



TRIPURA TRIBAL AREAS AUTONOMOUS DISTRICT COUNCIL
KHUMULUNG, TRIPURA (WEST)

THE JAMATIA CUSTOMARY LAWS ACT, 2017

AS INTRODUCED IN THE
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The Jamatia Customary Laws Act, 2017

TRIPURA TRIBAL AREAS AUTONOMOUS DISTRICT COUNCIL
OFFICE OF THE CHIEF EXECUTIVE OFFICER
TTAADC, KHUMULUNG

No.F.1(82)ADC/PO/LAW/2015/111

Dated, Agartala, the 23rd October, 2017

NOTIFICATION

The following Act passed by the Tripura Tribal Areas Autonomous District Council which has received the assent of the Governor on 26.09.2017 is published for general information as required under paragraph 11 of the Sixth Schedule to the Constitution of India

The Jamatia Customary Laws Act, 2017

	<p>Whereas, the Jamatia is one of the largest tribal communities of the state, having no customary laws codified as yet;</p> <p>And whereas, demand for codifying the Jamatia Customary laws has been strongly emerged since last decade from this segment of indigenous community;</p> <p>And whereas, Paragraph 3(1) of the Sixth Schedule to the Constituion of India has conferred power upon the District Council to make laws relating to property inheritance, marriage and divorce and other social custom, in respect of all the areas within the district;</p> <p>And whereas, it has now become expedient to collect and restate the Jamatia Customary laws to form a legal code and to provide for administration of the said customary laws;</p> <p>Be it enacted by the Tripura Tribal Areas Autonomous District Council (hereinafter referred to as 'TTAADC') in the sixty-eighth year of the Republic of India as follows:-</p>
Short title, Extent and Commencement	<p style="text-align: center;">CHAPTER PRILIMINARY</p> <p>1. (1) This may be called 'The Jamatia Customary Laws Act, 2017'; (2) It extends to the whole territory of Tripura Tribal Areas Autonomous District Council areas and shall apply to any person who belongs to Jamatia sub-tribe domiciled within and outside the said territory; (3) This shall come into force on the date of its publication in the Tripura Gazette.</p>
Definition	<p>2.(1) In this Act, unless the context otherwise requires;-</p> <p>(I) "Aandra" means communicator/middle man (II) "Act" means the Jamatia Customary Laws Act, 2017 (III) "Adong" means Representative. (IV) "Bagla" means a companion of Garia. (V) "Bagmwng" means partition of property. (VI) "Bana" means a Flag (VII) "Banda/Girvi" means mortgage (VIII) "Batemani/ thalmani" means request to Ochal (IX) "Benki" means a sacred room made for 7 days for the newly-wedded couple during marriage ceremony; (X) "Bhandari"- means the store keeper of Puja. (XI) "Chakdiri" means head man of a Luku/ formal head of village level social body. (XII) "Chak Khanmani" means Part of second engagement ceremony of marriage</p>

- (XIII) "Daria" means drum beaters of Garia.
- (XIV) "District Council" means the Tripura Tribal Areas Autonomous District Council.
- (XV) "Dongduba" a social honour shown to the Okras, Pujaries and other social dignitaries.
- (XVI) "Dowry" has the same meaning as assigned to it in the Dowry Prohibition Act, 1961.
- (XVII) "Falmwng" means sale.
- (XVIII) "Ganta" means a helper who accompanies Okra and other dignitaries during tour program of Moial.
- (XIX) "Haya" means a holy altar where marriage ceremony takes place
- (XX) "Hoda"- means the apex social body of the Jamatia Community.
- (XXI) "Hoda Committee"- means the Committee consisting of the Okras, and members of Advisory and Working Committee, which is the highest Body of Hoda
- (XXII) "Kami" means a village.
- (XXIII) "Kathemani" means a kind of Puja performed for a child before birth (during advanced stage of pregnancy).
- (XXIV) "Khandol" means helper of Chakdiri.
- (XXV) "Kherfang"- means the hereditary priest of the image of Garia
- (XXVI) "Kumajwk" means midwife
- (XXVII) "Lakmajwk" means helper of Kumajwk
- (XXVIII) "Lampra" means one kind of Puja for Sanctity
- (XXIX) "Lampra Twi" means Holy water of Lampra Puja
- (XXX) "Luku"- means village level social body of the Jamatias.
- (XXXI) "Mohanta"- means Head of boglas
- (XXXII) "Moial"-means the Regional social body
- (XXXIII) "Momani" means honour to Ochai after Puja
- (XXXIV) "Muchukmwng" means will.
- (XXXV) "Mwtaibalnai"- means the bearer of the image of Garia.
- (XXXVI) "Naksar" means Office of the Luku
- (XXXVII) "Nukhung" means a family.
- (XXXVIII) "Ochai"- means the Priest
- (XXXIX) "Ochai Twi" means Holy water offered by Ochai
- (XXXX) "Ochai Sema" means pronouncement of result of Puja performed by Ochai
- (XLI) "Okra" means the Chief of the Jamatia Hoda.
- (XLII) "Panchal" means a Chief of a Region/ Moial/ (Formal Chief of Regional Council.)
- (XLIII) "Raida" means rules and regulation framed by Hoda
- (XLIV) "Tok chamal chamani" means primary engagement ceremony of marriage
- (XLV) "Yachaknai" means inheritance and succession
- (XLVI) "Yapharmwng" means gift.
- (2) Anything, not defined particularly in this Act, shall have the same meaning as assigned to it in any other law, for the time being in force.

CHAPTER -II Hoda	
Hoda apex social body	3 (1). The apex social body of the Jamatia Community is known as 'Jamatia Hoda' and within the traditional social system it is the highest Council with its extent to Jamatia Community only; (2) It is independent, impartial, non-political, social Organization, which may determine the social custom, establish usages, conventions, ritualism and may issue directions and instruction for observance and practice of all religious rites of the community;
Constitution of Hoda	4. The Jamatia Hoda is a three tier Social body, consisting of – (a) Hoda at the apex; (b) Moial at the regional level; and (c) Luku at the village level. to ensure justice, peace, discipline and overall development of the community at all level.
Subordinate bodies	5. The subordinate bodies are constituted, as provided under Chapter VIII and XII of the Act, on the basis of mutual trust, cooperation and magnanimity or amiability.
Members are to observe usage, customs etc.	6. All members of the society including Okras are required to observe the established usage, customs and manners of the Hoda.
Rules, regulation etc, not to be put in operation without approval of Hoda	7. No rule, regulation, moral instruction or usage shall be put into operation in the society prior to its approval by the Hoda in its annual conference.
Functions of Hoda	8. The main functions of the Hoda are- (a) to maintain discipline, peace, social unity, characteristic of the Jamatias; (b) to remove superstition (erroneous notion), illiteracy from the community; (c) to develop culture ; (d) to ameliorate condition of women and ensure proper honour of women in the society; (e) to promote/encourage overall education in the Community; (Jamatia) and (f) to encourage over all development of the community.

	CHAPTER –III OKRA
Number of Okras	9 (1). Okra is the Chief of Jamatia Community (Hoda). There are two Okras in the Hoda. (2) Both the Okras are generally nominated failing which elected if situation so demands at the same time in the annual conference of the Hoda
Eligibility for nomination of Okras	10. A person shall not be nominated as Okra unless he – (i) is a person belonging to Jamatia Community; (ii) has an unblemished character; (iii) is married, having the spouse living, abide by all social customs, usage, i.e. Worshipping of Chaudda Devta (14 Gods & Goddesses), Baba Garia and other deities. (iv) has/had a child, who has been given in marriage according to social customs; (v) is impartial, non-political and well acquainted with the Jamatia social customs, usages; (vi) is compassionate to society; (vii) is above the age of 50 years, physically able and mentally sound; (viii) possesses wisdom and of progressive ideas and mindset; and (ix) abstains from drinking liquor during his tenure as Okra.
Term of office of Okra	11.(1) An Okra shall hold his office for a period of five years from the date of his nomination. (2) An Okra may be re-nominated or reelected for another term by the Hoda
Removal of Okra	12. (1) An Okra may be removed from his office if he indulges in any action or does anything detrimental to the development of the society or against the principles of Hoda. (2) A proposal for removal of Okra may be made in the annual Conference of Hoda. (3) A Proposal for removal of Okra shall have approval of- (i) two third members of the Advisory Committee, and also of Working Committee; and (ii) majority members of Moial Panchai support the proposal.
Resignation by okras	13. (1) Okra may resign for special reasons or ground; (2) If the resignation tendered by one Okra is accepted by the council, other Okra shall also tender his resignation. (3) The resignation shall be effected from the date of its acceptance by Hoda.
Vacation of office of Okra	14. (1) If the wife of an Okra dies during his tenure, the okra shall tender his resignation and vacate his office. (2) If the office of Okras fall vacant due to resignation, or otherwise a special meeting of the Hoda may be convened for nomination of new Okras.

