problem could materialise and normal condition did not come back in the state. In view of the fact that the extremist activities went on unabated, the Left Front Government had to declare a portion of the hilly area of the state as "Disturbed area" and to hand over the responsibility of law and order of that area on the Armed forces. Moreover, two heinous extremist organisations ATTF and NLFT were declared banned.

In addition to these, the government took steps to place the Tripura Land Revenue and Land Reforms (Seventh Amendment) ordinance (brought in October, 1996) in the form of a bill in the Assembly in 1997. The main aim of the Bill was to provide special provisions for protecting the land, belonging to the Scheduled tribes. The bill was passed in the Assembly and became an act in the same year.³² Among the other steps of the government, the important

ones were: Amendment of the Tripura Scheduled Castes and Scheduled Tribes Act, 1991 in 1997; placing and passing the Tripura Commission for Women Bill, 1993 in the Assembly and amending it in 1994, amending Tripura panchayats Bill, 1983 (amended in 1986,1988 and 1992)in 1994 ; amending the Bengal Municipal (Tripura Amendment Act),1972 (as amended in 1982, and 1983) in 1994. All these steps of the government went to a considerable extent in solving the major problems of the people of Tripura and the common people in particular.

On the eve of the Assembly election of 1998, the most fiery issue in the State politics was the extremist problem. The opposition parties held the Left Front Government responsible for its alleged failure to solve the extremist problem and to protect the life and property of the people of the state and of interior areas in particular. The Left Front, on the other hand, raised the allegation that Congress, TUJS, TNV and other opposition parties had been going on instigating the extremist organisations and groups on their narrow political interest and for destabilising the Left Front Government.

In the election, the Left Front got 41 seats out of which CPI (M) won 38 and CPI and RSP won 1 and 2 seats respectively. Congress-TUJS alliance won 17 seats out of which Congress got 13 seats and TUJS got 4. 2 seats were won by Independent candidates – one by Bijoy Hrankhwal and the other by Kajal Das, a Congress dissident.³³ The Fourth Left Front Government was formed after the result of the election was declared with Sri Manik Sarkar as the Chief Minister and 16 other ministers.

As per the version of the Fourth Left Front Government ever since its assumption of power, it had been taking continuous steps to upgrade the standard of living of the state populace alongside those living below poverty line. Such steps continued in the spheres of housing, agriculture and animal

resources development, drinking water supply, rural development including road construction, electrification, irrigation, self-employment schemes and rehabilitation of the landless during its tenure, and solid successes were attained in all these fields, it added. It further, mentioned specially of the 25 point package of tribal development with its own commitment to earmark 50 percent of the total plan allocation for development of the tribal areas which were in fact made hardest by violent extremist atrocities delaying such development. It pointed out in this context that it conveyed its special information to the Central Government regarding 51 extremist sanctuaries in Bangladesh territory with an appeal to bust the sanctuaries. But to no effect, it regretted. Tripura has 856 Kms of international border with Bangladesh. But the BSF had only 8 battalions when at best 18 battalions were required to man the entire border, it added.³⁴

In the Assembly Election of 2003, the Congress Party went ahead with its electoral alliance with the Indigenous Nationalist Party of Tripura (INPT). This was a tie up fraught with dangerous consequences for both the people of Tripura and National Unity, alleged the CPI (M). The speech made by INPT President Bijoy Hrankwal at Geneva advocating self-determination for the tribal people and an independent state of Tripura was also highlighted in hundreds of meetings organised by the CPI (M). The Congress leadership was asked how it could justify such an 'opportunist' and 'harmful' alliance with forces who advocated separation and promote terrorist activities. The answer was given through a joint rally organised by the Congress and INPT at Agartala in September 7, 2002. At the rally, the Congress leadership sought to explain away the written speech delivered by Hrankwal at Geneva justifying the terrorist activities of the NLFT and the ATTF alliance of Congress with the INPT.

It also resorted to its stereotyped anti-Marxist attacks of levelling the CPI (M) as 'Pro-china' and 'anti-national', the Party added. ³⁵

In his address before a mammoth gathering at Agartala on 14th September, Chief Minister Sri Sarkar and other speakers gave a 'fitting and effective reply' to that 'display of harmful opportunism'. Sri Sarkar, in his speech, bombasted the Congress for teaming up with 'the political mask of extremists' instead of pressing for the return of all the army units withdrawn by the Centre from Tripura and for adequate BSF personnel to combat trans-border terrorism. Referring to the 'usurpation' of the state power by the congress led coalition in 1988 making 'surreptitious' use of Bijoy Hrankhwal – led TNV extremists and the 5 year 'semi-fascist corrupt' regime that followed, Sri Sarkar expressed confidence that the politically conscious people of the state had thrown the gauntlet to the blatantly opportunist Congress-INPT combine going all out to stage repeat of 1988.³⁶ The election campaigns of both the alliances were, thus, continuing in full swing, and these continued till the last date of campaigning as earmarked by the state Election Commission.

In the election, the Left Front got 41 seats out of which CPI (M) won 39 and RSP won 2 seats. Congress-INPT alliance won 19 seats out of which Congress got 13 seats and INPT got 6. The Fifth Left Front Government was formed after the result of the election was declared with Sri Manik Sarkar as the Chief Minister and 17 other ministers. ³⁷

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C. Review of the Existing Literature and identification of research gap.

The present study is somewhat unique in the sense that there is no learned work in this regard. However, pieces of information may be gathered from the under mentioned titles:

Nossiter, T.J., Communism in Kerala, Oxford University Press, London, 1982.

Gan Chaudhuri, J, A Political History of Tripura, Inter-India Publications, New Delhi, 1985.

Bhattacharyya, B. K., Tripura Administration, The era of modernisation, Mittal Publications, New Delhi, 1986.

Bhattacharjee, S. R., Tribal Insurgency in Tripura, Inter-India Publications, New Delhi, 1989.

Basu, P.K., The Communist Movement in Tripura, Progressive Publishers, Calcutta, 1996

Majumder, B. M., The Legislative Opposition in Tripura, Tripura State Tribal Cultural Research Institution and Museum, Agartala, 1997

Communism in Kerala

This famous book deals in details, with the genesis, growth, functions and problems of the communist movement in Kerala and also emergence of the Kerala Communists as the electoral force(1951-1960), Communists in government (1957-1959),Kerala and the CPI split (1960-1965) , Communist accommodation (Formation of the United Front(1965-1967), Front Politics and Ministerial stability(1967-1977), Front Politics and communist Theories (1967-1977) , Front Politics , economic development and social change(1967-1975), and the basis of party support (1965-1980).¹ This learned work has also attempted to compare the economic development in Kerala under the Left Front rule with that in West Bengal where it was commented ,“If we note the contrast with the situation in West Bengal where CPM Chief Minister Jyoti Basu, has effectively begun the rejuvenation of the economy, it seems possible that the explanation for the CPM’s comparative disregard of economic growth in Kerala may lie in the very traditions of Malayali society and Culture”² But as there is no mention in the book regarding the political and administrative happenings in Tripura during the period under review, it comes of no use for the present work.

