

ANALYTICAL STUDY OF THE STRUCTURE ROLE
AND FUNCTIONING OF
THE MIZORAM LEGISLATIVE ASSEMBLY
1972-1984

By

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DEPARTMENT OF POLITICAL SCIENCE

A THESIS
SUBMITTED
FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY

To



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SHILLONG

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I certify that the thesis entitled "Analytical Study of the Structure Role and Functioning of the Mizoram Legislative Assembly 1972-1984" submitted by Mr. H. Vanlalhluna for the Degree of Doctor of Philosophy of North-Eastern Hill University, Shillong, embodies the record of original investigations carried out under my supervision. He has been duly registered and the thesis presented is worthy of being considered for the award of a Ph.D. Degree. This work has not been submitted for any degree of any other University.

In habit and character Mr. H. Vanlalhluna is a fit and proper person for the award of the Degree of Doctor of Philosophy (Ph.D.).


(Solomon Gabriel)
Supervisor

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PREFACE

With the creation of the Union Territory in 1972 was born the Mizoram Legislative Assembly -- the historic beginning of the participatory legislative process at the Assembly level. The first Mizoram Assembly came into existence on 29 April 1972, and functioned for the full term of five years. The second Assembly which came into being on 21 June 1978, had a short span which lasted for a period of five months, sandwiched as it was between two spells of President's rule. The third Assembly started on 25 May 1979, and ended after a five-year term in May 1984.

Scholars have only made references to the Legislative Assembly of Mizoram in their books and articles, but no one has ever attempted an indepth study of this important political forum. The present study is the first comprehensive study of the Mizoram Assembly. Since the study began in 1984, the author of this thesis has confined his investigations upto that time. This study intends to analyse and assess the structure, role and functioning of the Mizoram Legislative Assembly from 1972 to 1984.

The period under study is significant because Mizoram passed through trying experiences. The new Union Territory was beset with economic backwardness, want of proper communication and transport facilities and acute

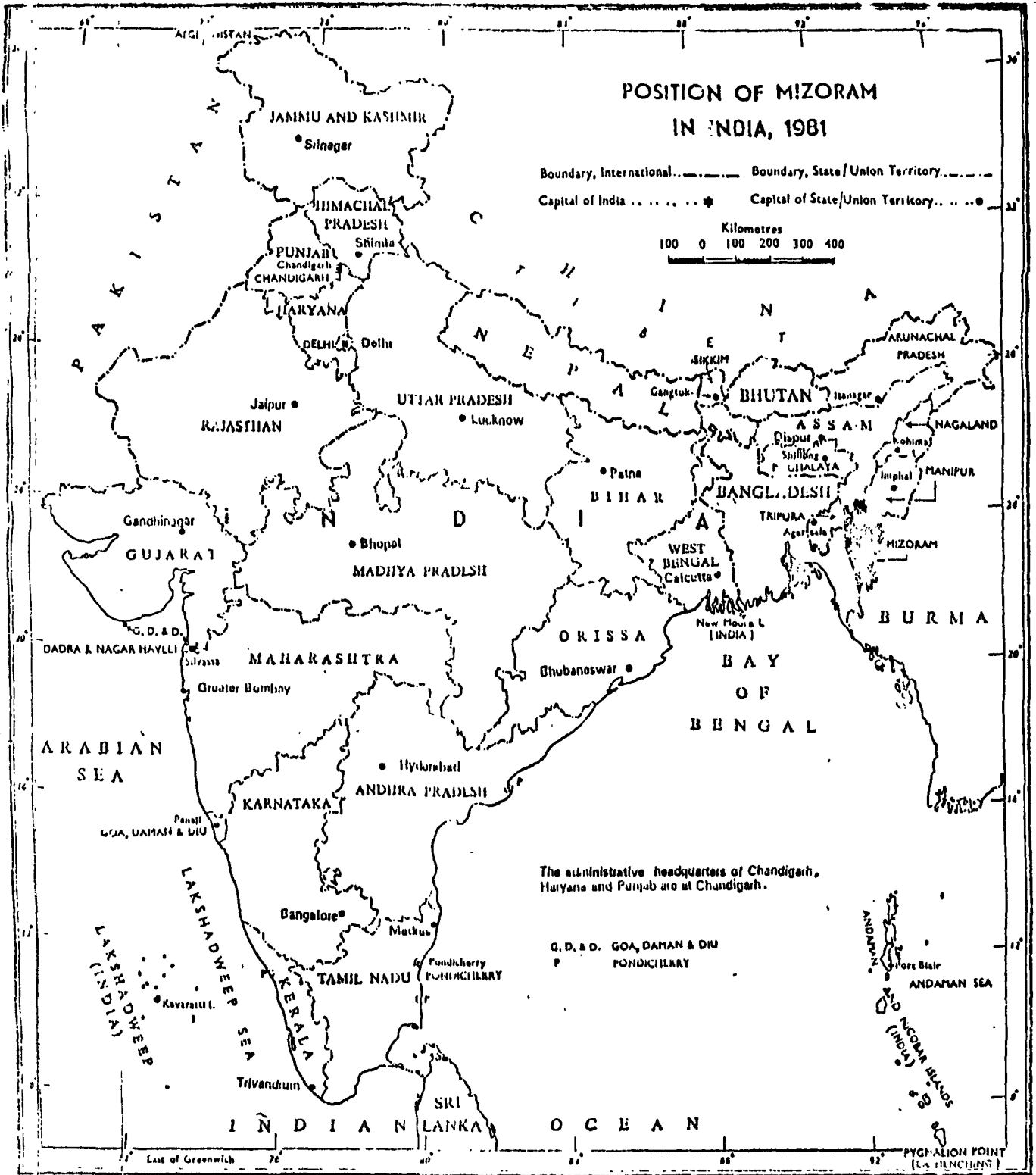
law and order problem. The legislature had to make laws and control the executive in such a way that it would usher in an era of prosperity to the people of Mizoram. It was during this period that ground was prepared for the coming into being of a progressive and peaceful state that Mizoram is today.

I am grateful to my Supervisor, Dr. Solomon Gabriel, Reader, Department of Political Science, North-Eastern Hill University, Shillong, for his guidance. My thanks are due to Professor B. Pakem and Professor Haridwar Rai of the Department of Political Science, NEHU, for their encouragement and suggestions.