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Nomination of temporary Okras	15. If the Okras fail to discharge their functions properly due to illness or otherwise the two-third members of the Hoda Committees (Advisory and Working Committee) and majority of the Moial Panchai may, by resolution, entrust only the administrative works to ex-okra/okras till next Annual Conference of the Hoda.
Functions of Okras	16. (1) The Okras preside over all meetings of the Hoda including the annual conference. (2) The Okras preside over the meetings of Advisory and Working Committees. (3) The Okras shall be responsible for interpretation of policy, code, practice, regulation, etc. (4) The Okras may collect subscription for pujas and other developmental activities of Hoda.
Okras may call emergent meeting of Panchai	17. The Okras may convene an emergent meeting of Panchai for early implementation of resolutions of Hoda. At least one member of the Working Committee shall remain present in the meeting.
Power of Okras to incur expenditures	18. The Okras may incur expenditure not exceeding Rs.20,000/-(Rupees twenty thousand) in connection with emergent matter for the welfare of the society; Provided that the Hoda committee shall be informed of such expenditure within a month of such expenditure.
Power of Okras to arbitrate	19. The Okras have powers to settle amicably all disputes relating to marriage, divorce, illicit relations, petty offences and matters relating to land.
Power of Okras to summon a person	20. The Okras may call by itself or may direct the Panchai or Chakdiri to produce the evidence or proof of practice or religious observance, as laid down by the Hoda.
Trial of a person by Okras for violation of rule, etc.	21. The Okras may try the allegation against any person relating to violation of any rule or regulation or custom or practice or religious observance, as laid down by the Hoda.
Settlement of disputes by Okra	22. In case of any dispute or controversy, the Okras may intervene and try to settle the issue according to their best abilities.
Trial of anti-socials by Okra	23. The Okras may call and try or arrange for trials of the persons alleged to be involved in anti-social activities and persons disturbing the peace, order and tranquility. Provided that in case of failure on the part of Okras to control anti-social activities and persons disturbing the peace, order and tranquility within their jurisdiction, they will have no alternative but to refer the same before the local Police Station immediately for taking necessary action according to the law of the land.

Delegation of Power by Okras to Panchai	24. The Okras may delegate their power temporarily to Panchai for maintaining peace and order.
Engagement of Ganta by Okras	25. During tour of Moial, the Okras shall be entitled to take one Ganta (Helper) whose expenses shall be paid out of Hoda fund
Okras not to follow contradictory principle	26. The Okras shall not pursue or follow contradictory principles.
Okras to be loyal to observance of customs etc.	27. The Okras shall be well conversant with the approved rules and regulations of Hoda and shall be loyal to observance of customs and practice in religious matters.
Implementation of Hoda decision	28. The primary duty of the Okras is to implement the decisions of the Hoda.
Permission of Hoda for developmental works	29. The Okras shall obtain permission of Hoda for undertaking developmental works.
Rescue of person in distress	30. It shall be the duty of Okras to rescue/liberate the person in distress/difficulty in connection with maintenance of peace, order and tranquility of the society.
Okras to settle disputes	31. The Okras shall settle the dispute involving between members of Jamatia community and shall try to settle disputes between a Jamatia and a person belonging to any other community.
Liability of Okras	32. The Okras shall be liable if the developmental works of Hoda is adversely affected due to inaction or negligence of any member of Working Committee.
Joint liability of Okras & Working Committee	33. The Okras and Working Committee shall be jointly and severally liable for the action or inaction of any of the Okras, adversely affecting the interest of Hoda.
Submission of report of Properties to Hoda	34. The Okras shall arrange the submission of detailed financial report of all properties of Hoda, including immovable and moveable properties, in the annual conference.
Joint operation of Bank account of Hoda	35. The Okras shall jointly operate the bank account of Hoda with the General Secretary and Cashier of the Working Committee. [Explanation: With the signature of one Hoda Okra and either General Secretary or Cashier, financial transaction including withdrawal from the bank account is permissible.]
Constitution of Advisory, Working Committees and Audit Board	36. To aid and advice the Okras, an Advisory Committee, a Working Committee and an Audit Board are constituted at the annual conference of Hoda.
Urgent meeting of working committee	37. The Okras may direct the Secretary of Working Committee to convene an urgent meeting, if necessary, of the working committee. If the Secretary fails to call a meeting as per instructions, the Okras themselves may convene such meeting.

CHAPTER -IV ADVISORY COMMITTEE	
Constitution of Advisory Committee	38. (1) There shall be an Advisory Committee to aid and advice the okras; (2) The committee shall consists of 7(Seven) members, of which minimum one woman member is to be inducted. (3) The members of the Committee shall hold office for a period of 3(three) years.
Disqualification for nomination as member	39. A person shall not be qualified to be nominated as a member of the Advisory Committee if he/she - (i) he is not literate, or (ii) not acquitted with the provisions of Constitution of India and the other laws of the land, or (iii) indulges himself/ herself or involved directly in politics.
Extension of term of office of member	40. The term of office of a member of the Advisory Committee may be extended with the approval of the Hoda.
Termination of membership	41. If a member of the Advisory Committee fails to attend any meeting of the committee continuously for a period of one year, his/her membership shall be terminated automatically.
Presence of Member of Advisory Committee in arbitration.	42. At least one member of Advisory Committee shall remain present in all matters/ disputes to be settled by arbitration. No decision/order passed in arbitration in the absence of a member of Advisory committee shall be valid.
Suspension of despotic or arbitrary Okras	43. A despotic or arbitrary, Okra may be suspended till annual conference, by a resolution of two third members of both the Advisory committee and Working Committee.
Advisory Committee may call for explanations of Okras	44. (1) The Advisory Committee may call for explanation from Okras if any one of them or both of them indulge in any work against the interest of the society. (2) If the explanation of the Okra(s) is not satisfactory the Advisory Committee may submit report against the Okras in the Annual Conference for consideration.
Advisory Committee may divest a person of position in society.	45. (1) The Advisory Committee may with the approval of Okras, divest a person of position in society if he indulges in activities detrimental to the peace and progress of the society. Provided that the proposal for divesting of a person from his position shall have the support of two third members of both the Advisory and Working Committee. (2) It shall be the duty of the Advisory Committee to watch and ensure that trials of cases are proper and just.

CHAPTER V WORKING COMMITTEE	
Constitution of Working Committee	<p>46. (1) There shall be a Working Committee to aid and advice the Okras. (2) The Working Committee shall consist of not less than 7(seven) and more than 33(thirty-three) members of whom one third members shall be reserved for women. (3) The members of the Committee shall hold office for a period of 3(three) years. (4) The President, Vice President, Secretary and Joint Secretary of Baba Garia Mission shall be ex-officio members of the Working Committee. (5) On the advice of Okras there shall be nominated-</p> <ul style="list-style-type: none"> (a) a general Secretary, (b) a treasurer, (c) a religious Secretary and (d) a cultural Secretary for the Working Committee.
Meeting	<p>47. The meeting of the Working Committee shall be held on such date, time and place as the okras may, from time to time, determine. Provided that, the committee shall be summoned to meet at least thrice in a year in the months of Jaistha, Kartik and Falgun.</p>
Eligibility of Members	<p>48. A person shall not be qualified to be nominated as a member of Working Committee unless he/she -</p> <ul style="list-style-type: none"> (a) is above 25 years of age, (b) is well acquainted with the rules/ regulations of Hoda; and (c) does not hold any political post or position
Functions of Working Committee	<p>49. The functions of Working Committee shall be-</p> <ul style="list-style-type: none"> (a) to aid and advice Okras (b) to ensure that the documents and accounts are properly maintained; (c) to lay down the customs, usage and practices; (d) to discuss, in general, about the customs, usage and practice and molding the society; (e) to formulate explicit development plans; (f) to discuss, modify the rules and regulation of Ochai; (g) to popularize the (working) policy of Hoda; (h) to encourage moral, economic, education and religion; and (i) to organize fairs, festivals and create congenial atmosphere
Paying remuneration	<p>50. The Working Committee may, with the approval of the Okras, pay remuneration to the persons engaged in the service of Hoda.</p>
Settling dispute in emergent cases.	<p>51. The Working Committee, according to its wisdom may, subject to the approval of Okras, settle any dispute in emergent cases.</p>

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Discussion to cater the needs of society	52. All proposals to cater the needs of the society may be discussed in the Working Committee meeting.
Assisting Okras in matters of social justice.	53. The Working Committee shall assist the Okras in the matter of social justice.
Duties and responsibilities of working committee	54. The Working Committee shall, in order to preserve the customs and usage, take such steps in that behalf and shall also advice Okras as may be necessary.
Advice to Panchai and Chakdiri	55. The Working Committee may advise Panchais and Chakdiris to apply the rules, regulations of Hoda, but shall have no power to enforce new rule, regulation or usages, unless these are approved by the Hoda.
Approval of new rules, regulations	56. (1) All new rules and regulations, as passed by the Working Committee shall be placed in the annual conference for approval. (2) No rules and regulations passed by the Working Committee shall have effect, unless it is approved in the annual conference of Hoda.
Power to examine procedure of puja	57. (1) The Working Committee shall have power to examine and discuss the procedure adopted in performing Pujas (worship) and shall ensure that Pujas (worships) are performed properly according to the needs of the day. (2) The Working Committee shall aid and advice in the matter of collection of subscription and contribution in connection with pujas.
Working committee may discuss and suggest development of society	58. (1) The Working Committee may discuss any matter relating to spread of education, over all development of society and may suggest steps to be taken for the said purposes. (2) The Working Committee may suggest for taking appropriate steps to prevent use of drugs and psychotropic substances in the society. (3) The Working Committee may suggest and advice for taking appropriate steps for child education. (4) The Working Committee may thrive to raise public opinion in order to ensure peaceful coexistence with other communities. (5) It shall be the duty of the Working Committee to ensure proper application/ introduction of the rules and regulations approved by Hoda.
Other liabilities of Working Committee	59.(1) If the Working Committee fail to report hostile or adverse actions of Okras; it shall be liable for the antagonistic, hostile and adverse actions of the Okras. (2) The Working Committee shall place detail audited accounts of Hoda in the annual conference. (3) The Working Committee shall formulate regulations for implementation of the decisions, approved rules and regulation.