A Political History of Tripura

The book covers the entire political history of Tripura right from the days of the mythological rulers of the state and progress through the rise of Tripuri Kingdom under the Manikya Kings, merger with Indian Union, Development in the political consciousness among the people, electoral profile from the General Election of 1952 to 1983. ³ This work has been used to the extent useful, but it has not come of much help for the present work.

The Tripura Administration, the era of modernisation

This book has been very much helpful for the present work and some information has been taken from this for use from time to time. ⁴

Tribal insurgency in Tripura

This work in general and its chapter nos.2, 4, 5 and 6 in particular have also come of use for this work. ⁵

The Communist Movement in Tripura.

This book has also come of some use, particularly its chapters on Development of the Communist Movement in Tripura I, Development of the Communist Movement in Tripura II, and The Tribal Question and the Communists in Tripura. ⁶

The Legislative Opposition in Tripura

Last but very important is this Book in so far as the present work is concerned pieces of information collected from this book at the time of writing the different chapters of this thesis were thrice in Chapter II, 6 times in Chapter IV, once in Chapter V and 4 times in Chapter VI from the pages 47 and 64; 107; 174-176; 8; and 103 and 105. ⁷ In addition to these, the chapters of the book, i.e. , Chapters III , IV and V have gone a long way in giving some

insight into some legislations made in the Tripura Assembly during the period from 1963 to 1976.

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7. Majumder, B. M. ,The Legislative Opposition in Tripura, Tripura State Tribal Cultural Research Institute and Museum, Agartala, 1997,pp. 47,64,103, 105, 174-176, 8, 103 and 105.

D. Research Questions.

The following questions have constituted the core of the present study:-

- (a) The important components of Political development.
- (b) The important legislations by the Tripura State Assembly during the period of 1972-2002.
- (c) The impact of the legislations.
- (d) To ascertain whether or not these enactments testify the wisdom of people's, representatives in solving the emerging problems of the State.

Let us now give a short account of these Research questions one by one.

(a) The important components of Political development.

It is known to the knowledgeable circle of Tripura that the movement for responsible government was crowned with success after the demand of the people for an Assembly was conceded by the Centre. After it the movement for statehood was launched. Responding to the pressure of the growing movement, on 15th December, 1971, the North Eastern Areas (Reorganisation) Bill, 1971 was passed in the Parliament and the bill received the assent of the President on 30th December, 1971. section 4 of the Act stated that on and from the appointed day there would be established a state, to be known as the state of Tripura, comprising the territories which immediately before that day, were comprised in the Union Territory of Tripura.¹ The day of fulfilment of the hopes and aspirations of the people of Tripura came on January 21, 1972 when Tripura became a state of Indian Union and the number of Assembly seats of the state was doubled from 30 to 60. After Tripura's attainment of statehood the first election of the State Assembly was held in 1972. In that election Congress secured 41 seats, CPI (M) got 18 seats along with 2 independent supported by the Party. And CPI got 1 seat.² A nine –member council of Ministers headed by Sri Sukhamoy Sengupta took over the administration of the State in March, 1972.

The political development and the administrative improvement were rapidly changing the face of the state. The political changes led to consolidation of the two main parties, Congress and CPI (M). After the introduction of statehood a common cadre of IAS, IPS and IFS were created. A stable political executive was established after the election of 1972. Again, with the publication of daily newspapers from Tripura the channels of communication between the people and the government were developed to a

large extent. The level of Political Consciousness of the People also became high. With this, the transition of Tripura from dictatorial rule of the last king to Parliamentary democracy was complete.³

But within 2 years of Congress' rule factional infighting started and aggravated. The Opposition in the Assembly took advantage of this split in the ruling Party and it utilised the situation in such a manner that its candidate for the biennial election of the Rajya Sabha of 1974 won the race by defeating the Congress candidates. Being enthused, the opposition stepped up its move which reached the point of toppling the Sengupta Ministry from power, and in order to combat the move, the Government caused the arrest of most of the opposition members including their leader on the eve of the Budget Session of 1975-76 and detained them in jail. During the emergency rule Trade Union right and individual's right were throttled in the state. Even MLAs of the opposition and a section of the ruling party were arrested and sent to the jail outside the State.⁴ Attacks came down on the government employees also to suppress their legitimate demands.

After the national emergency was withdrawn, major portion of Congress MLAs of Tripura defected from the Party and joined the CFD (Congress For Democracy) and they formed a coalition government with the CPI (M). But after 4 months, most of the CFD MLAs defected again and joined the Janata Party, and another coalition government between Janata Party and CPI (M) was formed. But this government also fell after 4 months, as the Janata Ministers went on opposing all the pro-people proposals of their communist counterparts. As a result, the first state Legislative of Tripura was dissolved and this paved the way for the holding of elections to the Second State Legislature.⁵

The assembly election held on 31st day of December, 1977 marked a new chapter in the history of this hill State. The Second State Legislative Assembly was constituted through this election. In this election the Left Front won 56 out of 60 seats of which CPI (M) alone bagged 53 seats including 1 independent supported by it, RSP got 2, FBI 1 seat while TUJS secured 4 seats. INC, CFD and Janata Party lost all the seats they contested.⁶ The first Left Front Government was formed in the state under the leadership of CPI (M), Sri Nripen Chakraborty became the Chief Minister of the Government , other constituents of the Ministry were RSP and Forward Block.

From the very beginning of its assumption of power, the question of ethnic harmony became a major issue to the Left Front Government. The Front decided to form a district Council in the tribal majority area of the state and declared that restoration of illegally alienated Tribal land would be taken up soon. But 'Amra Bengali' a Bengali chauvinist Party called for Tripura Bundh and organised mass meetings to oppose the formation of the district council.

By the middle of 1979 Communal tension in Tripura became very high on 15th March, 1980, the TUJS in its 12th General Meeting held in Taidu of South Tripura adopted resolution for expulsion of "foreigners" (all people who came to Tripura after 15th October, 1949) from Tripura. The Bazaar boycott programme (adopted in the meeting at Taidu) created further Tension. Mischief mongers and rumour mongers took advantage and it came into a flash point on 4th and 5th June, 1980 to escalate genocide. Numerous villages were laid waste. Thousands of people were rendered homeless and properties destroyed. Hundred, of people of both the communities were murdered. Tripura Government took prompt actions, and declared pacification programmes with a view to resettle the misguided extremists to which some of them responded.⁷

The Autonomous District Council for the Tribal Areas came into being in January, 1982 in terms of Tripura Tribal Areas Autonomous District Council Act, 1979. This Council introduced tribal self-govt, into Tripura and went on ensuring the right to land, guarantee employment and to the right against explanation.⁸ But the council in terms of the 7th Schedule did not satisfy the Tribals as they were for a council under Schedule VI. But for that they had to wait up to April, 1985.