I am indebted to Brig. T. Sailo, former Chief Minister of Mizoram, Dr. K. Chawngliana, former Speaker of Mizoram Legislative Assembly and C. Chawngkunga, former Deputy Speaker of the Mizoram Legislative Assembly for their useful help. I am thankful to all members of the Mizoram Legislative Assembly Secretariat who were kind enough to make the bulk of research materials available to me. I express my gratitude to the Governing Body of Aizawl College, Aizawl, for granting me a study leave for the purpose of writing this dissertation. Last but not the least, I thank all those people who helped me in completing this study.

SHILLONG
31 JULY 1988


(VANLALHLUNA)



This map is a copy of India map with the permission of the Surveyor General of India. The boundary of Mizoram shown on this map is as interpreted from the North Eastern Areas (Reorganisation) Act, 1971, but has yet to be verified.

The boundary of Mizoram shown on this map is as interpreted from the North Eastern Areas (Reorganisation) Act, 1971, but has yet to be verified.

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INTRODUCTION

INTRODUCTION

A legislature is a representative body and its main function is to make law. A legislature is a collective body which encourages sharing of wisdom for the general well-being of the people and excludes concentration of power in an individual or in a group of individuals.¹ The forum remains but the participants keep changing from time to time. Their presence at or absence from the forum is decreed by those who choose them. People elect individuals to represent them at a legislature so that matters of public importance could be discussed and decided. During their fixed term of office if the legislators fail to come up to the expectations of the people they may not be re-elected in the next general election. A legislature is a part of a political system which is, in turn, a component of a larger social system. No analysis of a model legislature can possibly ignore awareness of this basic relationship between a legislature and a larger socio-political system. The political history of the people records and displays the degree of sophistication that their political system has had. When we think of political history of the West, the Greeks certainly come to our mind as the earliest political people. They had developed political thought and theories, systems and institutions. Plato emphasised that law and law books were the "noblest and the best" works of the

1. Benjamin Akzin, "Legislature" in International Encyclopedia of Social Sciences, David L. Shills (ed.), Vol. 9, London, Macmillan and Company, 1968, p. 226.

whole literature of a people.² Politically maturer than the Greeks, the Romans assigned greater tasks to and had greater expectations from their political systems, processes and institutions. Legislation had to play a more effective role in the life of the Roman people not only because they had a richer and longer tradition of political experience but also because it had to cater to the growing needs of an expanding state. The establishment of democracy in different parts of the world accelerated the process of pervasive and plentiful legislation.

As there can be no game without a set of rules, there can be no society without a set of laws. Every society, community or people can acquire the status of a political unit or entity unless there are a set of well defined laws to govern the social and political conduct of individuals and groups. Laws are made for the survival of a political unit. Laws enable organised societies to promote their mutual well-being, to protect their life and liberties and to move forward on the path of progress. As rightly pointed out by Professor Ruthnaswamy, law in the modern state may be taken as the expression relatively permanent of a people's will, creating with sanctions, namely enforcing with coercive power of the

2. B. Jowett, The Dialogues of Plato - Laws - Book IX
(Translated into English), Oxford, Clarendon Press, n.d.,
p. 427.

state, rules of conduct, negative or positive, regulating the individual and social conduct of a people living in a state so as to ensure their life and promote their good life.³

The primary functions of a legislature is to cater to the needs and problems of the people and to represent their hopes and aspirations. A legislature is there to articulate the aspirations and the grievances of the people as well as to fulfill their expectations and redress their grievances.⁴ A legislature mirrors, through orderly debates and exchange of ideas, the various aspects of a pluralistic society. It is based on the principle of rule by consensus⁵ and contributes to the largest good of the largest number.

In a parliamentary system of government, the legislature is a link between the executive and the people. Since people are the ultimate masters, the legislature has to maintain a vigilant eye on the government so that laws and policies are effectively implemented in a manner that does not cause any harassment or injustice to any section of the society.

3. M. Ruthnaswamy, Legislation: Principles and Practice, Delhi, D.K. Publishing House, 1974, p. 15.

4. C.M. Jain, State Legislatures in India - The Rajasthan Legislative Assembly: A Comparative Study, New Delhi, S. Chand & Co. (Pvt) Ltd., 1972, p. 200.

5. Harold J. Laski, Parliamentary Government in England: A Commentary, London, George Allen & Unwin Ltd., 1938, pp. 45-46.

The functioning of a legislature depends mainly on four variable factors. The first is the institutional structure or framework generally laid out in the constitutional documents itself. The constitution is a document which lays down the methods, the term of office, the powers and functions of the various agencies of governance viz. the legislature, the executive and the judiciary. The second relates to the operative procedures which the legislature itself evolves to regulate its working. The third variable factor of the legislature is the political culture of the people it represents. The political culture of the people depends upon their economic condition, religious beliefs, social customs, tradition and mores, educational achievements, literacy conditions, demographic structure and inter-group relationship within the society. The fourth variable is the quality of the people, men and women, who constitute this body.⁶

As far as India is concerned, the parliamentary form of government was established at the time of Independence itself. The Indian constitution provides for universal adult franchise, an independent Election Commission to ensure free and fair elections, and an independent judiciary – the three crucial safeguards for any truly representative form of government. Our constitution guarantees civil and political

6. Bal Ram Jakhar, People Parliament Administration, New Delhi, Metropolitan Book Co., 1982, p. 6.

freedom to all citizens. It guarantees freedom of speech to all Indians and complete immunity from legal proceedings to all members of the legislatures, State and Union, so that they cannot be sued in a court of law for what they say in their representative legislative forums.⁷ The highest goal of a legislative body must be the establishment of a democratic social order based on the principles of justice, liberty and equality.