CHAPTER VI AUDIT BOARD	
Audit Board	60. There shall be an Audit Board to examine the accounts of Hoda, which shall be constituted by the Hoda in its Annual Conference.
Constitution of Audit Board	61. (1) The Audit Board shall have 5(five) members. (2) A person shall not be qualified to be a member of the Audit Board if- (i) has not passed secondary examination or its equivalent examination; (ii) is a member of Advisory committee, working Committee or Pujari (Priest) of Hoda.
Terms of office of members	62. The members of Audit Board shall hold office for 3(three) years from the date of their nomination.
Audit Board to examine accounts thrice a year	63. Audit Board shall examine the accounts of Hoda thrice a year according to the following schedule- (i) first, one week after Sena (immersion of Garia); (ii) secondly, within one week after Banpuja; and (iii) Thirdly, one week before the annual conference.
Report to Okras	64. The Audit Board shall submit its report with observation in writing to the Okras for taking appropriate action.
CHAPTER VII MOIAL	
Moial/Regional council	65. Moial is constituted with some "Paras"/ "Lukus".
Members of Moial	66. (1) Every resident of Jamatia Community in the Moial is a member of the Moial and are subject to to rules and regulations of moial, (2) They shall be responsible for maintaining peace and order and development of the locality, (3) There shall be two Panchai in every Moial to manage the affairs of Moial and to implement the decisions of Hoda, (4) The Panchais shall be nominated in the annual conference of the Moial and they shall assist the Okras in maintaining peace and order and social development of the Moial.
Moial to perform "Gang Puja"	67. The Moial shall perform annual "Gang Puja" and the expenses for performing such Puja shall be met out of Moial fund.
Annual conference of Moial	68. The annual conference of Moial shall be convened before the annual conference of Hoda.

CHAPTER VIII PANCHAI	
Panchai	69. There shall be two Panchais, who are the Chief of Moial.
Nomination & Eligibility of Panchai	70. (1) Both the Panchais are unanimously nominated by the Chakdiris at the same time in the annual Moial conference. (2) To be nominated as a Panchai must- (i) be a resident of the concerned Moial; (ii) be impartial; (iii) be married, observes all social customs, usage, i.e. worship of Chaudda Devta (14 Gods & Goddesses) etc.; (iv) be a believer of Baba Garia; (v) believe in social rules and regulations; (vi) not be holding any other post in Hoda; (vii) have a child and marriageable child is married according to social customs; (viii) be non political and well acquainted with the Jamatia social customs, usages; (ix) be above the age of 50 years.
Terms of office of Panchai Nomination of new Panchai in case of death etc. Handing over charge of office by ex-Panchai.	71. The Panchais shall hold office for a period of 5(five) years from the date of their nomination. 72. In case of death of a Panchai or death of his wife during the tenure, the Chakdiris of the Moial shall, on emergent basis, nominate two Panchais for a period of five years. 73. The outgoing Panchais shall, within 15 (fifteen) days of nomination of new Panchais, hand over the charges of their office with all documents to the newly nominated Panchais.
Powers and functions of Panchai	74. The main functions of Panchais shall be - (i) to maintain peace and order in the Moial; (ii) to try and decide the matters relating to woman and divorce, subject to prior approval of Okras; (iii) to work with the aid and advice of the members of the Working and Advisory Committees for welfare of the member of Moial; (iv) to work with aid and advice of the members of the Working and Advisory Committees for overall development of Moial; (v) to execute the works entrusted by the Hoda; (vi) to report to Okras at least once in a month the progress of developmental works; (vii) to adopt and enforce any resolution expedient for maintenance of peace and order subject to the approval of Okras. (viii) to raise subscriptions as per customs and rules of the society for socio religious performances and welfare of community; (ix) to preside over the meetings of Working Committee; (x) to issue directions to every Chakdiri of the Moial to implement and execute any work for the interest of the Moial;

	<ul style="list-style-type: none"> (xi) to direct the Secretary of the Working Committee to convene a meeting of Moial committee in connection with the development and or maintenance of peace and order of the Moial; (xii) to take appropriate action with the approval of the Okras, if there is any obstruction /hindrance to the implementation /execution of any approved resolution of Hoda; (xiii) to settle the disputes except matters or disputes relating to woman with the aid and advice of members of Working Committee and Advisory Committee and may impose fine or penalty as per provision of this code. (xiv) to constitute a peace committee on an emergency, with 5(five) members from every Luku for maintenance of peace and order in the Moial subject to the approval of Okra; (xv) to aid and advice the Government in all matter relating to peace and order and development; (xvi) To construct a house or building for accommodation of the office of the Panchai and also for meetings of the Moial. The house or building so constructed shall be the property of Hoda; (xvii) To pay "Lukudusturi" for holding a meeting in a house in any Luku within the Moial.
<p>Duties of Panchais</p>	<p>75. It shall be the duty of Panchais-</p> <ul style="list-style-type: none"> (i) to execute/put into operation the decisions of the Hoda; (ii) to be alert and spread education and make endeavour to create favorable/ conducive atmosphere therefor; (iii) to prevent the works/actions that are likely to be detrimental or affect adversely the society; (iv) to undertake such works and adopt such resolutions for the interest of the people of the Moial which do not adversely affect other Moials; (v) to exercise his powers in consultation with the members of the Moial Working Committee; (vi) to convene the meeting of the Moial Working Committee at least three times in a year; (vii) to submit the names and addresses of newly nominated Panchais and members of Working Committee to Okras; (viii) to constitute a development fund for the Moial in which shall be credited all moneys received; (ix) to submit in annual conference of Moial a report in writing in detail indicating the income, expenditure, properties, both movable and immoveable, and problems, if any. The same report shall also be submitted in the annual conference of the Hoda;

	<p>(x) to deposit /keep all the moneys in an account and ornaments (gold/silver) other valuables, documents of Moial in a scheduled Bank;</p> <p>(xi) to operate the bank account jointly with the Secretary and Treasurer;</p> <p>(xii) to receive in writing the charge of cash, ornaments and other valuables and documents from the outgoing Panchai at the time of yaktwi khuktwi (handing and taking over);</p> <p>(xiii) to obey the instructions and directions of Okras;</p> <p>(xiv) to issue certificates of residence, birth, marriage and death under his Moial.</p>
	<p>CHAPTER IX ADVISORY COMMITTEE & WORKING COMMITTEE OF MOIAL</p>
Advisory and Working Committees of Moial	76. In every Moial, to aid and advice Panchai, there shall be- (i) an Advisory Committee; and (ii) an Working Committee.
Member of Advisory Committee	77. There shall be 5(five) members in an Advisory Committee of a moial, of which one woman member is desirable to be inducted who shall be residents of concerned Moial.
Reservation	78. There shall be 7(seven) members in a Working Committee of moial, of which one third members from against the women are desirable to be inducted who shall be residents of concerned Moial.
Nomination of members	79. The members of the Advisory and Working Committees shall be nominated unanimously by the representatives in the annual conference of Moial.
Eligibility of members of Advisory Committee	80. A person shall not be qualified for nomination as member of the Advisory Committee unless he/she - (i) is a resident of the concerned Moial; (ii) is well acquainted with the Jamatia customs and usages; and (iii) is above the age of 40 years but below 70 years;
Term of office of members of Advisory Committee	81. The members of Advisory Committee shall hold office for a period of 3 (three) years.
Eligibility of members of working Committee	82. A person shall not be qualified for nomination as member of Working Committee unless he/she- (i) is a resident of the concerned moial; (ii) is well acquainted with the Jamatia customs and usages; and (iii) is above 30 years of age but below 65 years.
Term of office of members	83. The members of the Working Committee shall hold office for a period of 3 (three) years.