The other remarkable role of the government was to bold elections within a short time both at Panchayat and municipal levels, to ensure trade-union rights for all working people, including the government employees, and to ameliorate the conditions of various sections of the people, e.g., the working class, the peasantry, students, and youths, women etc.; and to protect and promote minorities' interests and extension of educational facilities including cultural activities among them.

The Assembly election of 1983 in Tripura was held on 5th January, 1983. The political parties contesting in the election were ruling Left Front on the one hand and INC and TUJS on the other. Some Amra Bengali candidates also contested. The Left. Front was voted to power again; it won 39 seats out of which CPI (M)'s share was 37 and RSP's 2. INC got 14 seats, TUJS 6 and Amra Bengali got 1 seat.⁹

The most remarkable step taken by this govt. was to reiterate and continue the demand for introducing the 6th schedule of the constitution of India into the Tribal Areas of Tripura. Responding to persisting demand of the government and the people alike the central government took the step to concede the demand for the Sixth Schedule. Accordingly, in April, 1985 the TTAADC under the 6th Schedule was introduced in the State replacing the 39-month old ADC under the 7th Schedule.¹⁰

The election of the Tripura Assembly held in February 1988 to constitute the Fourth State Assembly was held in an unprecedented condition. There was a stream of violence masterminded by TNV, a tribal extremist group. More than one hundred innocent non-tribal people were murdered by this group 2-3 days before the election. To worsen the situation the Central Government declared the State as disturbed area 3 days before the election and deployed armed forces in the State paying deaf ears to the objection raised by the Tripura Government.

Results of the election were: INC-24, TUJS-7;and CPI(M)-26 and RSP-2.¹¹ Incidentally Congress won 1 seat by 8 votes and another seat by 9 votes. The Left Front alleged that in one counting centre rigging was resorted to by the INC-TUJS people for 3 seats. After the publication of results of the election ,INC-TUJS coalition government was formed in the state with Sri Sudhir Ranjan Majumder as the Chief Minister. The first step of the government after assumption of power was to break down all the elected panchayats in the State and no step was taken in its life time for holding elections of those bodies. The Left Front also alleged that a shameful rigging was resorted to by the ruling alliance during the parliamentary elections of 1989 and 1991 (to West Tripura parliamentary constituency) as also in the election to reconstitute the TTAADC in 1990. All these 'attacks' on democracy led the Left Parties and the CPI(M) in particular to raise vigorously the slogan of restoration of democracy from their meetings. The resentment was embroiling in the State Police force also towards the end of the regime as the State Police Battalion was dissolved and all the personnel of the force were dismissed to put down their movement.

In the assembly election held in 1993, the Left Front was on the offensive while the INC –TUJS alliance was in a retreating position after 5

years of rule. In the election the Left Front came aback to power securing 47 seats out of which CPI (M) won 44 seats and FB and RSP got 1 and 2 seats respectively. The INC got 10 seats and its ally TUJS got 1 seat only.¹¹ The first major step taken by the Left Front Government was to take the initiative to bring back the extremists to normal life. Responding to the call of the government one –group each of ATTF and NLFT surrendered. But the other groups of both NLFT and ATTF have been continuing their terrorist activities. Having no alternative, the Left Front Government declared a portion of the hilly area of the state as “Disturbed area” and to hand over the responsibility of law and order of that area on the Armed forces. Side by side with these steps ATTF and NLFT were declared banned.¹²

On the eve of the Assembly election of 1998, the opposition parties, in their campaign held the Left Front Government responsible for its alleged failure to solve the extremist problem and to protect the life and property of the people of the State. The Left Front retorted by alleging that the opposition parties themselves had been creating and aggravating the problem by instigating the extremists in their narrow political interest. The result of the election was CPI (M) -38, CPI-1 and RSP-2; Congress-13 and TUJS-4, 2 seats were won by Independent candidates.¹³ The Fourth Left Front Government was formed with Sri Manik Sarkar as the Chief Minister and 16 other ministers.

As the Assembly election of 2003 approached new election campaign were vigorously on. This time, the Congress Party made alliance with INPT (The Indigenous Nationalist Party of Tripura). The Left Front sharply reacted to this and alleged that this was a tie up fraught with dangerous consequences for the people of Tripura and for national unity at large. The speech INPT President Bijoy Hrankhwal made in Geneva supporting an independent state

of Tripura was also highlighted in hundreds of mass meetings organised by the CPI (M). In a joint rally of Congress and INPT at Agartala on 7-9-2002, the Congress leadership in Tripura sought to explain away the written speech delivered by Hrankhwal at Geneva justifying the terrorist activities of the NLFT and the ATTF, and alliance of Congress with the INPT.¹⁴

In the address before the biggest ever rally at Agartala on 14.4.2002, Chief Minister Manik Sarkar and other speakers, in their speeches, bombasted the Congress for joining hands with the political mask of the extremists' instead of pressing for the return of all the army units withdrawn by the Centre from Tripura and for adequate B.S. F. personnel to encounter border terrorism. ¹⁵ The election campaigns of both the alliances were, thus, continuing in full swing, and these continued till the last date of campaigning as was fixed up by the state Election Commission.

In the election, the Left Front got 41 seats out of which CPI (M) won 39 and RSP got 2 seats, Congress- INPT alliance won 19 seats of which Congress got 13 seats and INPT won 6 seats. ¹⁶ The Fifth Left Front Government was formed after the results of the election were declared with Sri Manik Sarkar as the Chief Minister and 17 other ministers.

NOTES AND REFERENCES.

1. Majumder, B. M. , Op. Cit., p 46
2. Result of the Election, Tripura (1972), Election Department ,State of Tripura, Agartala,
3. Bhattacharjee, B. K., Tripura Administration , The era of modernization, Mittal Publications, New Delhi, 1986, pp.264-268
4. Majumder, B.M., op.cit. p.64.
5. Ibid., pp.50-51

6. Results of Election, Tripura (1977), Election Department, Government of Tripura ,Agartala.
7. Basu, P.K., The Communist Movement in Tripura, Progressive Publications, Calcutta. 1996,pp. 191-192.
8. Mohanta, B., Tribal Areas Autonomous District Council: Its inevitability in Tripura(a seminar paper presented on 2.11.1991 at Women's College ,Agartala).
9. Results of Election, Tripura (1983), El. Dept., Govt. of Tripura, Agartala.
10. Vide Choudhury, P., 'Tripura Tribal Areas Autonomous District Council: Its genesis and working, principles and the Assessment' in the Seminar on Local Self-Government in Tripura at Women's College, Agartala, dt. 2nd and 3rd Oct. , '91.
11. Detailed Result of Assembly Election of Tripura held on 2nd February, 1988, pp. 48-58, Election Department ,Government of Tripura, Agartala.
12. Results of Election, Tripura (1993) , Election department, Government of Tripura, Agartala .
13. Chanda, Saroj, "Bahattar Theke Atanobboi-Ekti Porjalochana"(Article in Bengali) (From '72 to 98- A Review) in Rajdhani Agartala (Monthly Journal, February, 1998, p.8.).
14. Tripura Darpan (Bengali Daily of Tripura) dt. 9.9.2002, pages 1 & 6.
15. Ibid. dt. 15.9.2002, pages 1 & 6.
16. Results of Election, Tripura (2003) , Election Department, Government of Tripura, Agartala.