The success of a legislative body depends upon its capacity to evolve practices and procedures which enable it to meet emerging needs and situations and to provide adequate opportunities to its members so that they fulfill their representative role efficiently and thereby improve the quality of the legislature itself. There are variety of procedures for eliciting information, raising matters of public importance in the House and for endorsing executive accountability to the legislature. The House constitutes various Committees to deal with the scrutiny of the working of different agencies because it cannot itself do all such things in detail. It can hardly afford the time to go into the depth of every problem that crops up from time to time.⁸

7. The Constitution of India, Article 105, Allahabad, Allahabad Law Agency, 1984, p. 29.

8. M.N. Kaul and S.L. Shakhder, Practice and Procedure of Parliament, Vol. 2, New Delhi, Metropolitan Book Co., 1979, (third edition), p. 618.

As a legislature drives its powers from the people, it functions to fulfill the hopes and aspirations of the people and to solve their problems. In the records of the proceedings of a legislature one can find evidence of the legislators' concern for the people they represent, cases of hardship, injustice suffered by the common man, instances of abuse of power, negligence of duty of officials, snags in developmental activities, scarcity of essential commodities, incidents of violence which causes insecurity among the people, accidents and natural calamities of various sorts and problems relating to law and order were some of the important topics raised in the House for discussion. Members of a legislature should be conscious of their obligations to the people. It is the alert members of the legislature who can hope to obtain solutions and assurances from the government including appropriate remedial measures.

The success and failure of any system of government is judged on the nature and extent of contribution to the material and moral advancement of society. It is here that a representative institution like the legislature plays its crucial role. It is the legislature that brings together all the competing forces in the polity for an organized interaction. As the corporate conscience of the community, the legislature ultimately becomes a people's forum established

and maintained by the people's representatives.⁹

To be true to their representative character, legislators are required to maintain their unwavering faith in the moral values and ethical conduct of public life.¹⁰ They have to become trend-setters and torch-bearers for future generations. But the quality of the representatives also depends to a great extent, on the quality of the people they represent. The people must be vigilant and constantly monitor the actions of the legislators and they should endeavour to keep their control over their representatives. They should also have full faith in moral values and ethical conduct.

Members of the legislature should reflect the aspirations and needs of their society and they must truly represent the people. The legislature should not become an elitist-club. So a legislature has to be judged by the level of the member's concern of their obligations towards the people, the awareness and zeal shown by them to bettering the lot of the common people.¹¹ The government should always take public opinion into account.¹²

9. Bal Ram Jakhar, Op.cit., pp. 10-11.

10. Subhash C. Kashyap, Ministers and Legislators, New Delhi, Metropolitan Book Co., 1982, pp. 8-10.

11. Bal Ram Jakhar, Op.cit., p. 15.

12. L. Morrison, Government and Parliament: A Survey from the Inside, London, Oxford University Press, (3rd Edition), 1967, p. 180.

Taking the above views into account the present study endeavours to examine the structure role and functioning of the Mizoram Legislative Assembly along with its component units such as the Lt. Governor, the Speaker, the Council of Ministers, the Opposition and the various legislative committees. No systematic and thorough study of the Mizoram Legislative Assembly has ever been attempted. The book, A Century of Tribal Politics in North-East India 1874-1974, Vol. I, (1976), written by V. Venkata Rao makes just a sketchy reference to the Mizoram Legislative Assembly. Another book written by V. Venkata Rao, et.al. entitled, A Century of Government and Politics in North-East India, Vol. II, Mizoram, (1987), is mainly concerned with the historical development of Mizoram politics; but it makes brief reference to the Mizoram Legislative Assembly. Mizoram Legislative Assembly is dealt with in this book as a part of the historical development of the Mizoram politics thereby making it a subsidiary topic, although the discussion is quite informative. Similarly, Animash Ray's Mizoram Dynamics of Change (1982), offers an interesting analysis of the various problems pertaining to the development of administration in Mizoram from the point of view of national integration, but makes only a few passing references to the working of the Mizoram Assembly. S. K. Chaube's Electoral Politics in North-East India (1985), deals only with electoral politics in Mizoram in the context of

North East India. Likewise R. N. Prasad's Government and Politics in Mizoram 1947-1986, (1987), is mainly devoted to the evolution of Mizo politics. H. Thansanga's doctoral dissertation Government and Politics in Mizoram (Gauhati University 1981) is a general survey of the political and governmental history of Mizoram. It contains only a brief accounts of the Mizoram Legislative Assembly. Kenneth Chaungliana's Doctoral thesis Christianity and the Mizo Society: the Study of the Impact of Christianity and the Mizo Social Structure (Poona University 1978), is, no doubt, an indepth study of the social changes brought about in Mizoram under the impact of Christianity but it does not discuss the Mizoram Assembly in any considerable detail. Lalchungnunga's Ph.D. dissertation Regionalism in Mizoram Politics (North-Eastern Hill University 1987), as suggested by the title itself is exclusively concerned with an investigation of Mizo regionalism, although it contains a good deal of useful materials on the Mizoram Assembly.

The present study is a comprehensive and pioneering account of the structure, role and functioning of the Mizoram Legislative Assembly. This study is based mainly on primary data available both in English and Mizo, proceedings of the first three Assemblies, reports of the various Committees of the Assembly, the Mizoram Gazette, reports on elections to the Assembly and other related publications of the government

of Mizoram. Besides, it has also drawn a good deal of useful materials from interviews held with Ministers, MLAs, Officials of the Assembly Secretariat and other related people. Materials were also collected from books and articles written on parliament and state legislatures. Relevant books written on the history and politics of Mizoram were also consulted. Books and articles written in Mizo language relevant to the present topic of study were also looked into. Materials were collected from Mizoram Legislative Assembly Library, Aizawl; Central Library of North-Eastern Hill University, Shillong; NEHU Campus Library, Aizawl, Mizoram; Gauhati University Library, Gauhati; and Aizawl College Library, Aizawl. Standard journals and national and local newspapers were also consulted.

The present study deals with the first three Mizoram Legislative Assemblies i.e. from April 1972 to April 1984. The period under study is significant not only because it was an era of transition from politics at the District Council level to politics at the Union Territory Legislative Assembly level, but also because it was a transition from a trouble-torn Mizoram to a Mizoram genuinely prepared to have abiding peace, stable politics and continuous economic growth. It was also a period during which the Mizos demanded a still higher political status i.e. 'Statehood' for Mizoram. One of the most difficult tasks that confronted the political system in Mizoram during the period was the law and order problem created

by secessionist activities of the militant Mizo National Front. Another major challenge to the new Union Territory was its economic development. The government and Assembly of the Union Territory had to grapple with and try to solve, among other things, these two major problems of secessionism and economic backwardness of the area.