CHAPTER - X AUDIT BOARD	
Audit Board of Moial	84.(1) There shall be an Audit Board to be constituted in the annual conference of the Moial to examine the accounts of the Moial. (2) The Audit Board shall have 5(Five) members.
Terms of office of members	85. The members of Audit Board shall hold office for a period of 3 (three) years from the date of their nomination.
Eligibility of Members of Audit Board	86. To be a member of the Audit Board, a person must- (i) have passed the Madhyamik examination or its equivalent examination; (ii) not be a member either of Advisory Committee or Working Committee; (iii) not be an Ochai;
Functions of Audit Board	87. The Audit Board shall examine the accounts of Moial three times in a year, (i) firstly one week after Sena (Immersion of Garia), (ii) Secondly, within a week of Ban Puja and (iii) thirdly one week prior to annual conference of Moial.
Report of Audit Board	88. The Audit Board shall communicate their observations in writing to Panchais of Moial who shall take appropriate actions as per observations.
CHAPTER XI FAMILY (NUKHUNG)	
Family	89. The family is the basic social unit and is known as Nukhung among Jamatia Community.
Nuclear type family based on monogamy	90. A Jamatia family is of nuclear type, based on monogamy consisting of a man his wife and their unmarried children or a married couple without children.
Patrilineal family	91. The Jamatia family is patrilineal and patrilocal.
Eldest member is the head of family	92. The father or the eldest male or female member of the Family in whose name Lampra Puja is performed is the head of the family. Traditionally Lampra Puja is performed in the names of both husband and wife.
Head of family to exercise authority in consultation with wife	93. A man in the role of head of the family, in Jamatia Community, possesses all authority and exercises his authority in consultation with his wife. He is responsible for taking decision in all domestic, social, religious and political matters.
Members of family to obey head of family	94. All members of the family are required to obey the head of family and follow his directions.
Recognition of family by Chakdiri	95. A Jamatia family must be recognized by the Chakdiri of concerned Luku.
Conditions for recognition of family by Chakdiri	96. A Jamatia family to be recognized by the Chakdiri shall fulfill the following conditions, namely- (a) must be loyal to Jamatia Hoda; (b) must pay the prescribed subscriptions of Luku, Moial and Hoda; (c) must perform Lampra Puja at the time of entering into a new dwelling house; (d) must perform Lampra Puja at least once in every year; (e) must worship Malluma and Khuluma; and (f) must worship almighty Baba Garia.

CHAPTER XII LUKU	
Constitution of Luku	97. A Luku is constituted with at least 20(twenty) nukhung (family).
Head of Luku	98. The head of Luku shall be Chakdiri who shall manage the affairs of the Luku.
Nomination of Chakdiri	99. The Chakdiri is selected by the residents of the Luku in its annual conference.
Eligibility of Chakdiri	100. A person to be a Chakdiri shall- (i) be a resident of the Luku; (ii) be of good character; (iii) is married, observes all social customs, usage, i.e. worships Chaudda Devta (14 Gods & Goddesses) (iv) be married and have his wife living; (v) be father of socially married son/daughter;
Term of office of Chakdiri	101. The Chakdiri shall hold office for a period of 3(three) years and shall cease to be Chakdiri if his wife dies during his tenure.
Appointment of new Chakdiri on emergency	102. If the office of Chakdiri becomes vacant due to death of Chakdiri or his wife or otherwise a new Chakdiri shall be nominated by convening an emergent meeting of Luku.
Khandols to assist Chakdiri.	103. The Chakdiri is assisted by two or more Khandols.
Ex-Chakdiri or Khandol to perform functions of Chakdiri during mourning	104. The functions of Chakdiri, during the period of his mourning, shall be performed by an ex-Chakdiri. If there is no Ex-Chakdiri the functions shall be performed by eldest Khandol.
Luku Committee	105. There shall be a Luku committee to aid and advice Chakdiri to carry out the business of Luku and urgent matters.
Appointment of members of Luku Committee	106. The members of Luku committee shall be nominated by the members of village, of which one third members from against the women are desirable to be inducted.
Secretary, Treasurer cultural of Secretary Luku Committee	107. In every Luku committee, there shall be - (i) a Secretary; (ii) a treasurer; and (iii) a Cultural Secretary
President of Luku Committee	108. The Chakdiri, by virtue of his office, shall be the President of the Luku Committee.
Luku Committee to meet thrice a year	109. The Luku Committee shall meet at least thrice a year to discuss the problems of Luku and formulate plans for advancement of education and new rules in the interest of Luku keeping parity with the rules and decisions of Hoda.
Chakdiri to ensure execution of Hoda resolution	110. It shall be the responsibility of Chakdiri to execute/put into operation the resolutions of Hoda in his Village.

Chakdiri to send Adongs to meetings of Hoda and Moial	111. The Chakdiri shall be responsible to send Adongs in the meetings of Moial and Hoda.
Chakdiri to report to Panchai or Hoda with regard to uncontrollable anti- social	112. The Chakdiri shall report to the Panchai or to Hoda if he fails to control the anti socials in his locality.
Chakdiri to keep contact with Okras	113. The Chakdiri shall keep a close contact with the Okras.
Change in office of Chakdiri information to Panchai	114. If there is any change in the office of Chakdiri or in the Luku Committee it shall be responsibility Chakdiri to inform the Panchai.
Panchai to be informed in case a member leaves Luku.	115. If a person leaves a Luku or has been expelled from Luku, it shall be immediately reported to Moial Panchai.
Luku to perform Nakri, Raksha kali and Ker Puja	116. The Lukus shall perform Nakri, Raksha Kali and Ker Puja at least once in a year.
Khandol to perform religious functions	117. The eldest Khandol shall perform the religious functions of Chakdiri temporarily if the Chakdiri is unable to perform religious functions due to illness or otherwise.
Application for leaving or residence to be discussed on the night of Hojagiri	118. The applications for leaving or residing in the Luku shall be taken up for detail discussions and decisions on the night of Hojagiri.
No Political meeting to be convened in Luku Kachari	118. The Chakdiri shall be impartial. No political meeting shall be convened in the luku Kachari.
Political meeting may be convened with permission	119. A political meeting may be convened with the permission of Chakdiri in any house of Luku.
Domestic animal no to stray	120. No domestic animal shall be allowed to stray.
Pound (Khowar)	121. There shall be a pound (Khowar) in every village.

Duties and responsibilities of Chakdiri	<p>122. Chakdiri shall be responsible for maintaining Rules and Regulation of Luku, and shall-</p> <ul style="list-style-type: none">(a) perform Lumpura Puja in every month;(b) wear Paita and Dhuti,(sacred thread);(c) not bow to the senior persons on the days of Luku pujas;(d) observe the customs relating to death up to 5th generation (grandparents to grandchild);(e) try to settle problems/ disputes with the help of at least 2/3 members of Luku Committee;(f) collect fund for welfare of villagers through Khandals as per decision of Luku Committee;(g) submit a detail working report and annual account report in the annual meeting of village and the annual conference of moial;(h) to attend in the meetings of Hoda;(i) obey the orders and instructions of Okra and Panchai;(j) propose for consideration of rules and regulations in annual meeting for development of village; and(k) summon an urgent meeting with the help of Luku Committee, if necessary.
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CHAPTER –XIII FUNCTIONS OF LUKU	
Functions of Luku	123. The main functions of a Luku shall be- (i) to settle all disputes peacefully; (ii) to ensure discipline, order, security and peace in Luku; (iii) to accomplish the works with mutual understanding; (iv) to ensure education, health care and improvement of standard of living of the residents; (v) to entrust the work of development of village to the Luku committee or to a competent person; and (vi) above politics, impartial, self conscious and scrutinize the evidence while trying to settle any dispute.
Production of proof of residence	124. If a resident of a village intends to shift from one village to another he shall produce proof of his residence to the Chakdiri of the Luku in which he intends to settle.
Person leaving to pay dues of Luku	125. If a family leaves the jurisdiction of a Luku either willingly or unwillingly, it shall pay all dues of Luku prior to departure
Member to inform his departure to Chakdiri	126. A resident of a Luku shall, at least 15(fifteen) days prior to his departure, inform the Chakdiri that he shall not stay within the jurisdiction of Luku.
Resident is not entitled to profit if he does not pay Luku subscription	127. A resident shall not be entitled to any profit, if he does not pay subscription of Luku and shifts his residence without any information.
A resident desiring to shift to inform Chakdiri	128. A resident of a village/Luku shall, at least at one month prior to his shifting, inform the Chakdiri of the Luku to which he intends to shift.
A Resident may be summoned for failure to inform his stay in other place.	129. If a resident of a village is compelled by circumstances to a stay/reside in another village he shall inform the Chakdiri of the Luku within ten days. Failure to inform the Chakdiri within the stipulated period the person concerned may be summoned to appear before "Kachari" to explain the circumstances under which he is residing in another village.
Adongs to be sent to annual Hoda Conference	130. Two Adongs from every Luku shall be sent in every annual general meeting, Gang Puja and Ban Puja of Hoda.
Performance of Ker Puja in Luku	131. (1) Every Luku shall perform Ker Puja three times a year in the months of Sravan, Agrahayan and Chaitra on any Tuesday or Saturday for welfare of the Luku. (2) During Ker Puja no person shall go out or come into the village. (3) If a person violates the rule, he shall be liable to bear the expenses of Ker Puja to be performed again irrespective of his caste and religion.
Funeral ceremonies etc Prohibited in Pabitra duary.	132. (1) Ker Puja shall be performed within Pabitra duary (definite holy area). (2).Funeral ceremonies, burial, slaughtering of cow, or throwing of dead animals within the "Pabitra duary" is prohibited.