(b) The important legislations by the Tripura State Assembly during the period of 1972 -2002

During the period under review the Tripura Legislative Assembly enacted a good number of legislations some of which were very important with regard to the administrative decentralisation, socio-economic development and social welfare of the people of the state. It is, therefore, very pertinent to give an account of those acts at this stage.

On administrative decentralization:

The Tripura Panchayats Bill, 1983 was passed in the Assembly and became an act and the same was amended in 1986, 1988, 1992, 1993 and 1994. This went a long way towards administrative decentralization in the rural areas of the State. It replaced the United Provinces Panchayat Act, 1947 (as adopted in Tripura in 1959) as the latter was inadequate for regulating the Panchayat Institution in the State.

The present act met the present need for constitution of the Gaon Panchayats in Tripura, made the election of the Pradhan indirect in stead of direct so long in practice, reduced the age of voters from 21 to 18 and provided procedural improvements relating to its functioning, powers, duties, financial resources including relation of the State government with the Panchayat election. ¹ By virtue of the Act and its amendments, there are three-tier Panchayati Raj System in Tripura now consisting of Panchayats, Panchayat Samities and Zilla Parishads and steps are being taken to organize and activise the Panchayats and endow them with power and authority to enable them to function as units of self-government.

Again , an attempt at reconstituting Agartala Municipality (the only Municipality of Tripura) by elected members and to enable it to function as an unit of self-government was found when 'the Bengal Municipal (Tripura Amendment) Bill ,1972 was introduced in the Tripura Assembly on 7th December, 1972.

The then Municipality of Agartala was under supervision for a good number of years and the government stated in the Assembly that it wanted to hold an early election for the re-constitution of the Municipality by elected Commissioners. But it was difficult to prepare the electoral rolls for the election of the Municipality under existing act. Hence an amendment had

been proposed in the main Act to facilitate the preparation of the electoral rolls. The qualification of the voters for taking part in the election had also been proposed to be materially changed. The amendments to the Act had been proposed on the lines of the West Bengal Municipal (Tripura (Amendment) Act, 1962 (West Bengal Act no. 22 of 1962) and became an Act.² But unfortunately, the government did not succeed to hand over the Municipal Administration to an elected body during its life time (1977- a part). It also failed to implement its own decision to declare some Sub-Divisional towns as notified areas. As a result, the Bengal Municipal (Tripura Amendment) Act, 1972 had to be amended by the Left Front Government in 1982, 1983 and 1994 in order to reconstitute the Agartala Municipality, hand it over to an elected body and constitute Notified Area Authorities in the Sub-divisional towns of Tripura and transfer powers to those bodies.

On Socio-economic aspects of Political development

The Tripura Land Revenue and Land Reforms (Second Amendment) Bill, 1974 which was introduced in the Assembly on 15th March, 1974 (and was passed after a prolonged debate) sought to introduce Land Reforms which were essential to remove the impediments in the matter of agricultural production and remove elements of exploitation and social injustice in the agrarian system by giving of security to holder and bargadars by reducing the ceiling of holdings from 2 hectares to 7.2 hectares with retrospective effect from 24 January, 1971. The Bill provided restriction to transfer or partition of ST owners' land also and made provision for restoration of the land of ST owner transferred illegally on or after 1st January, 1969. The Bill also repealed the former Ruler's (Bir Bikram Kishore Manikya) Tribal Reserve Order because the protection of 8 Tribes in Tripura was felt necessary to be made in

the Bill as against a5 Tribals in the Maharaja's "Reserve".³ The act was subsequently amended in 1975, 1976, 1979, 1989, and 1997.

In the statement of Objects and Reasons of the Third Amendment Bill introduced in the Assembly on 14th March, 1975, it was mainly mentioned that it (the Bill) sought to introduce certain reasonable restrictions on the rights of transfer in the areas predominantly peopled by the Scheduled Tribes for the protection of the interest of the Scheduled Tribes, who on account of their backward and primitive conditions and lack of education or material advantages were incapable of looking after their welfare in so far as such welfare depends upon their having sufficient land for their maintenance.

The Bill provided some order of preference in the right of purchases of land in the said areas. First preference had been given to a co-sharer, second preference to an adjoining land holder who was a member of the Scheduled Tribe and the third preference to any other landless Scheduled Tribe residing in the area.⁴

The objects and Reasons of the Fourth amendment Bill (Bill No 2 of 1976) stated that the Bill sought to provide exemption from the operation of ceiling for land held by bank. Definition of family for the purpose of ceiling on land holding had been widened to include adult son and widow of the pre-deceased son. The Bill also sought to allow the member of the Scheduled Tribes to mortgage land for the purpose of securing repayment of any loan in favour of a bank.⁵

The Fifth Amendment Bill (Bill No. 6 of 1979) mainly sought to extend the benefit of presumption of Barga interests on sharecroppers and to restore land to such sharecropper who had been unlawfully evicted from the land. Provision of special machinery recording barga interests and for dealing with all other matters relating to Barga interests was also made.⁶

The Sixth Amendment Bill (Bill No. 14 of 1989) sought to further strengthen the measures to prevent alienation of Tribal land and also for effective implementation of the provisions for restoration. It also sought to define the term "Transfer" so as to include all possible transactions on land of Tribals. Further, it declared trespass on Tribal land as cognizable offence and made provision for imposing penalty on the trespassers. Provisions were also kept in it to waive limitation in any application or suit for restoration by a tribal.⁷

The Tripura Land Revenue and Land Reforms (Seventh Amendment) ordinance 1996 was promulgated on 18th October, 1996 and it was placed before the Assembly in the form of a Bill in the year 1997. The main aim of the Bill was to provide special Provisions for protecting the lands belonging to the Scheduled Tribes.⁸ The Bill was passed in the Assembly and became an act that year.