The 'structure' is used here to refer to the members of the Assembly, both the ruling and opposition, the Lieutenant Governor, the Council of Ministers, the Speaker, the Committees of the House and the Assembly Secretariat. The powers of the Assembly are exercised by these constituting units. The 'role' includes the pattern and norms of behaviour of the members in the Assembly. The term 'functioning' refers mainly to the working of the Assembly.

The whole study is divided into eight chapters. Chapter One deals with the profile of Mizoram and the emergence of representative institutions in Mizoram.

Chapter Two discusses the representation of political parties in the first three Assemblies and the performances of political parties in the elections to the Assembly. The various membership patterns and the Assembly structure are also looked into in this chapter.

Chapter Three is devoted to the study of the working of the Mizoram Legislative Assembly. It also deals with the conduct of members in the House. It discusses various motions moved in the House, questions put in the House and the bills passed by the House. The functioning of various Committees of the House is also discussed.

Chapter Four analyses the actual role of the Speaker in the conduct of the business of the House. It discusses various rulings of the Speaker on important issues in the House.

Chapter Five studies the relationship between the Executive and the Legislature under the following headings : the relationship between the Legislature and the Lt. Governor, the relationship between the Council of Ministers and the Lt. Governor, the relationship between the Legislature and the Council of Ministers and lastly, the relationship between the Chief Minister and the ruling party legislators.

Chapter Six is devoted to the study of the role of Opposition in the Assembly. It discusses various methods adopted by the Opposition to embarrass the government.

In Chapter Seven, we make an attempt to assess the role of the Assembly as an instrument of social change in Mizoram. The social impact of legislations viz., the Mizoram

Excise Act, 1973, the Mizoram Board of School Education Act, 1975, and the Mizoram Khadi and Village Industries Board Act, 1982, is discussed.

Chapter Eight is the concluding chapter. It sums up the major findings of all previous chapters and attempts to make a few generalisations about the Mizoram Legislative Assembly.

CHAPTER - I

PROFILE OF MIZORAM AND THE EMERGENCE OF
REPRESENTATIVE INSTITUTIONS IN MIZORAM

PROFILE OF MIZORAM AND THE EMERGENCE OF
REPRESENTATIVE INSTITUTIONS IN MIZORAM

Profile of Mizoram

Mizoram, (earlier known as the Lushai Hills) which lies between $20^{\circ} 20'$ and $24^{\circ} 27'N$ and $92^{\circ} 20'$ and $93^{\circ} 29'E$ is of strategic importance in the North-Eastern corner of India as it has international borders on three sides - the East and the South are bounded by Burma and certain parts of the West by Bangladesh. It is bounded on the North by the Cachar District of Assam and the State of Manipur and certain parts of the West by the State of Tripura. According to the 1981 Census, Mizoram had a population of 4,93,757. It covers an area of 21,087 Sq. Kms. and the density of population is 23 per sq. km. with a decennial growth rate of 48.55%.

Mizoram has a pleasant climate. The Tropic of Cancer runs through Mizoram in the middle. Being situated on the hills and having an average attitude of 900 metre, Mizoram is neither too hot nor too cold either in winter or in summer. The temperature varies from $11^{\circ}C$ to $21^{\circ}C$ in winter and $20^{\circ}C$ and $29^{\circ}C$ in summer. It rains heavily from May to September and the average rainfall in Aizawl, the capital of Mizoram, is 208cm per annum and 350cm in Lunglei, the biggest town in the southern part of Mizoram. Except in the months of June and July, when rainfall is heavy, the sky is mostly clear.

The hills in Mizoram run from north to south and are covered with forests. The steep hills are generally separated by rivers which flow either to the north or to the south, creating deep gorges between the ranges. Many rivers and streams in Mizoram are not yet properly utilised for the purpose of generating hydro-electric power. Only in April 1984, one Megawatt Serlui, a Micro-hydel Project, the first of its kind in Mizoram was commissioned¹. Construction of 2 Micro-hydel Projects viz. Khawiva near Lunglei and Tuivang near Aizawl has just started².

Mizoram is rich in fauna and flora. Most tropical plants are found here. Bamboos are seen everywhere as are several varieties of orchids and wild flowers.

English Christian Missionaries established schools soon after their arrival in the Lushai Hills in 1894³. They composed the Mizo Alphabet in 1894 and the first Lower Primary School was started at Aizawl in 1899, the first High School in 1944 and the first College in 1958. As per 1981

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1. Government of Mizoram, Administration Report 1984, Aizawl, p. 75.
 2. Ibid., 1985-'86, p. 105.
 3. Lalhmuaka, Zoram Zirna Lam Chhinchhihna, (in Mizo) (The records of Zoram Education) Aizawl, Tribal Research Institute, 1981, p. 14.



census, the rate of literacy in Mizoram is 59.88 per cent. As in 1982 there were 803 Primary schools, 360 Middle schools, 141 High schools and 12 Colleges⁴. But in 1985, there are 927 Primary schools, 401 Middle schools, 147 High schools and 12 colleges⁵.

The staple food of the Mizo people is rice. Rice is traditionally grown by the system of shifting cultivation, popularly known as "jhuming". It is an inefficient way of producing rice. Therefore 40,000 metric tonnes of rice per year, which is about 70-80 per cent of the rice consumed in the state, comes to Mizoram from other parts of India. Some areas of flat land along the Cachar and Burma borders have been used for permanent rice cultivation.

Ginger, maize, potatoes, oil seeds, soyabeans, French beans, Peas, lentils, mustard and sesamum are grown in Mizoram. Horticultural crops such as orange, banana, mango, pineapple, lemon, papaya, pear, jack fruit are grown in large quantity. With a view to improving agriculture, the Government of Mizoram since 1972, has taken steps like introducing hill side terracing linked with irrigation, contour-bunding, gully control, stream bank erosion control and water harvesting

4. Government of Mizoram, Administration Report Aizawl, 1982, p. 48.

5. Ibid., 1985-'86, pp. 72-73.

or retention dams. Cash crops like rubber, coffee, large cardamom and betel nuts are now becoming increasingly popular⁶.