CHAPTER XIV GENERAL PRINCIPLES OF HODA	
A person becomes member by birth in Jamatia family	133. A person becomes a member of the Hoda by birth in a Jamatia family.
Member to owe allegiance to Hoda	134. All members of Jamatia Community shall owe allegiance to the aims and objects of Hoda.
Eligibility of a person of other tribe to become a member or official of Hoda	135. (1) To be eligible to be a member or official of the Hoda a person of any other tribe shall – (i) take Lampra Twi from Ochai; (ii) reside in a Luku in a Jamatia para at least for one year; (iii) abide by the Hoda Raida (iv) get his prayer for inclusion in Jamatia Community approved by the Hoda. (v) execute an affidavit changing his existing title by accepting the title of Jamatia before a Notary Public/ Magistrate and submit the same to the Okra. (2) The Okras may either accept or reject the prayer for reason to be recorded in writing. (3) The decision of Okras on prayer shall be final.
A woman may be a member by marrying a Jamatia	136. A woman may become a member of Jamatia Community by marrying a person of Jamatia community. Provided that the Woman, before her marriage, must take Lampra Twi from the Ochai of the Luku.
Any person may be member by marrying a Jamatia woman	137. Subject to the provisions of Section 136, a person of any other community may become a member of the Jamatia community if he marries a Jamatia woman.
Families of Luku to pay subscriptions of Luku, Moial and Hoda	138. All families of Luku shall pay the fixed subscriptions of Luku, Moial and Hoda.
A member shall not have two living wives	139. A member of Jamatia community shall not have two wives/husbands living at the same time.
Age of marriage	140. The minimum age of marriage- (i) is 21 years for male; and (ii) 18 years for female.
Drinking liquor is prohibited	141. Drinking liquor is prohibited for minors and adolescents.
Honour to be given to woman	142. Due honor shall be given to the woman.
Punishment for enticement and rape of woman	143. A person shall be liable to be inflicted financial punishment for enticement and rape of a woman as mentioned in section 164 & 167 of this Act; Provided that in case any Party is found aggrieved on the pronouncement of the judgment declared by Okras, he/she shall be entitled to approach before the appropriate forum available for any citizen in India.

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Member to ensure education of children	144. All members of the community shall ensure proper education of Children
Maintenance of Cordial relation with fellow members	145. The members of the community shall maintain a cordial relation with fellow members.
Guest to be respected	146. To respect the guests and attend them properly is accepted as humanity in society.
Hoda to decide disputes impartially	147. The Hoda shall decide and settle all disputes impartially irrespective of any party.
Maintenance of unity and characteristic of Jamatias	148. In order to maintain unity of the community and to preserve the characteristics and unique features of Jamatias, the following procedures shall be strictly followed- (a) marriage and funeral ceremonies are properly performed by Ochai; (b) traditional dress worn during Pujas and social rituals; (c) sports, fairs, etc are arranged during the days of Garia Puja; (d) Cultural shows are organized on memorable days; and (e) due respect is given to Ochai and shall offer gift to him
Location of offices of Hoda	149. For proper, effective and efficient discharge of functions of Hoda two offices are established. The Head office is located at Garia Hathai, Atharabla in Udaipur Sub-Division and the branch office at Bhulananda Palli, Agartala.
Traveling allowance of members	150. Members are paid traveling allowance for attending meetings.
Member may approach Chakdiri, Panchai and Okra	151. A member may approach Chakdiri, Panchai and Okras for settlement of any problem and seek protection.
Member may apply to Okra for aid/loan for development work	152. A member may apply to Okras for financial aid/loan for any development work. The decision of Okras on such prayer shall be final.

CHAPTER XV GENERAL RULES OF TRIALS	
Okras, Panchai and Chakdiri to decide and settle disputes/some criminal offences	153. Okras, Panchai and Chakdiri shall have the power to decide and settle any dispute. 154 (1). The Okras are empowered under this provision to settle some criminal offences which are compoundable in nature under section- 320 of the code of criminal procedure, 1973 as amended, time to time. (2). The Okras, if they think fit and appropriate may transfer the criminal cases taken by them as mentioned in the sub- rule (1), to the Panchai to settle such offences as the case may be. Provided that in case any Party is found aggrieved on the pronouncement of the judgment declared by the Okras and Panchai as the case may be, the aggrieved party shall be entitled to approach the appropriate forum available for any citizen of India.
Panchai and Chakdiri not to try matter relating to woman without prior permission of Okra	155. Panchai and Chakdiri shall not try any matter relating to woman without prior permission of Okras.
Powers of Okras and Panchai	156. Okras and Panchai may settle any dispute referred to them.
Chakdiri to settle petty disputes	157. Chakdiri may decide and settle petty disputes within his village and may refer complicated matters to Panchai or Okras.
Okras to deal anti-social	158. Anti-socials shall be dealt with by Okras,
Written complaint to be lodged	159. The member desirous to lodge a complaint shall apply in writing to the Okra, Panchai or Chakdiri as the case may be.
Complainant to pay required fees	160. The applicant/Complainant shall pay the required fees at the time of submitting application.
Applicator. fee	161. The application fee shall be at the following rates- (a) Rs. 50/- and a bottle of wine if it is submitted to Okra; (b) Rs. 30/- and a bottle of wine if it is submitted to Panchai; and (c) Rs. 20/- and a bottle of wine if it is submitted to Chakdiri.
Authorized Piyakda to inform Luku Chakdiri	162. The person/ Piyakda authorized to produce the defendant /accused shall inform the Chakdiri of the Luku in which the defendant /accused resides.
Piyakda to be authorized by written order.	163. The Piyakda shall be authorized by written order of Okras.

CHAPTER XVI PENALTIES AND FINES	
Fines	164. The fine may be varied according to the gravity of offence. It may extend to Rs. 100000/- (Rupees one lakh).
Distribution of fine money	165. Distribution of fine money:- (a) 1/3 rd of the fine money shall be spent for welfare of the general people and the rest 2/3 rd money shall be deposited to the Hoda fund. (b) If any fine is realized by the Panchai and Chakdiri half of the fine money be sent to the Hoda fund
Utilization of fine money	166. The fund so received shall be spent on promotion of education and cultural activities. The fine money shall not be spent for other purpose.
Fine	167. The penalty/fine that may be imposed by the Okras shall be (a) Six hundred, Six Kuri (twenty), Six rupees, six adhuli (50 paise) six sikis (25 paise) and six annas, in case of divorce; (b) Rs. 10000/- (Rupees ten thousand) in case of illicit relation with wife of another person; (c) Rs. 1000/- (Rupees one thousand) to both the parties for illicit relation between a young boy and a girl, and they shall not be entitled for holy Haya in marriage. The permission for marriage shall depend upon the decision of Okras; (d) Rs. 2000/- (Rupees two thousand) for violation of rules; (e) Rs. 1000/- (Rupees One thousand) for defamation; (f) Rs.10,000/- (Rupees Ten thousand) for conspiracy to disturb the peace, order and tranquility.
CHAPTER-XVII LAND	
Daikong	168. All forest land situated near the Luku and does not belong to any resident of Luku is called Daikong. The Daikong is used traditionally for grazing of cattle and other purposes of members of Luku subject to any law for the time being in force.
Every member of family are joint owner	169. Every members of the family are joint owners of the moveable and immoveable properties of the family.
Sale of land- first offer shall be to neighbor	170. If a member of Luku intends to sell any land, he shall offer first to the neighboring person or land owner.
Property may be mortgaged	171. Any property may be mortgaged as security for obtaining a loan.
Mortgage deed to be in writing	172. The deed of mortgage shall be in writing and executed in presence of at least two witnesses.
Hoda Stands as surety for mortgage	173. If the property either of Luku or of Moial is required to be mortgaged, the Jamatia Hoda stands as surety.
Mortgagee to enjoy only right to use	174. The mortgagee only enjoys the right to use the mortgaged property.

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Mortgagee may retain or sell the mortgaged property for failure to repay	175. If the mortgagor's failure to repay the loan within the stipulated period, the mortgagee shall have the right to retain the property until the loan amount is fully repaid or may be disposed of depending upon the conditions of the mortgage.
Property may be sold by owner	176. According to custom, any property, moveable or immovable, owned by an individual may be sold by the owner.
Possession of land etc. is essential for valid sale	177. Physical possession of the sold or purchased item is an essential element of valid sale and purchase.
Sale of land etc. are executed by written deed in presence of witnesses	178. Sale or transactions of valuable properties are executed by written deed and such transaction must have at least two witnesses.
Written deed need not be registered	179. The written deed need not be registered with the concerned registering authority, if the value of the property is less than Rs. 100/-.
Sale may be for cash	180. A sale may be executed against payment in cash in one or more installments as agreed by the parties.
Transaction may be in kind	181. A transaction may also take place against payment in kind.
Jamatia can not sell land to non tribal without permission	182. A member of Jamatia community shall not dispose of his landed properties either by sale, gift or otherwise to a non tribal without prior permission of appropriate authority.
CHAPTER-XVIII	
WILL, GIFT AND PARTITION	
Will (Muchukmwng)	183. Jamatia customary law provides for execution of will. A will is the declaration of the intention of the person as to the mode of distribution of his property after his death.
A Jamatia may dispose his property by a will	184. A Jamatia may express his intention to dispose his property in favour of specific person or persons.
Will to be executed in presence of two witnesses	185. A will shall be in writing and be executed in presence of at least two witnesses.
Gift (Iapharmwng/ Mukumu)	186. Gift means abandoning the right of ownership of property in favour of another person thereby creating the right of the latter, i.e. donee over the property.
Any property may be gifted	187. Everything including immovable property can be gifted away in the Jamatia community.
Gift deed to be executed as per law	188. Gift deed may be executed as per the existing laws applicable in the country.
Properties vested in head of family	189. All properties, immovable and moveable, are vested in the head of the family.