Legislations on Social Welfare:

i) The Tripura Tribal Areas Autonomous District Council Bill, 1979, a bill in terms of the 7th Schedule of the Constitution, was brought in the Assembly in fulfilment of aspirations of the Tribal people, and to give autonomy to the people to better their own lot themselves. The bill aimed at creating a single compact District comprising predominantly Tribal Area. In order to secure self-government TTAADC was to be administered by representatives voted to the power by voters of both Tribal and non-Tribal with majority reserved seats for the tribals. In March, 1979 the Bill was passed and it became an act in the same year.⁹

The act was amended in 1982 as, on scrutiny of the provisions of the Act, it appeared that amendment of Sec.4, 9, 18 and 27 of the Act were necessary to remove some clerical errors and ambiguities. Some minor

amendments of Sections 26, 29,31,32,24 were also considered necessary for the sake of clarity of some of the provisions of the Act. It had also been proposed to amend sub-sec. (5) of Sec. 30 providing for replacement of the Chief Executive Officer by the State Government on the recommendation of the District Council and empowering the State Government to withdraw the Chief Executive Officer from the District Council at any time. In addition , Sub-sec.(2) of Section 25 had been proposed to be deleted as redunent.Section 41 had been proposed to be amended to make the provision of audit of the accounts of the Auditor General's (Duties, powers and conditions of services) Act ,1971 . The TTAADC came into being on 18th January, 1982. ¹⁰

But the A.D.C. in terms of the Seventh Schedule did not satisfy the aspirations of the tribals as they were for an A.D.C under the Sixth Schedule. Hence the demand for introduction of the Sixth schedule was raised vigorously by the people as well as the then government of the State, and it was in the wake of the persistent demand that the Union Government agreed to introduce the Sixth Schedule. Accordingly the Constitution (forty-Ninth Amendments) Bill, 1984 was introduced before the Parliament and it was passed. Consequent upon this, the Autonomous Tribal District Council Bill in terms of the 6th Schedule was introduced in the State Assembly in April, 1985 and became an act. ¹¹

ii) Tripura Scheduled Castes and Scheduled Tribes (Reservation of vacancies in services and posts), Act, 1991 and its amendment in 1997 sought to solve the problems faced by the S.C. and S. T. population of the state with regard to issues of reservation of vacancies in services and posts and some other allied issues. The act was effected from October, 1992, and then reservation for SC's and the ST's services was fixed at 15% and 28% respectively (keeping in mind the percentage of S.C. & S.T. population in the

State of that time). The Act was to be amended in 1997 in view of the facts that a) the percentage of SC and ST population increased to 16.3 and 30.95 respectively; (b) the SC's and ST's were not properly represented till then; c) Making provision for empowering the government to review any decision taken regarding appointment /promotion or in issuing and cancelling SC/ST certificates; d) the Schedule to the Act containing the 100 point roster was also considered necessary; and e) The modified policy of the Union Government regarding reservation for ex-serviceman and physically handicapped was also considered necessary to be accommodated.¹² In the amended act all the above-mentioned issues were incorporated and as a result, the act has , till then, been going a long way in solving many problems of the state in the way of reservation in services and posts and other allied issue.

iii) The Tripura Commission for Woman Bill, 1993, (Bill No.7 of 1993) was placed before the Assembly and it became an act after it received the assent of the Governor on 1st January, 1994. The Tripura Commission for Woman was constituted in February, 1994 with 9members: a chairperson, a vice chair person, 5 members and the member secretary) and started functioning.¹³ In accordance with the Tripura Commission for Woman Act, the major functions of the Commission are “to look into complaints and take suo moto notice of matters relating to (i) deprivation of women’s rights, (ii) non- implementation of laws enacted to provide protection to women and also that it has all the powers of a civil court while investigating such cases of complaints”.¹⁴

Ever since the formation of the commission, affected woman from different parts of the State have been approaching its office at Agartala with their grievances and problems. The magnitude and nature of atrocities being

perpetrated on the women of the state during the period from March 1998 to May, 1999 may be revealed from the following particulars:

1. Total No of complaints received: 1778; 2. Bride killing: 104; 3. Rape: 35; 4. other atrocities: 1114; 5. Complaints sent to Police: 881; 6. sent to Panchayat: 41; 7. sent to other departments: 140; 8. sent for court cases: 17; 9. Judgement for payment to maintenance allowance received: 55; and 10. One time compensation realized by commission: 14

Out of a total of 1778 complaints, 830 complaints were registered in the commission during the period from March, 1998 to February, 1999; and no further information in this regard can be furnished as no detailed written record preceding or succeeding that period is available.¹⁵

The commission dealt and has been dealing with all types of cases as mentioned above with all seriousness. In consideration of seriousness of the cases, it takes direct action or refers some cases with due considerations to appropriate authorities which include law enforcing agencies and police department.¹⁶

NOTES & REFERENCES

1. The Tripura Panchayats Bill, 1983 (Bill No. 12 of 1983) as passed in the Assembly and became an act in the same year.
2. The Bengal Municipal (Tripura Amendment) Bill, 1972 (Tripura Bill No. 8 of 1972) as became an act in that year.
3. The Tripura Land Revenue and Land Reforms (second Amendment) Bill, 1974 that became an act in the same year.
4. TLR & LR (3rd Amendment) Bill, 1975 that became act in that year.
5. TLR (Bill No. 2 of 1976) & LR (4th amendment) Bill, 1976 that became act in the same year.

6. TLR & LR (5th Amendment) Bill, 1979 (Bill No. 6 of 1979, an act in that year.
7. TLR & LR (6th Amendment) Bill, 1989 (Bill No. 14 of 1989) that became an act in the same year.
8. TLR & LR (7th Amendment) Bill, 1997 that became act in the same year.
9. The Tripura Tribal Areas Autonomous District Council Bill, 1979(Bill no. 5 of 1979) which became an Act in the same year.
10. The TTAADC Act ,1979 (as amended in 1982)
11. Repeal of the TTAADC Act, 1979 and constitution of Council under the 6th Schedule.
12. Quoted from Tripura scheduled Castes and Scheduled and Scheduled Tribes (Reservation of Vacancies in services and posts) Act 1991.
13. Quoted from the Tripura Commission for Women's Act, 1993 and Annual Activity Report of Tripura Women's Commission, 1989-91.
14. The Tripura Commission for Women Act, 1993,p.2
15. Majumder, B.M., "The Problem of Protection Human Rights of Womenfolk of Tripura and Role of the state Commission for Women, An Assessment", paper presented in the seminar on " Women participation in decision Making and Development Process in Tripura" organized by the Department of History, Tripura University in the year 1979.
16. Ibid.