But Mizoram is lagging behind most of the states of India in respect of industrial production as the infrastructure for the development of industries is poor. The lack of communication and technical know-how have hindered the industrial development of the Union Territory. However, nearly 4029 small scale industries have so far been established⁷. The Fruit Preservation Factory at Vairengte was commissioned in 1984 and Ginger oil and Oboresin Plant at Sairang have also been completed. Geological mapping has covered two-thirds of the Union Territory.

The Mizos rear different kinds of animals such as mithuns, pigs, fowls, goats, sheep and horses. Mizoram has one Veterinary Hospital, 26 Veterinary Dispensaries and 70 Rural Animal Health Centres.

Mizo is a generic term which refers to several tribes and sub-tribes living in and around Mizoram. According to Liangkhaia, there are about three hundred such tribes, sub-tribes and clans⁸. They inherit more or less common customs,

6. Ibid., pp. 45-47.

7. Ibid., 1984, p. 52.

8. Liangkhaia, Mizo Chanchin, Aizawl, Mizo Academy of Letters, 1976, pp. 9-21.

traditions, mores, religions, beliefs and practices. Mizo means 'highlander' or 'hillman'.

The Mizos originally came to Burma from the Far-East⁹ and their migration from Burma to their present habitat started in about 15th Century.¹⁰ The inhabitants of the present Mizoram may be broadly divided into six principal tribes: Lusei, Hmar, Ralte, Paithe, Pawit and Lakher. Besides these six tribes, the Chakmas and the Riangs are the two non-Mizo groups living in Mizoram. Almost all the Chakmas are Buddhists and most of the Mizos are Christians. According to 1981 census Christians claimed 83.81 per cent of the total population of Mizoram.¹¹ The Lusei tribe consists of six clans descended from six chiefs namely Thangluah, Palian, Rivung, Rokhum, Zadeng and Sailo. The following are the non-chief clans of the Mizos: Pachuau, Chhangte, Chawngte, Hauhmar, Chuaungo, Chuauhang, Hrahseil Toehhong, Vauchhawng and Chhakchhuak.¹² The Luseis occupy a dominant position among the Mizo tribes. This was due to the powerful Sailo clan whose supremacy prevailed in the

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9. B. Lalthangliana, History of Mizo In Burma, Aizawl, Zawlbuk Press, 1975, p. 74. Also see Rochunga Pudaite, The Education of The Hmar People, Sielmat (Manipur), Indo Burma Pioneer Mission, 1963, pp. 21-22.
 10. L.B. Thanga, The Mizos, Gauhati, United Publishers, 1978, p. xii.
 11. Census of India (1981) series - 31, Mizoram (paper 1 of 1985), Household population by religion of household, Director of Census Operations, Mizoram.
 12. Lalbiakthanga, Op. cit., p. 5.

Lushai Hills till the advent of the British.¹³ The Lushai language (Duhlian Dialect) has come to be the common language of the Mizos. However, the Lakhers, who inhabit the south-eastern part of Mizoram maintain their separate cultural identity.

On 23 April 1953 the Pawi-Lakher autonomous regional council came into existence and in 1972, with Mizoram becoming a Union Territory, the Lakhers were given a separate Autonomous District Council in Chhintuipui District. The Lakhers were not much influenced by the Luseis. They are concentrated in southern most part of Mizoram.

The Chakmas were Buddhist tribals who came from Chit-tagong Hill tracts. During the British period about 300 Chakmas were granted permission to settle temporarily in Lushai Hills. They lived in the South-Western corner of Mizoram bordering on Bangladesh. Chakmas kept on coming into Mizoram even after the British left India. In 1951, there were 12785 Chakmas in the Lushai Hills District and in 1971, the number increased to 23236. The influx of Chakmas into Mizoram has been one of the political problems in Mizoram. The Chakmas have their district culture and language. They speak a language which is predominantly Bengali and which is the medium of instruction in their

13. A.G. McCall, Lushai Chrysalis, Calcutta, Firma KLM Private Ltd., 1977, p. 36.

schools. Socially and economically, the Chakmas are perhaps the most backward people in Mizoram.

Before the British came to the Lushai Hills, Chiefs of the Lushai Hills were the rulers. Each village was ruled by its own hereditary Chief, who was independent of the control of any other Chiefs.¹⁴ The Sailo Chiefs were able to establish themselves as the ruling families in most of the villages before the advent of the British. All the decisions were taken by the Chiefs with the help of their Upas (Council of elders) who were appointed by them. The number of elders varied from village to village. Prominent and influential elders of the village were generally appointed Upas (Elders).

A Mizo Chief was the guardian of his people. He was the defender of his people in times of war, a helper of the poor in times of famine and scarcity and he acted as a judge in disputes between two parties within his village.¹⁵ He had the power of life and death over his people. But a subject could migrate to another village. This served as a check on the arbitrary use of power by a Chief.¹⁶

14. T.H. Lewin, The Hill Tracts of Chittagong and The Dwellers Therein, Calcutta, Bengal Printing Press, 1869, p. 100.

15. R.N. Prasad, "Village Administration in Mizoram" in Political Science Review, Vol. 21, No. 4, Jaipur 1982, pp. 360 - 69.

16. N.E. Parry (I.C.S), A monograph on Lushai Customs and Ceremonies, Calcutta, Firma KLM, 1976, p. 2. Also see J. Shakespear, The Lushai Kuki Clan, Part I, Aizawl, Tribal Research Institute, 1975, p. 3.

The Emergence of Representative Institution in Mizoram

During the latter part of the 19th Century a number of raids were conducted by the Mizo Chiefs on the neighbouring areas like Chittagong Hill Tracts, Tripura and the Sylhet plains which were under the control of the British. This led to a series of expeditions into Lushai Hills in 1871, 1889 and 1890 by the British. Most of the areas of Mizoram came under the control of the British by the end of 1891.¹⁷ The North Lushai Hills was placed under the control of the Chief Commissioner of Assam and the South Lushai Hills under the control of the Lt. Governor of Bengal. But on 1 April 1898, the North Lushai Hills and the South Lushai Hills were made into one district known as the Lushai Hills District and was placed under the control of the Chief Commissioner of Assam.¹⁸ The southernmost part of the present State of Mizoram, the Pawi-Lakher region came under actual British control about 30 years after the occupation of the rest of the Lushai Hills in 1890.