All children have equal right on Paternal property	190. As per customs all children/offspring have equal right on the properties of their parents.
On death of parents properties are partitioned (bagmung) mutually	191. The Properties of parents after their death are partitioned/distributed on mutual consent to children/ offspring.
Parents may distribute properties during their life time	192. During the life time of parents the family properties may be partitioned/distributed if the parents so desire.
Parents are at liberty to live with any children	193. Parents have liberty to live with any of the children.
CHAPTER-XIX INHERITANCE, SUCCESSION AND GUARDIANSHIP	
Lands, orchards household article etc. are properties.	194. In Jamatia community – (i) immovable property consists of homestead land, cultivable land and orchard and (ii) Moveable properties are the household articles, cattle's, utensils, furniture's, domestic animals, poultry, agricultural implements, handloom, handicrafts and horticulture.
Each household is owner of properties	195. Each household is a property owing unit.
Property right is on Head of family	196. The property right is vested on the head of the family.
Sons and daughters inherits equally	197. Immovable and movable properties are inherited by the sons and daughters equally on the expiry of the parents. Provided that the widow mother, if land is of the father, shall be entitled to inherit one share portion of the land.
Mentally retarded and physically handicapped children are entitled to inherit paternal property	198. Physically handicapped and mentally retarded children are also entitled to inherit their due share in the parental properties.
Adopted sons and daughters entitled to inherit properties of his/her parents	199. A validly adopted son or daughter is entitled to inherit the properties of his/her parents (adoptive).
Father is the guardian of minor boy and unmarried girl	200. The guardian, of a minor boy or unmarried girl is father and after the father, the mother.

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After death of parents eldest son or daughter becomes guardian of minor	201. After the death of the parents, the eldest son or daughter becomes guardian of the minors.
Adoptive father is the guardian of adopted of minor	202. The guardianship, of an adopted son or daughter who is a minor passes on adoption to the adoptive father on adoption.
Close relative takes care of orphan	203. If the minor becomes orphan a close relative takes upon himself the responsibility of taking care of the person and property of the minor.
	CHAPTER- XX BIRTH
Performance of Kathemani for welfare of expected baby	204. The Ochai performs a Puja (Kathemani) for welfare of the expected baby before its birth.
Cutting of umbilical cord and giving secret name to baby	205. After the birth Kumajwk cuts the navel string/ umbilical cord of the newly born baby and hands over it to Lumajwk for cleaning. After cleaning the new born baby is handed over to Kumajwk who gives a secret name to the new born baby.
Performance of Lampra puja and announcement of name of baby	206. After the fall of the navel of the baby, the Ochai performs Lampra Puja (Akatha, Bikatha, twibuk Kalikha Raja, Sangrongma Mwtai) in the name of the baby and announces the name of the baby.
Taking the baby out of house after completion of Lampra Puja	207. On the same day after completion of Lampra Puja and name giving ceremony the Kumajwk and Lumajwk wearing new clothes takes the baby (wrapped in new cloths) out of the house with arrows which are thrown in all directions driving out evil spirits and the baby is shown the sun, moon and made to touch the earth.
Cleaning feet of baby by mother	208. The baby is brought back to house after cleaning its feet by the mother of the baby.
Offering or rice etc. to baby	209. The Kumajwk and Lumajwk offer domestic equipments, cuts baby's nails and offer rice (mai, chakhwi, mwkhwi, mwitru etc.) to the baby.
Invitees bless the baby	210. All invitees, on that occasion, give Ayuk bokmwng (blessing for long life) and offer money to the new born baby. Every birth is to be entered in the register kept in concerned liku.
	CHAPTER – XXI MARRIAGE(KAILAIMWNG)
Marriage is treated as social festival	211. Marriage ceremony is treated in Jamatia community as social festival.
Age of marriage	212. The minimum age for valid marriage in Jamatia community is 21 years for male and 18 years for female.
Age difference between boy and girl	213. The difference of age between the boy and girl shall not be more than 15 years.

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Taking and giving dowry prohibited and its punishment	214. (1) Giving and taking dowry is strictly prohibited; (2) Receiving and offering dowry is punishable offence; (3) On receipt of a complaint, if it is proved that a party to a marriage has demanded or received dowry from other party and or one party paid dowry, both parties are liable to pay fine which shall not be less than Rs.5000/- (Rupees five thousand) or up to the amount of the value of such dowry, whichever is higher.
Prohibition of Polyandry and Polygamy	215. (1) Polyandry and Polygamy is prohibited; (2) Polygamy may be permitted if- (i) the wife is barren; and (ii) the wife is sick and infirm, subject to approval of Hoda Okras. (3) If Polygamy is permitted under subsection (1), the husband shall take care of both the wives equally.
Extra marital relationship is prohibited	216. Extra marital relationship is prohibited in Jamatia Community, and the offender is liable to punishment.
Widow, widower and divorcee may re-marry	217. Widow, widower and divorcee may re-marry subject to the condition that- (a) a widow or a divorced woman shall not be allowed to avail holy Haya even if the marriage is with a bachelor. (b) a widower may avail holy Haya if he marries a virgin.
Punishment for violation of rules of marriage	218. If a member of the Community violates the rules and regulations of marriage of the Hoda, the concerned person and Ochai shall be jointly liable for such violation and may be fined which may extend to rupees one thousand.
Maintenance of marriage register	219. Every Luku shall maintain a marriage register and all marriages in the Luku shall be entered into the marriages register.
Marriage to be performed as per customs and tradition	220. The Ochai shall, as far as practicable, conduct the marriage as per customs and traditions.
Ochai Sema to be asked after marriage ceremony	221. Ochai Sema asked only once after completion of marriage ceremony by paying money to Ochai.
Ochai to be honoured	222. The Ochai shall be honored (Momani) by offering him a dhuti and money.
Betel nuts and leaves shall be offered for Ochai batemoni	223. Three betel nuts and betel leaves are offered for Ochai batemoni / thalmoni.
For marriage Lampra Puja shall be performed	224. For marriage of a boy or a girl Lampra Puja shall be performed in bright fortnight.
Andra negotiates marriage proposal	225. The "Andra" starts negotiation of marriage between the families of the boy and the girl.

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Andra shall be married and respectable person.	226. Andra shall be a respectable person having a spouse living.
A small social function is organized after the parties consented to marriage	227. After getting the consent of the parties to marriage a small function is organized with relatives of the consenting parties, respectable persons of the area and Chakdiri of the Luku. The expense of such function is borne by the person whose son or daughter is to be married.
Organization of tak chamai chamani	228. On return to the village, the proposer organizes a function in his house in presence of the Chakdiri, Andra and respectable the persons of the village and announces the marriage of boy or the girl, as the case may be. The proposer himself bears the expenses of the function. This function is called "tak chamai chamani".
Settlement of date of marriage	229. The date of the marriage shall be settled in presence of guardians of the boy or girl, relatives and villagers. This function is called "Chak Khamani".
Marriage may be performed either in the house of boy or girl	230. The marriage may be performed either in the house of the boy or the girl as mutually agreed by the parties.
Start of marriage function	231. The marriage function starts with- (a) the construction of Haya (altar); (b) worship of Mailuma and Khuluma inside the Benki; (c) worship of Chaudda Devta; (d) bath of bride and groom with the holy water collected by Aioi (e) making obeisance to Chaudda devta by the bride and groom as per religious customs ; (f) leading the bride and groom to the Haya by the Ochai; (g) going round the Haya by the bride and groom three times;
Completion of marriage	232. The Ochai ties the corners of the clothes of bride and groom and parents, relatives and senior members' sprinkles holy water of Puja of Chaudda Devta on the heads of the bride and groom and thereby completes the marriage.
Bride and groom are taken to Benki	233. The bride and groom are taken, thereafter, to the Benki for performance of customary rites and to change their dresses, and take food after day's fasting.
Ochai offers Puja at Haya.	234. After the marriage Ochai offers Puja in the Haya.
Marriage against will of parents	235. Young boy and girl of marriageable age may marry against will of their parents but such marriages are discouraged in the society.
CHAPTER -XXII DIVORCE	
Divorce	236. Divorce is permissible in Jamatia Society, which leads to the end of all obligations of marriage leaving the husband and wife free to remarry.
Husband or wife may initiate proceedings	237. Both the husband and the wife may initiate divorce proceedings.