(c) Impact of the legislations:

The main impact of the Tripura Panchayats Act, 1983 was that it replaced the system of election of member of the Gaon Panchayat by show of hands by voting through secret ballots, made the election of the Pradhan indirect in stead of direct as was practised so long, reduced the age of voters from 21 to 18 and brought about Procedural improvements in respect of its functioning, powers, financial resources as also the relation of the State Government with the election of the Panchayat.¹ The act was amended in 1986,1988, 1992 and 1994 in order to meet the changing requirements of

time and as a result of that, three –tier panchayati raj system has been functioning in Tripura with increasing success with the progress of time.

The Bengal Municipal (Tripura amendment) Bill, 1972, as became an act in due course, aimed at handing over the Municipal administration to an elected body could not reach its goal. The then government also failed to implement its own decision to form notified area committees in four Sub-Divisional towns of Tripura also. The Opposition in the assembly, therefore, strongly demanded that stops must be taken towards formation of the proposed committees and delegation of powers to them, but to no effect.² The Bengal Municipal (Tripura Amendment) Act, 1972 was, therefore, amended in 1982, 1983, and 1994 by the Left Front Governments in order to reconstitute the Agartala Municipality and hand over the same to an elected body. At the same time Notified Area Authorities were constituted in the Sub-divisional towns of Tripura and powers were transferred to them.

The Tripura land revenue and Land Reforms Act and its second,^{3rd}, ^{4th}, ^{5th}, ^{6th} and ^{7th} amendments had been brought and passed in the Assembly with two specific intentions and these were: i) Extension of some economic safeguards to the Tribesmen, and stoppage of alienation of their land and restoration of their illegally alienated land from the non-tribals and ii) making some economic benefits available to weaker sections of the non-tribals and of the sharecroppers and the marginal and landless farmers, labourers in particular. In this attempt, the extent of success was not more than partial. While the attempts at stopping further illegal alienation of tribal land attained good success, the steps for restoration of illegally transferred tribal land to the real owner are yet to go a long way. So far, the protection of right of sharecroppers on land has attained appreciable success, but steps for protecting other minimum rights to the marginal farmers and landless

labourers are yet to face many hurdles. The solution of these problems actually depends on materializing development programmes which are more often than not being obstructed for continuous extremist activities. This is, however, a problem that the state government alone cannot solve. The Government at Centre also must come forward and extend all possible assistance to the state government including supply of required number of Army and B.S.F. Battalions for successfully combatting the extremist violence and that will go a long way in bringing back peace by the state government and this alone is the pre-condition for the success of the development programmes of the state.

The Tripura Tribal Areas Autonomous District Council Bill, 1979, that became an act on July, 30, 1979 led to the formation of the TTAADC in terms of the 7th Schedule of the Constitution on 18th January, 1982. The object behind setting up TTAADC by the State Government was to transfer power gradually with adequate financial resources to the grass-roots institution to free the tribal people from injustice and to encourage them to draw the blue – print of over all development programmes from the locality. The developmental programmes of the TTAADC were being implemented mostly by the agencies of the state government functioning at the Block level. How the state government, since the birth of the TTAADC in 1982, had already assigned to the grass-root organisation a number of programmes of development and how the areas of work and responsibility of the TTAADC started its journey is revealed from the fact that in the first year with a budget of only Rs 74.10 lakh. But in the second year (1983-84) it went up to Rs. 9.47 crores and in the third year Rs. 10.81 crores. In this way, the annual budget is increasing day by day and the budget of the TTAADC is a great index to understand properly the

attitude of the state government towards the development programmes of this institution.³

But the Autonomous District Council under the 7th Schedule of the Constitution could not satisfy the tribals of Tripura who had been placing their demand for long for the Sixth Schedule. This persistent demand led the Central Government to amend the constitution and thus the long awaited autonomous District Council in terms of the Sixth Schedule was introduced in April, 1985. With this was paved the way for the greater autonomy of the tribal people of Tripura and also for more responsible functioning of the Autonomous district Council.⁴

Tripura Scheduled Castes and Scheduled Tribes (Reservation of vacancies in services and posts) Act, 1991 and its amendment in 1997 also went a long way in solving the problems being faced by the S.C. and S.T. population of the state in respect of the issue of reservation of vacancies in services and posts and also some of the allied issues. The act came into force with effect from October, 1992 and at that time, reservation for SC's and ST's in the services was fixed at 15% and 28% respectively. But the Act was amended in 1997 on some grounds such as (i) As per 1991 Census Report, the percentage of SC and ST population increased to 16.36 and 30.95 respectively and hence the percentage of reservation for SC's and ST's in services and posts was to be replaced by 16% and 31% respectively, (ii) the SC's and ST's were not as yet adequately represented in the services and posts, (iii) Provision should be there in Amendment Act empowering the government to review any decision taken in respect of appointment/promotion on issuing and cancelling SC/ST certificates, (iv) the Schedule to the Act containing the 100 point roster was also needful; and (v) the modified policy of the

government of India regarding reservation for ex-servicemen and physically handicapped had also to be taken into consideration.⁵

Thus, incorporating all the above five issues, the Tripura Scheduled Castes and Scheduled Tribes Act, 1991 was amended in 1997 and in the amended act provisions were made for extending the facilities of reservation of vacancies in services and posts for the SC's and ST's , and ex-servicemen and physically handicapped alike. At the same time, provisions were kept empowering the government to review any decision regarding appointment / promotion or in issuing and cancelling SC/ST certificates.

The Tripura Commission for Women was formed in February, 1994 consequent upon the enactment of the Tripura Commission for Women's Bill, 1993 in January, 1994. Ever since its formation, the commission dealt with all cases relating to deprivation of women's rights. Besides these, the commission has been taking prompt action in the cases of serious nature like dowry murder , suicide, dowry torture , rape, kidnapping , abduction, sexual harassment, deprivation of widow from properties, and other types of cruelty and torture by husband and in-laws etc.⁶ Furthermore, in course of looking into the complaints made by the victimised woman, and redressing their grievances, the commission tried and has been trying its utmost to solve the problems and settle their disputes amicably outside police station and court. But when all its efforts failed to settle a dispute amicably and it found that the allegation of the victimized women, was true, the commission would be left with no alternative but to suggest the party to go to court for redress.⁷

From the functions being discharged by the commission as mentioned above, it becomes crystal clear that the role it played and has been playing in pursuance of the Tripura Commission for Women Act, 1994 will go a long way

in protecting and promoting the interests of the depressed sections of women of the state.