Unlike the plains, in the Lushai Hills, the British rarely interfered with the powers and functions of the Chiefs

17. A.S. Reid, Chin-Lushai Land, Calcutta, Firma KLM, (Reprinted) 1976, pp. 48-50. Also see, T. Gaugin, Discovery of Zoland, Churachandpur, Zomi Press, 1980, (1st Impression) p. 12.

18. Robert Reid, History of the Frontier Areas Bordering on Assam 1883-1941, Delhi, Eastern Publishing House, (Reprinted), p. 43.

and the village organisations.¹⁹ People from the plains were not generally permitted into the Hills. Entry of outside people into the Lushai Hills was controlled by the "Inner Line Regulations of 1892". Under the Government of India Act, 1919, the Lushai Hills District was classified as a backward area and only the Governor of Assam could extend to the Lushai Hills laws passed by the Provincial Legislature of Assam with or without modifications as he thought fit. The Simon Commission suggested that some of the hill areas of Assam (including the Lushai Hills) should be divided into 'excluded areas' and 'partially excluded areas'. Under the Government of India Act, 1935, the Lushai Hills District was classified as an excluded Area²⁰ and it came under the direct control of the Governor. The Superintendent of the Lushai Hills represented the Governor in the Hills and the Lushai Hills was not represented in the Provincial Legislature of Assam or in the Central Legislature. The Cabinet Mission in 1946 suggested that there should be an Advisory Committee on the Rights of Citizens, Minorities and Tribal and Excluded Areas. Accordingly the Constituent Assembly of India set up an Advisory Committee. This Committee appointed a Sub-Committee known as the North-East Frontier (Assam) Tribal and Excluded Areas Committee

19. Ramchuan Sena Samuelson, Love Mizoram, Imphal, Goodwill Press, 1985, pp. 17-18.

20. Robert Reid, Op. cit., p. 47.

under the chairmanship of Gopinath Bordoloi. This Committee carefully studied the then existed administrative set up in these hill areas including the Lushai Hills with a view to building up an autonomous body in the administration of the hills, so that the tribal people might continue to follow their traditional ways of life.²¹ The Bordoloi Committee recommended a set up for the administration of the hill areas based on the concept of regional autonomy in matters affecting essentially their customs, laws of inheritance, administration of justice, land, forests etc.²² The Sixth Schedule of the Constitution of India is based mainly on the recommendations of the Bordoloi Committee.

On 9 April 1946, the Mizo Union, the first political party in the Lushai Hills, was formed by R. Vanlawma.²³ (The Mizo Union was represented in the Bordoloi Sub-Committee by Saprawnga and Khawtinlhuma as co-opted members.) The meeting of the Mizo Union held on 1 October 1947 demanded the immediate abolition of the oppressive practices of the Chiefs like the building of the Chiefs houses by free labour, payment of the paddy tax to the village Chiefs, bringing of the disputes in

21. For details see Report on the North-East Frontiers (Assam) Tribal and Excluded Areas Sub-Committee (Bordoloi Sub-Committee) 1947, Manager of Publications, Delhi, 1950.

22. Avinash Ray, Mizoram: Dynamics of change, Calcutta, Pearl Publishers, 1982, p. 93.

23. R. Vanlawma, Ka Ram leh Kei (My Country and I) Aizawl, Zalen Printing Press, 1972, p. 88.

the village to the village Chiefs for trial and payment of flesh-tax on the four-footed wild animals hunted by the people.

On 15 April 1948, the District Advisory Council was formed in the Lushai Hills to advise the Government of Assam in matters relating to the Lushai Hills. On this Advisory Council the common people of the hills had more representatives than the Lushai Chiefs.²⁴

The Lushai Hills Autonomous District Council was constituted in 1952 under the provision of the Sixth Schedule to the Constitution of India and the Advisory Council was abolished on 12 November 1951. The first general elections to the District Council were held on 4 April 1952.

The Chieftainship in the Lushai Hills was abolished with effect from 1 April 1955 by The Assam Lushai Hills District (Acquisition of Chiefs Rights) Act, 1954 and in its place, the Village Council was established.²⁵ The name of the district was changed from Lushai Hills to Mizo Hills on 29 April 1954. In the southern part of the District, the Pawl-Lakher Regional Council enjoyed certain autonomous powers in the administration of their territories and they exercised

24. Chaltuahkhuma, History of Mizoram (in Mizo), Aizawl, R.D. Press, 1987, pp. 161-6.

25. Ibid., p. 225, and Ray op. cit., p. 41.

legislative as well as executive authority in their respective spheres. At the village level the administration was carried out by the Village Council elected for a period of 3 years.

Mizoram had been represented by three members in the Assam Legislative Assembly from 1952 to 1971. It did not have any representative in the Lok Sabha till 1971. The Assam Government could not pay special attention to the needs of the Mizos.²⁶

The Mizo National Famine Front was formed in 1960 and it became a political party later known as the Mizo National Front (MNF) on 22 October 1961. The Mizo Union demanded statehood for Mizoram. The MNF on the other hand had harped on full independence for Mizoram from 1961 to 1976. The Pataskar Commission, appointed on 16 March 1965 by the Government of India for the purpose of making a detailed scheme for re-organising the administrative set up of the hill areas in the North-Eastern India. It, in April 1966, recommended, inter alia, a Union Territory status for Mizoram.²⁷ The Mizo District became

26. A.K. Nag, "The Ups and Downs of Mizo Politics", in North Eastern Affairs, Shillong, October-December Issue, 1972, p. 14. See also N. Nibedon. Mizoram, The Dagger Brigade, New Delhi, Lancers Publishers, 1980, pp. 34-35.