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Divorce through adjudication of Okra	238. A divorce may be obtained through the adjudication of Hoda Okra.
Divorce by mutual consent	239. Divorce by mutual consent is permissible.
Grounds of divorce	240. A marriage may, on a petition presented by either husband or the wife, be dissolved on the ground that the other party- (i) has, after the marriage, had voluntary sexual intercourse with any person other than his or her spouse; or (ii) has, after the marriage, treated the petitioner with cruelty; or (iii) has deserted the petitioner for a continuous period of not less than two years; or (iv) has ceased to be Hindu by conversion to another religion; or (v) has been incurably of unsound mind or suffering continuously from mental disorder of such a kind that the petitioner cannot reasonably be expected to live with the respondent. (vi) has been suffering from a virulent and incurable form of Leprosy; or (vii) has been suffering from venereal disease; or (viii) has not been heard of as being alive for a period of seven years or more by those persons who would naturally have heard of it, had that party been alive; or (ix) has different temperament making it difficult for the husband and wife to live under the same roof.
CHAPTER- XXIII ADOPTION	
Adoption is socially recognized	241. Adoption (Bwsapushima) is a socially recognized practice in Jamatia Society.
Valid adoption	242. An adoption, to be valid, shall fulfill the following two condition- (a) prescribed rituals are performed; and (b) new name is given to the child to be adopted.
Adopted child shall have right and privilege	243. The adopted child shall have all the rights and privileges of naturally born children.
Adopted child to take care of adoptive parents in their old age	244. The adopted child shall have to take care of their adoptive parents in their old age.
A child of any community may be adopted	245. A child from any other community may be adopted.
Age difference between the child and adoptive parents	246. The age difference between the child and adoptive parents shall not be less than 22(twenty two) years.

biological father and mother shall have no claim over child	247. The biological father and mother shall cease to have any claim over the child after they agreed to adoption.
Adopted child not entitled to property of biological parent's	248. The adopted child shall not be entitled to claim property of his biological parents.
Adopted child may support old biological parents.	249. The adopted child may extend support to his biological parents during their old age.
CHAPTER XXIV DEATH	
Death of person is informed to relatives and villagers	250. In the event of death, natural or unnatural, all relatives of the deceased and villagers are informed and it is to be entered in the register kept in each luku.
Dead body is bathe, dressed and placed on talai and offer Mai khalai.	251. After arrival of relatives and others, the dead body is bathe with warm water and un-dried turmeric, dressed with new clothes and turban is placed on head. Thereafter the dead body shall be placed on the decorated "Talai" (decorated bier) and offer "Mai khalai" (Bhog) by all the sons and daughters and bid farewell.
Santai lift talai and turns round from left and right.	252. The "Santai"(Kinsman) lift the "Talai" (with dead body) on their shoulders and turn round seven times form left to right and the children roll on ground under "Talai".
Santais take the dead body to simlang.	253. The "Santais", take the dead body to Simlang (cremation ground) and place dead body keeping head on north side on the balrung (funeral pyre).
Application of fire to the mouth of the corpse.	254. The relatives keep the "Balrung" surrounded and the sons of deceased apply fire to mouth of the corpse in cremation.
A simalwng Naksa (a hut) is constructed at cremation ground.	255. On completion of cremation a Simalwng Naksa (a small hut) is constructed at the cremation ground for rest of the departed soul and a flag is put on the top of the Simalwng Naksa.
After cremation the participants takes bath and return to the house of deceased.	256. After the cremation the participants tie knots on tips of grass or creeper, take bath and return to the house of the deceased where they touch fire, apply undried turmeric on their teeth, nail and knee and touch iron with their teeth, sprinkle water with tulsi (holy basil) leaves. Thereafter they are taken inside the house and made to eat a pinch of salt.
The son is taken to cremation ground by selected person for collection of Asthi.	257. The persons selected by the Chakdiri take the son of deceased to the cremation ground on the following day to collect the "Asthi" (residual bone of the cremated dead body) in a bamboo pipe. The Santai (Kinsman) performs the functions if no son is left behind by the deceased.
Sons to refrain from taking food	258. The sons of the deceased refrain from taking food for twelve days from date of death and during this period they may take fruits only. On completion of obsequial rites on thirteen day sons may take vegetarian food and on fourteenth day the sons may take non vegetarian food after emersion of Giri.

Santai to take vegetarian diet for twelve days.	259. The Santais (Kinsman) takes vegetarian meal for twelve days if the death is of a male and for three days if the death is of a female.
In case of unnatural death	260. In case of unnatural death taking of vegetarian diet and performance of funeral ceremonies on thirteenth day of death is prohibited. The funeral ceremony, in case of unnatural death, may be performed on any auspicious day.
Ochai accomplishes funeral ceremony.	261. The Ochai accomplishes the funeral ceremony perfectly on the thirteenth day.
Gift of rice, land, cow in funeral ceremony is prohibited.	262. "Dan" (gift/ charity) of rice, land, cow in funeral ceremony is prohibited. "Sula bidhi" and Sula dan" (gift/charity) and "Ochai Sema" (Honorarium) is paid according to capability to the Ochai for accomplishment of funeral ceremony.
Performance of funeral ceremony.	263. The funeral ceremony is performed- (a) after twelve days and twelve nights that is on the thirteenth day in case of an adult; and (b) after three days and three nights that is on the fourth day in case of a minor.
Performance of annual funeral ceremony.	264. The annual funeral ceremony is performed on the particular lunar day (on which the death occurred) by offering "Mai Tokha" (break fast) in the early morning and "Gayanti Maikhlai" (lunch) at noon of the day to the departed soul.
Offering of Bhuisu Mai khalai.	265. On the day of "Hari Buisu" (Principal festival in the month of Chaitra) "Bhuisu Maikhlai" (lunch) is offered to the departed soul.
Offering of pindas.	266. After the annual funeral ceremony the offspring of the deceased may offer pindas on the following Poush Sankrati (last day of the month of Poush.)
CHAPTER- XXV PUJAS	
Hoda performs Ganga, Garia and Bana puja etc.	267. As per prevalent customs, the Hoda observes and performs three types of Pujas, namely- (a) Ganga Puja in the names of Twima, Kosomma and Burima river (b) Garia Puja; and (c) Bana Puja and Laxmi Puja.
Pujas are performed in the name of Okra	268. All Pujas are performed in the name of Okras.
Adong fee for participation in Puja	269. A person shall pay Rs.50/- (Rupees fifty) only as representative (Adong) fee to participate in the Pujas.
God and Goddesses, Chaudda Devta, Lampra, Mailuma, etc. to be worshiped	270. For welfare of the society and family the God and Goddess such as Lampra, Mailuma, Khuluma, Chaudda Devta, Nakri, Ker etc. shall be worshiped.

Ochai performs Pujas	271. The Ochai performs the Pujas and he shall be given due honour for performing the Pujas.
	CHAPTER- XXVI GARIA PUJA
Garia is Venerable deity of Tripuri	272. Shri Shri Garia is the venerable/ adorable/ benevolent male deity of Tripuris
Garia Puja is performed on two different ways.	273. In Jamatia Community Garia Puja is performed in two different ways namely- (a) Bia gwnang; and (b) Bia Kwrwl
Procedure of Garia Puja is regulated by Hoda	274. The procedure/system of Garia Puja is controlled and regulated by the Hoda.
All including Bagalas take bath everyday from Hari Buisu	275. To maintain sanctity it is necessary for all including the Bagalas to get themselves cleaned by taking bath every day from Hari Buisu to Sena to be a Bangchai of Garia Puja.
Bagalas to help people in distress	276. A number of Bagalas are nominated to help the people in distress during the Garia Puja.
Mahanta and Bhandari are nominated in annual conference.	277. A Mahanta and a Bhandari are nominated by the Hoda during annual conference.
Mohanta and Bhandari to guide Bagalas.	278. The main function of Mohanta and Bhandari is to guide the Bagalas.
Garia Volunteers to maintain sanctity, peace and order	279. Two Garia Volunteers are nominated by each Molai to maintain sanctity, peace and order during Garia Puja.
President is nominated by Hoda	280. A president is nominated by the Hoda from amongst the Garia volunteers.
Pujaries are nominated by Hoda	281. The Hoda nominates the persons as Ochai, Kherfang, Mwtai Balnai, Daria, Mohanta and Bhandari to offer worship as per instructions and direction of Hoda. These persons are called Pujaris (priests).
Pujaris hold office for 3(three) years	282. The Pujaris are nominated for three years by Hoda in its annual conference.
Grounds for removal of Pujari	283. Hoda may remove a Pujari from his office for physical incapacity or any other disqualification such as death of wife, failure to perform his functions as per instructions.
Nomination of new Pujari	284. Hoda may nominate a new Pujari on death of a Pujari or for any other disqualification of a Pujari.
Eligibility to be a Pujari	285. A person to be nominated as Pujari must- (a) be married and have his wife living; (b) observe all social customs, usage, i.e. worship Chaudda Devta (14 Gods & Goddesses); (c) be a believer of Baba Garia ; (d) believe in social rules and regulations. (e) not be holding any other post in Hoda; (f) have/had an offspring who is /was married according to (g) be impartial, non-political and well acquainted with the Jamatia social customs and usages; (h) be above the age of 50 years; and (i) be conversant with the procedures of rituals.

