

**JHUMMING REGULATION**  
**The 6<sup>th</sup> September, 1954**

**No. LAD/R/61/53/44** : In pursuance of paragraph II of the Sixth Schedule to the Constitution of India, the following Regulation of the Lushai Hills District Council which received the assent of the Governor of Assam is published for general information :

**Lushai Hills Regulation No. II 1954**  
**The Lushai Hills District (Jhumming)**  
**Regulation, 1954**

*(Passed by the Lushai Hills District Council)*  
*(Received the assent of the Governor of Assam on the 25<sup>th</sup> Aug. 1954)*  
*(Published in the Assam Gazette, dated 15<sup>th</sup> Sept. 1954)*

Whereas – It is expedient to provide for the regulation of Jhumming procedure in the Lushai Hills District.

It is hereby enacted as follows :-

**1. Short title, extend and commencement -**

- (1) This regulation may be called the Lushai Hills District (Jhumming) Regulation, 1954.
- (2) It extends to the whole of the Autonomous District of the Lushai Hills excluding Pawi-Lakher Region.
- (3) It shall come into force at once.

**2. Definition -**

In this Regulation unless there is anything repugnant of the context otherwise requires :-

- (a) “**Executive Committee**” means the Executive Committee of the Lushai Hills District Council;
- (b) “**Village Council**” means the Village Council constituted under the provisions of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953;
- (c) “**Jhum**” means shifting paddy cultivation;
- (d) “**Other shifting cultivation**” includes all sorts of temporary and seasonal cultivations for any kind of crops.

**3. Time for Distribution of Jhum -**

Distribution of Jhums and other shifting cultivation shall be done only at the time appointed and announced by the Executive Committee.

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**4. Distribution of Jhum Land – Amendment, 1985 -**

- (1) The Village Council shall have the power to distribute land for Jhum within the Village.
- (2) For the purposes of sub-section (I), the Village Council shall submit, during the month of September every year, a report in writing to the Government or to the Officer authorized by it in this behalf regarding such land, the approximate extent of the area thereof and the number of house-holds that may be accommodated therein.

(3) The Government or the Officer authorised by it in this behalf on receipt of the report under sub-section (2), may issue such direction as may be necessary regarding the distribution of land for jhum within the Village and the Village Council shall be bound to comply with such directions.

(4) The Government or the Officer authorized by it in this behalf shall be competent -

(a) to distribute any land when dispute arises out of the distribution of land by a Village Council for jhum, or

(b) to distribute for jhum the land within the jurisdiction of any Village Council to neighboring Village or Villages if the Government thinks proper to do so on a reasonable ground, and the decision of the Government shall be final and binding.

#### **5. Special Privilege to select Jhum -**

Privilege to have the special choice of Jhums shall not henceforth be enjoyed by anyone, unless the District Council in full sitting so declares.

#### **6. Mode of Distribution of Jhums -**

After the commencement of this Regulation, distribution of jhums shall be done by the Village Council as under:-

(a) by draw of lots to distribute previously demarcated jhum land.

(b) by draw of lots to decide the order of preference by which selection of jhums shall be done.

#### **7. Power of the Executive Committee to issue order -**

The Executive Committee may where the above provision cannot be followed due to any reason whatsoever formulate a method other than the above and order that the same should be followed.

#### **8. Prevention of Erosion -**

(1) The Executive Committee may at any time make such general or special order for the reforestation of jhum land as it thinks fit, as also for ensuring that strips of reasonable width within any jhum and may not be cultivated.

(2) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation is resulting or is likely to result from the excessive cutting the trees in any jhum land, the Executive Committee may direct that a part or the whole of such jhum land shall be protected forest and no person shall thereafter cut any trees in such protected forest, without the permission of the Executive Committee.

(3) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation is resulting or is likely to result from the cultivation of any jhum land the Executive Committee may direct that the jhum land shall not be cultivated by any person for a period not exceeding ten years.

(4) No order shall be made under sub-section (2) or sub-section (3) unless a reasonable opportunity has been given to those having customary right to the land to prefer objections against such order and unless all objections so referred have been considered and rejected unreasonable or untenable,

(5) No jhumming shall be permitted within one hundred feet on either side of all Government roads except with the written permission of the Deputy Commissioner in consultation with the Chief Executive Member or the Executive Committee.

(6) The Executive Committee may direct that for the purpose of preserving water supply, any particular area under jungle and previously in Jhum land shall remain uncultivated provided that the existing right of the community, or the individual to collect forest produce shall not be interfered with.

**9. Final Decision of Executive Committee to settle disputes-**

Any dispute arising out of the distribution of jhums or allocation of other shifting cultivation shall be decided by the Executive Committee or Officers appointed in that behalf by the Executive Committee and such decision shall be final.

**10. Penalty -**

(1) Willful disobedience of any direction issued by the Executive Committee or by a duly authorized Officer shall be punished with a fine not exceeding Rs. 50.

(2) Any person who after selection of jhum as provided for under this Regulation and without sufficient reason subsequently fails to cultivate that land shall be liable to fine which may extend to Rs. 25.

**11. Executive Committee's Power to Distribute Jhums-**

In the absence of a Village Council due to its having been dissolved or not in existence, the distribution of jhums shall be done under instructions issued by the Executive Committee.