27. V.Venkata Rao, A Century of Tribal Politics: in North East India, 1874-1974, New Delhi, S. Chand and Company Ltd., 1976, p. 321. Also see S. Chaube, Hill Politics in North-East India. Calcutta, Orient Longman Limited, 1973, p. 168, and Assam Tribune, 5 April 1966.

a Union Territory of Mizoram on 21 January 1972.²⁸ A representative Assembly known as the Mizoram Legislative Assembly came into existence on 29 April 1972, and the Mizo District Council was abolished.

With the formation of Mizoram Legislative Assembly, the Pawi-Lakher Regional Council was re-organised into three District Councils namely, the Pawi-District Council, the Lakher District Council and the Chakma District Council.²⁹

Since Mizoram is a Union Territory the Administrator has an overriding power in relation to his Council of Ministers and the President of India has a controlling power over the Union Territory. The Lieutenant Governor of Mizoram was the highest functionary in the Union Territory and he was more powerful than the Governor of a State. He was appointed by the President of India.

The Council of Ministers headed by a Chief Minister was accountable to the Legislative Assembly elected by the people of Mizoram. The Assembly had the power to make laws on the State List and Concurrent List. But the Bills passed by the Legislative Assembly had to be sent to the Lt. Governor who could reserve it for the consideration of the President of

28. "Inaugurated by Prime Minister Mizoram", Assam Tribune, 22 January 1972.

29. R.N. Prasad, Government and Politics in Mizoram 1947-1986, New Delhi, Northern Book Centre, 1987, p. 289.

India. The Lt. Governor of Mizoram had a special responsibility for the security of the border areas and for that purpose he could issue such directions and take such measures as he might think necessary even without consulting the Council of Ministers. The Lt. Governor also had a special responsibility in the matter of law and order in the Union Territory and can act in his discretion without having any consultation with the Council of Ministers. In other matters if difference of opinion between the Lt. Governor and his Ministers on any matter, the Lt. Governor had to refer it to the President of India for final decisions and had to act according to the decisions of the President. However, if a matter was, in the opinion of the Lt. Governor, urgent he could take immediate action. In the matter of recruitment to Public Service, the Lt. Governor of Mizoram had the power to make appointments of Class I and Class II Officers. The nature of the Union Territory Administration as provided for by the constitution behoves the Administrator to function in line with the unitary type of administration rather than federal type.

30. Government of Mizoram, Official Hand Book, Vol. I, Aizawl, 1973, p. 19.

CHAPTER - II

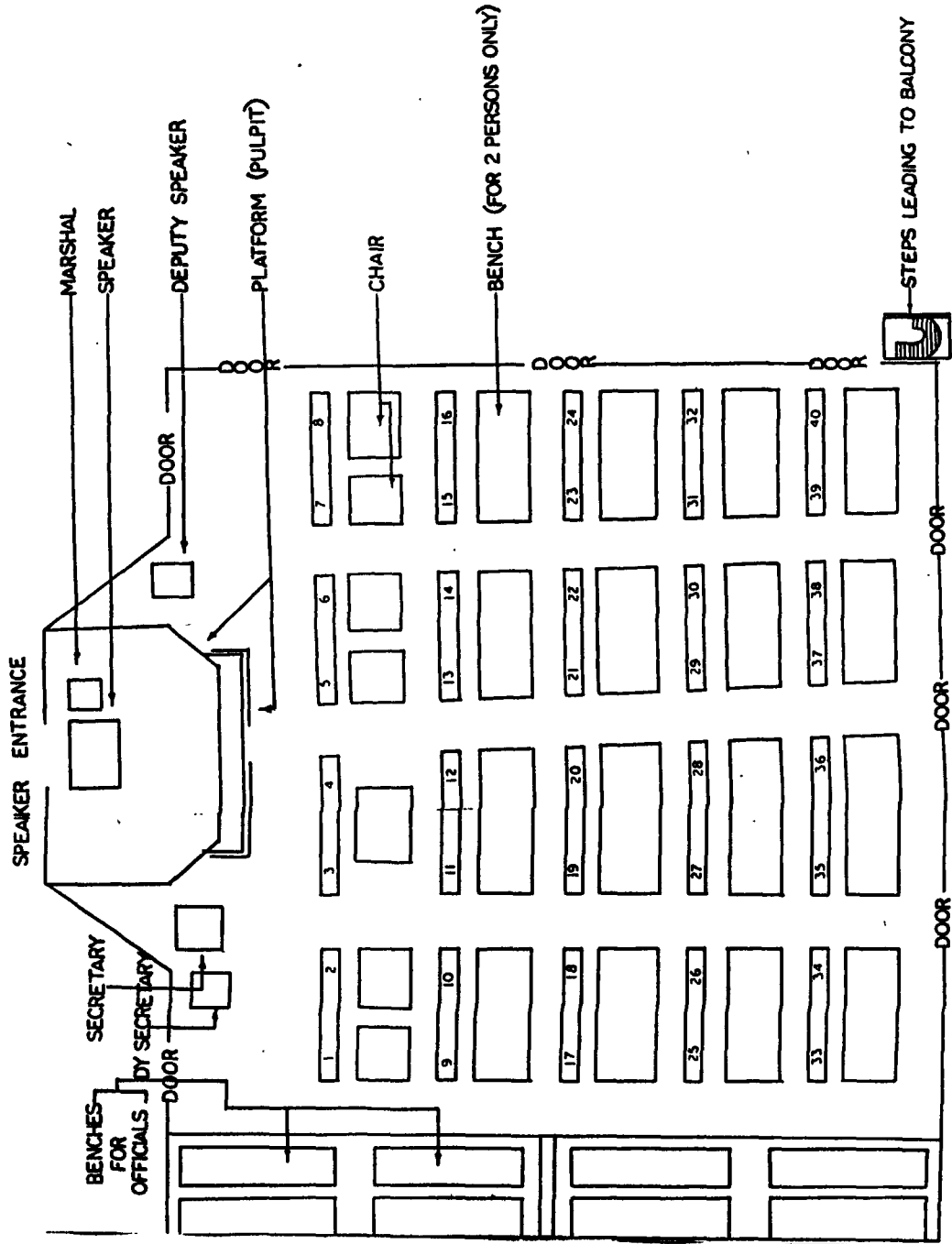
ASSEMBLY STRUCTURE AND MEMBERSHIP PATTERN