CHAPTER- XXVII FUNCTION OF PUJARIS	
Functions of Pujaries	286. The functions of Pujaris shall be— (a) Ochai- to offer pujas to Baba Garia on the day of Buisu, Ganga, Ban, Laxmi and Tripura Sunduri; (b) Kherfang - to preserve the image of Baba Garia and materials of Puja sacredly. To offer Pujas to Baba Garia on every day except on the day of Buisu; (c) Mwtai Balnai- is the bearer of Garia idol. He carries the idol of Baba Garia carefully at the time of procession through the villages. Mwtai Balnai play main role at the time of making Garia idol. He also executes the sacrifices of he-goats to Ama Tripura Sundari before Baba Garia Idol. (d) Daria - is the drum beater of Baba Garia; (e) Bhandari - act as store keeper for the Puja articles/materials.
Pujaries to collect subscription etc. in addition to offering Pujas	287. The Pujaris shall, in addition to offering Puja to deities, collect contributions, subscription and deposit the amount collected to Hoda Fund.
CHAPTER-XXVIII FUNCTIONS AND RESPONSIBILITIES OF BAGLAS	
Baglas are integral part of Hoda.	288. The Baglas are not employees of Hoda but they are integral part of Hoda.
Mahantas to guide Baglas	289. The Mohantas are to lead and guide the Baglas as per instructions of the Hoda.
Baglas to comply orders of Mahanta.	290. Baglas are bound to comply with the orders of Mahanta.
Baglas to maintain peace and order during Garia Puja	291. The Baglas are to maintain peace and order during Garia Puja, to assist those who are in distress and to Bless all devotees.
The ruai or honorarium to be deposited to Hoda fund	292. The ruai or honorarium received during Buisu shall be deposited to the Hoda Fund after meeting the expenditure during Buisu.
All persons are to be attended courteously	293. All persons, male or female, shall be attended with courtesy and decency.
Circumambulation of Baba Garia	294. (1) Baba Garia starts circumambulation from the house of Kherfang to the houses of Bhandari and Chakdiri and then to the houses of villagers. (2) During circumambulation of Baba Garia, the villagers shall respectfully welcome the workers of Baba Garia.
Consecration of Baba Garia	295. After consecration of Baba Garia in a house, the house owner offers flowers and incense and bows to Baba Garia.
House owner to offer cloth to Garia workers	296. The house owner shall offer a piece of new cloth, some cotton and rice to Garia workers who bless the house owner.

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Garia workers to visit all houses leaving one house before taking meal.	297. (1) The Garia workers shall complete the visit of every house of the village following the procedures as provided in this chapter and take their meals, before leaving one house before its completion. (2) After taking meal the workers shall visit the remaining house with Baba Garia and after completion of puja at Bangchai starts for visiting another village.
Baglas to bless the devotees	298. The Baglas shall also bless the devotees. The devotees offer rice and cotton to the Baglas.
Baba Garia workers and pilgrims together enter into village	299. Before entering into another village the workers of Baba Garia wait for other pilgrims to join them so that they enter into the village together.
The worker to perform their duties while entering in a village	300. It shall be ascertained at the time of entering into a village that the workers are performing their duties properly. The Ochal carrying the sword, Mwtai Balnai carrying the Baba Garia idol and Daria is beating the drum.
Villagers to come outskirts of village to welcome and receive Garia deity	301. The villagers of village in which the workers are about to enter with the idol of Baba Garia shall come to outskirts of the village concerned to welcome and receive the Garia deity by washing the feet of the deity.
On entering the village Garia deity is placed at Bangchai and then worshiped and taken round the village	302. On entering the village the Garia deity is worshiped by placing the same at the Bangchai of Chakdiri. After completion of worship, the workers of Baba Garia take bath and their feet is washed and taken inside the house ceremoniously. Thereafter the idol of Baba Garia shall be taken round the village.
On completion of circumambulation idol of Garia is taken back to temple of Kherfang	303. After circumambulation for six days in different villages the idol of Garia shall be taken back to the temple of Kherfang from where the idol was taken. On the night the idol of Garia shall be taken to the remaining houses of the village of Kherfang. On the following morning last Puja shall be performed and the idol shall be immersed after Puja.
Worship to Mailuma and Khuluma	304. Goddess Mailuma and Khuluma shall be worshiped in every house of the Jamatia community after immersion of the idol of Baba Garia.
CHAPTER- XXIX HODA FUND	
Hoda fund and its sources	305. The Hoda fund is the Jamatia community fund. The sources of this fund are- (a) subscriptions (Every Jamatia family is liable to pay the subscription as determined by the Hoda); (b) fine money realized at the time of settling disputes; (c) donations by persons, organizations; (d) presents; and (e) grants from state Government, local bodies.
Utilization of Hoda fund	306. The Hoda fund money is utilized for social welfare, promotion of education, culture, development work, aid to the distressed, natural calamities, scholarship and grant to students.

Working Committee to examine accounts	307. The Working Committee examines the accounts of the Hoda fund.
Hoda Advisory and working committee formulates plans for over all development	308. The Hoda Advisory and Working Committee formulates plans for social, cultural, educational and economic development and put such plan into operation.
Hoda financial year	309. The financial year of Hoda is from 1 st day of Agrahayana to last day of Kartik.
	CHAPTER- XXX AMENDMENT OF HODA RAIDA
Amendment of the Act	310. The Jamatia Customary Law Act may be amended by the District Council.
Proposal for amendment to be approved by the members in annual conference	311. (1) If the Hoda is of opinion that it is necessary to amend the Act, they shall send proposal for amendment to the District Council. (2) The proposal for amendment shall be supported by two third members of the Advisory Committee and discussed in detail in the meeting of Hoda Committees. Thereafter the proposed amendment is placed before the members in annual Conference. The proposed amendment, to become enforceable shall be approved by two third members present in the meeting and signed by Hoda Okras.
Interpretation in case of doubt	312. (1) If any question arises as to the interpretation of the provisions of this Act, it shall be referred for decision of the Committee, to be constituted by Chief Executive Member of the District Council and decision of the committee shall be final; Provided that the committee shall not give any interpretation to any provision of this Act to override the fundamental rights or other constitutional rights available to any citizen under the Constitution of India. (2) The Committee shall consist of five members, of which at least three shall belong to Jamatia community, having sufficient knowledge of Jamatia Customary laws, whose names are to be suggested by the Hoda. (3) An Executive Member, if nominated as member of such committee, shall be the Chairman of the committee and shall preside over the meeting of the committee. (4) The Chief Executive Member shall appoint an officer or staff of the District Council to act as Secretary of such committee. (5) The Chief Executive Member shall issue direction from time to time regarding the procedure to be followed in the meeting of the committee constituted by him for discharge of its functions.

Removal of difficulties	<p>313. (1) If any difficulty arises in giving effect to the provisions of this Act, the District Council may, by order, not inconsistent with the provisions of this Act or any provisions of the Constitution or an Act of Parliament or of the State Legislature, do anything, as may appear necessary or expedient to the District Council, for the purpose of removing such difficulty.</p> <p>Provided that no such order shall be made after the expiry of a period of two years from date of commencement of this Act;</p> <p>(2) Every such order shall have the same effect as if such action had been made or taken in manner provided in this Act.</p>
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Statement of objects and Reasons

This is regarding enactment of Jamatia Customary Laws Bill, 2017.

The Jamatia Community is one of the largest Tribal communities of the state, having no Customary Laws codified as yet.

Paragraph 3(1) of Sixth Schedule to the Constitution of India, has conferred power upon the District Council to make laws relating to property inheritance, marriage and divorce and other social customs, in respect of all the areas within the district.

It is so felt expedient to collect and codify the customary laws of Jamatias and to provide for administration for the said customary laws. The data are collected from various sources and have been discussed with the Okras (head of Jamatia Hoda, an apex body of the Jamatia community) and other senior members and experts of Jamatia customs, at length for verification, modification and necessary corrections by obtaining suggestions from participants. The revised draft Bill incorporating the suggestions was placed before the committee constituted by the District Council for the purpose. The committee discussed the provisions of the Bill with the senior members and experts of Jamatia customs and usages and approved the draft Bill.

Accordingly the Jamatia Customary Laws Bill, 2017 has been framed.

The Bill seeks to achieve the aforesaid objects.

(Radha Charan Debbarma)
Chief Executive Member
TTAADC, Khumulwng.

Technical Report

The subject matter of the Jamatia Customary Laws Bill, 2017, is related to sub paragraph (1) of paragraph 3 of the Sixth Schedule to the Constitution of India.

The District Council has power to make a law on the subject.

The provisions of the bill are not repugnant to any provisions of the Constitution or the existing Central law or State law.

The Governor may kindly assent to the Bill.

(K. Chakraborti)
Principal Officer, Law.
TTAADC, Khumulwng.

Financial Memorandum

The Jamatia Customary Laws Bill, 2017, if enacted and brought into operation, would not involve any additional expenditure from the District Council's fund.

(Ramkrishna Debbarma)
Executive Officer (Finance)
TTAADC, Khumulwng.