NOTES AND REFERENCES

1. The main motto as envisaged by the Tripura Panchayats Bill, 1983 that was passed and became an act in the same year.
2. Majumder, B.M., Op.cit. , p. 105.
3. Chakravorti, M. , “ The TTAADC and he state government : An Overview” , paper presented in the seminar on Local Self Government in Tripura organised by Dept. of Political Science, Women’s College, Agartala on 22nd and 23rd November ,1991 .
4. Mohanata, B, “Tribal Areas Autonomous district Council, its inevitability in Tripura”, a paper presented in the Seminar on Local Self Government in Tripura organised by Deptt. Of Political Science, Women’s College, Agartala on 22nd and 23rd November, 1991.
5. From Tripura Scheduled Castes and Scheduled Tribes Act (as amended in 1997)
6. Majumder, B.M., “Problem of Protection of Human Rights of Womenfolk of Tripura and Role of the State Commission for Women”: An Assessment, p.5. (Paper presented in the seminar on “Women Participation in Decision Making and Development Process in Tripura.” Organized by the Department of History, Tripura University in the year 1999.
7. Annual Activity report of the Tripura Commission for Women Act, 1993.

(D) Do these enactments testify the wisdom of people’s representatives in solving the emerging problems of the state?

The enactments, about which mention has already been made, undoubtedly testify the wisdom of people’s representatives in solving the emerging problems of the state. An attempt is being made hereunder to give a short account in support of the above proposition.

It has been mentioned earlier that the West Bengal (Tripura Amendment) Bill, 1972 was enacted with a view to hold an early election for reconstitution of the Agartala Municipality by elected commissioners. This was necessitated in order to overcome the hurdle of preparing the electoral rolls under the previous Act, and also to materially change the existing qualifications of voters for taking part in the election. But as the then government could not hand over the Municipal administration to an elected body, and to declare some Sub-divisional towns as notified areas; The Bengala Municipal (Tripura Amendment) Act, 1972 had to be amended by the subsequent governments in 1982, 1983 and 1994 with a view to reconstitute the Agartala Municipality, hand it over to an elected body; and to form Notified Area Authorities in the Sub-Divisional towns of Tripura and transfer power to those bodies. The legislators rose to the occasion in solving the problems that stood in the path of democratic decentralisation in the urban areas of Tripura.

Similarly, the Tripura Panchayats Bill, 1983 which was enacted in the same year and was amended in 1986, 1988, 1992 and 1994 met the need for constituting the Gaon Panchayats in the state, made the election of the Pradhan indirect, reduced the age of voters to 18 and brought about modifications relating to its functioning, power, duties, financial resources including relation of the state government with the Panchayat System.¹ The Act and its amendments have been instrumental in the formation of three-tier Panchayati Raj System in the State now and steps are being taken to organize and activate the Panchayats and endow them with power and authority to enable them to function as units of self-government. The role played by the members of the Assembly in course of enacting the Bill and amending the Act was praiseworthy as they contributed their might in overcoming the problems

that stood in the way of democratic decentralisation in the rural areas of the State.

In the like manner, the part played by the people's representatives during the deliberations the Tripura Land Revenue and Land Reforms (Second Amendment) Bill, 1974 ; TLR& LR (3rd Amendment) Bill, 1979; TLR& LR (4th amendment) Bill, 1976; TLR&LR (5th Amendment) Bill, 1979; TLR & LR (6th Amendment) Bill, 1989; and TLR&LR (7th Amendment) Bill,1997 were also highly appreciable. Thus, during the deliberations of the TLR&LR (second Amendment) Bill ,1974 members of both the sides entered into a prolonged and vociferous debate on the move of the treasury benchers to repeal the former Ruler's 'Tribal Reserve' order on the plea of extending protection to 8 tribes as against 5 tribes in the Maharaja's aa"Reserve".²

The TLR& LR (3rd Amendment) Bill, 1975 provided some order of preference in the right of purchases of land in the areas predominantly peopled by the scheduled Tribes. First preference had been given to a co-sharer, second preference to an adjoining land holder (who was a member of the Scheduled Tribe) and the third preference to any other landless Scheduled Tribe residing in the area.³ From this it is evident that the amendment was brought for protecting the interest of the scheduled Tribes in the areas predominantly inhabited by them and that the positive role of the legislators in this regard was well reflected in the fact that the bill was accepted unanimously.

The TLR& LR (4th Amendment) Bill, 1976 sought to provide exemption from the operation of ceiling for land held by bank. It also sought to allow the member of the Scheduled Tribes to mortgage land for the purpose of securing repayment of any loan in favour of a bank.⁴ The objects and reasons of the Bill

also are to provide some reliefs to the people belonging to ST communities and the legislators rightly came forward to extend their support to the Bill.

The TLR& LR (5th Amendment) Bill, 1979 was moved in the Assembly when the first Left Front Government was in power. What the Bill primarily sought was to extend the benefit of presumption of Barga interests on sharecroppers and to restore land to such sharecroppers who had been unlawfully evicted from the land.⁵ The legislators of whom 56 belonged to the Left Front stood solidly behind the pro-people bill and the other 4 opposition members (TUJS) also extended their support to it.

The TLR& LR (6th Amendment) Bill, 1989 was moved in the Assembly when Congress-TUJS alliance was in power. The Bill sought to further strengthen the measures to prevent alienation of tribal land, and with that end in view, provided for effective implementation of the provisions for restoration. It also declared trespass on tribal land as cognizable offence and made provision for imposing penalty on trespass.⁶ In view of the fact that the aim of the amendment was to prevent alienation of tribal land and restoration of illegally alienated tribal land to the tribal owners, members of both the sides extended support to it and thus the bill was unanimously carried.

The aim of the TLR& LR (7th Amendment) Bill, 1997 was to specially provide for protection of the lands belonging to the Scheduled Tribes.⁷ This bill also was carried unanimously as members of both the sides were convinced of the bona fide intentions of the same.

The Tripura Tribal Area Autonomous district Council Bill(a bill in terms of the 7th Schedule of the Constitution) was placed before the Assembly in March, 1979 with an eye to fulfil the aspirations of Tribal people, and also to give autonomy to the people to better their lot themselves. It aimed at creating a single compact District comprising predominantly tribal Area. It also

provided that the TTAADC was to be administered by representatives voted to the power by votes of both Tribal and non-Tribal with majority reserved seats for the Tribals. The Bill was passed in the same year and became an act.⁸

But the A.D.C. in terms of the 7th schedule could not satisfy the aspirations of the tribals who were for an A.D.C. under the 6th Schedule. The demand for introduction of the 6th Schedule was, therefore, raised vigorously by both the people and the government of the state, and responding to the persistent demand, the government of India, came forward to introduce the constitution(Forty Ninth Amendment) Bill, 1984 in the parliament and it was passed . After that, the autonomous Tribal District Council in terms of the 6th Schedule was introduced in the State Assembly in April, 1985 and became an act in due course, providing for greater autonomy of the Tribals.⁹

The above-mentioned two bills were placed in the Assembly and became acts when the Left Front was in power. Ever since they were the members of opposition in the state legislature, the CPI and the CPI (M) MLAs started and continued struggle both inside and outside the House for a tribal District Council in the Tribal Compact Area, but to no effect. Now that the Left Front captured the state power, their members came forward with these ingenious plans to which 4 TUJS members also extended their support.

The aim of the Tripura scheduled Tribes (Reservation and vacancies in services and posts) Act, 1991 was to solve the problems faced by the SC and ST population of the state in respect of issues of reservation of vacancies in services and posts and the allied matters. The act was effective from October, 1992, and reservation for SC's and ST's in the services was then fixed at 15% and 28% respectively (corresponding to the SC and ST population in the state at that time). That was an act of general nature as it simply responded to the policy of the then Union Government regarding reservation of services and

posts. But the act was to be amended in 1997 under some important considerations such as i) the percentage of SC and ST population increased to 16.36 and 30.95 respectively ii) the SC's and ST's were not properly represented till then ;iii) steps for empowering the government to review any decision taken with regard to appointment /promotion or in issuing and cancelling SC/ST certificates were felt necessary iv) the Schedule containing the 100 point roster was also considered necessary; and v) accommodation of the modified policy of the Central Government regarding reservation for ex-servicemen and physically handicapped was also considered necessary.¹⁰ All these issues were incorporated in the amended in the amended act and consequent on that, the act has been going on solving many problems of the state till then with regard to reservation of services and posts and other allied issues. The amended act was one of wider spectrum and hence it proves the intelligence of the members of the legislature in solving such touchy problems and issues regarding reservation of services and posts and other allied issues.

The Tripura Commission for Women was constituted in February, 1994 after the enactment of the Tripura Commission for Women's bill, 1993 in January, 1994. The major functions of the commission, as earmarked by the Tripura commission for women's Act are "to look into complaints and take suo moto notice of matters relating to (i) deprivation of women's rights, ii) non-implementation of laws enacted to provide protection to women and also that it has all the powers of a 'Civil Court' while investing such cases of complaints."¹¹

Ever since its formation, the commission dealt with all cases relating to deprivation of women's rights with all seriousness. Among the cases directly dealt with by it, the commission has been taking expeditious steps in the cases of serious nature like dowry , murder, or suicide, dowry torture, rape,

kidnapping, abduction, sexual harassment in place of work, harassment of widow and her deprivation from properties, and other serious types of cruelty and torture by husband and in-laws etc. ¹² In course of looking into the complaints and redressing women's grievances, the commission tried and has been trying its utmost to solve the problems and settle the disputes amicably outside police station and court. But when all the efforts of the commission fail to settle dispute amicably and it finds that the allegation of the victimized woman is true, the commission is then left with no alternative but to advise the party to go to court for redress. ¹³ In this way, the depressed and victimised sections of the womenfolk of Tripura have been getting protection by the commission in line with the provisions of the Act and the positive role of the members of both the sides in the assembly is clearly evident from the fact that during the process of enactment of the Bill the same was passed unanimously in the Assembly.

NOTES AND REFERENCES

1. The Tripura Panchayats Bill, 1983 (Bill No. 12 of 1983) as passed in the Assembly and became an act in the same year.
2. The Tripura Land Revenue and Land Reforms (Second Amendment) Bill, 1974 that became an act in that year.
3. TLR&LR (3rd Amendment) Bill, 1975 that became act in that year.
4. TLR&LR (4th Amendment) Bill, 1976 (Bill No.2 of 1976) that became an act in the same year.
5. TLR&LR (5th Amendment) Bill, 1976 (Bill No.6 of 1979) an act in that year.
6. TLR & LR (6th Amendment) Bill, 1989(Bill No. 14 of 1989) that became act in the same year.
7. TLR &LR (7th Amendment) Bill, 1997.

8. The Tripura Tribal Areas Autonomous District Council Bill, 1979 (Bill No. 5 of 1979) which became an act in July of that year(Act No 10 of 1979).
9. The Constitution (Forty-Ninth Amendment) Bill, 1984 as was passed and became an Act in the same year, providing for making applicable to Tripura the provisions of the 6th Schedule to the Constitution. And also, Majumder, B.M., the Legislative Opposition in Tripura, Tripura State Tribal Research Institute Museum, Govt. of Tripura, Agartala, 1997,pp. 171-176.
10. From Tripura scheduled Castes And Scheduled Tribes Act,1991 as amended in 1997)
11. The Commission for Women act, 1993, p.2.
12. Majumder, B.M., "Problem of Protection of Humana Rights of womenfolk of Tripura and Role of the state commission for women, An Assessment: paper presented in the seminar on" Women Participation in decision Making and Development Process in Tripura' as organized by the Department of History, Tripura University in the year 1999.
13. Annual Activity Report of Tripura Commission for Women Act, 1983, p. 13.

(E) Methodology.

The study has covered both historical and empirical aspects. In order to note the evolution of the state Legislative Assembly and political process it has been necessary to collect the materials from books, documents, reports, legislations and party documents. Empirical aspects were also studied by way of interaction with political leaders and legislators.

Besides these, the following books and documents were consulted:

- A. Acts, Laws,
- B. Budgets,
- C. Census Reports,
- D. Published books and journals
- E. Survey reports,
- F. Seminar Papers

F. Contents

The entire plan of work has been systemised according to the following chapters:

I.. Historical Evolution: (a) From Raj to Swaraj, (b) Emergence of Legislative Assembly, (i) Part C State Status (ii) Chief – Commissioner with Advisory Council, (iii) establishment of Tripura Territorial Council, (1v) Tripura Legislative Assembly.

[A detailed account of the historical account has been given in Chapter I of the research work and a short account of the same has been given in No. B Part, that is, 'Universe of the study' in the seminar Paper]

II. Political process and party configurations

[A detailed account of the same has been given in Chapter II of the research work and a brief account of the same has been given in No.B. Part, that is, 'Universe of the Study' in the seminar paper]

III. Important Legislations during the period under the study [Detailed discussion of the same in Chapter III of the research work and a short sketch of the same has been given in No(b) of D. of the Seminar Paper, that is the important legislations by the Tripura State Assembly during the period of 1972 -2002]

IV. Impact Study of Legislations.

a) Administrative decentralisation

b) Social welfare

c) Socio-economic changes,

[A detailed discussion on the impact of legislations in the spheres of administrative decentralisation, social welfare and socio-economic changes

have been made in Ch IV of the thesis and a brief account of the same has been given in No.(C) of D of the Seminar paper, that is, 'the impact of these legislations']

V. Problems and issues:-

- a) Ethnic
- b) Tribal-nontribal Schism
- c) Problems of insurgency, etc.

[Detailed account of the above mentioned problems and issues have been given in Chapter V of the research work and some light has been thrown here and there in the seminar paper.]

VI. Concluding observations

[In this Chapter of the research work the discussions made in Chapters I to V have been summed up and concluding observations were made. In different parts of the seminar paper the contents of this chapter and concluding observations appeared from time to time.]