ASSEMBLY STRUCTURE AND MEMBERSHIP PATTERN

The first Legislative Assembly of the Union Territory of Mizoram came into existence on 29 April 1972.¹ The strength of the Assembly was 33, out of which 30 members were elected directly by the electorate and three members were nominated by the Government of India.² In the first Assembly elections 27 members were elected on party tickets and three were elected as Independent members.³ The Second Assembly which came into being on 21 June 1978, again had 27 members elected on party tickets and three Independents.⁴ Since the Assembly was dissolved within six months of its inception, no member was nominated. The third Mizoram Assembly which came into being on 25 May 1979 consisted of 33 members, out of which 29 were elected on party tickets and one as Independent and 3 were nominated.⁵

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1. Government of Mizoram, Notification No. 308/MIZ/72 dated 29.4.1972, The Mizoram Gazette, Aizawl, 29 April 1972.
 2. The Government of Union Territories Act, 1963 (As amended by (1) North Eastern Areas (Reorganisation) Act, 1971, and (2) Government of Union Territories (Amendment) Act, 1971, in Government of Mizoram Official Handbook Vol. 1 1973, issued by Chief Secretary to the Government of Mizoram, Aizawl, 1973, p.2. (Hereafter cited as U.T. Act as amended in 1971).
 3. Chief Electoral Officer, Mizoram, 1972 General Election to Mizoram Legislative Assembly, Aizawl, 1972, p. 8.
 4. Ibid., 1978 General Election to the Mizoram Legislative Assembly, Aizawl, 1978, p. 8.
 5. Ibid., 1979 General Election to Mizoram Legislative Assembly, (Statistical data), Aizawl, 1979, p. 9.

PLATE - 1
 SITTING ARRANGEMENT OF MIZORAM LEGISLATIVE ASSEMBLY



Mizoram Legislative Assembly

The Chamber of the Mizoram Legislative Assembly is located in the heart of Aizawl town between the War Memorial and the Raj Niwas. The building which was constructed in 1955 was originally used for holding the sitting of the erstwhile Mizo District Council. After Mizoram became a Union Territory on 21 January 1972, it became the Mizoram Legislative Assembly House. The first session of the Assembly was held on 10 May 1972.⁶ The Assembly has sitting arrangement determined by the Speaker⁷ who occupies his seat on a raised dais at the northern end of the Hall between the two main entrants. There are four pairs of seats, one behind the other arranged in four columns running along the length of the Hall with three aisles between the columns. Each column has ten seats. However, in the front row, the Chief Minister is provided with a single seat in place of two as in the case of others. Members of the Treasury Benches occupy the front seats to the right of the Speaker. Members of the Opposition occupy the front seats to the left of the Speaker. The Secretary of the Assembly has a seat just below the Speaker's seat to

6. Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Handbook for Members Vol. II, Aizawl, 1978, p. 3.

7. Mizoram Legislative Assembly Secretariat, Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, 1980, (Third Edition), Aizawl, 1984, p.4. (Hereafter cited as M.L.A.S. Rules of Procedure).

assist him (by supplying information that may be needed by the Speaker) in the conduct of the proceedings of the Assembly.

Official Lobby

The space to the right front of the Speaker is meant for officers and is called Official Lobby. Heads of Department and Officials are required to attend the Assembly Sessions when there is a debate on the subject concerning their departments.⁸ They are there to assist the ministers by making available all necessary information.

Visitors' Gallery

There are three galleries for visitors in the balconies overlooking the Chamber. The galleries opposite the Speaker are meant for pressmen and visitors. In the balcony gallery to the right front side of the Speaker is called Distinguished Gallery which is meant for important and distinguished persons. Admission to press to enter the gallery is given in the form of cards by the Secretary of the Assembly under the orders of the Speaker to various representatives of newspapers and news agencies.⁹

8. According to Lt. Governor Standing Order No. X, Secretaries and Heads of Department should invariably attend the Assembly Session. Government of Mizoram, Standing Order of the Lt. Governor (Administrator) Mizoram, Aizawl, 1982, p. 26.

9. M.L.A.S., Rules of Procedure, Rule 301, p. 104.

Representation of Political Parties in the First Three Assemblies

In the Legislative Assembly of the Union Territory of Mizoram, both the national and regional parties have had their representation. Besides national parties such as the Congress and the Janata, the regional parties like the Mizo Union, the People's Conference and the People's Conference 'B' have had seats in the first three Assemblies.

Table 1.1: Strength of Political Parties in the Mizoram Legislative Assembly After Three General Elections held in 1972, 1978 and 1979.

1972

Sl. No.	Parties	Seat con- tested	Seat won	P.C. of seat	Valid votes polled	P.C. of valid votes
1.	Mizo Union	25	21	70	39,645	35.61
2.	Congress	29	6	20	34,421	30.92
3.	Mizo Labour Party	Nil	Nil	Nil	15,231	13.68
4.	Socialist Party	Nil	Nil	Nil	1,713	1.53
5.	Mizo Democratic Front	na	na	na	na	na
6.	People's Conference	na	na	na	na	na
7.	Mizoram Janata Party	na	na	na	na	na
8.	People's Conference 'B'	na	na	na	na	na
9.	Independents	26	3	10	20,318	18.25
10.	Total	70	30	100	1,11,328	100.00

Sl. No.	Parties	Seat contested	Seat won	P.C. of seat	Valid votes polled	P.C. of valid votes
<u>1978</u>						
1.	Mizo Union	15	-	-	9,847	7.01
2.	Congress	26	4	13.33	30,825	21.94
3.	Mizo Labour Party	na	na	na	na	na
4.	Socialist Party	na	na	na	na	na
5.	Mizo Democratic Front	16	nil	nil	2,138	1.52
6.	People's Conference	28	22	73.33	52,640	37.48
7.	Mizoram Janata Party	28	1	3.33	21,785	15.51
8.	People's Conference 'B'	na	na	na	na	na
9.	Independents	41	3	10	23,235	16.54
10.	Total	154	30	100	1,40,470	100

<u>1979</u>						
1.	Mizo Union	21	-	-	13,346	8.15
2.	Congress	25	5	16.67	39,115	23.88
3.	Mizo Labour Party	na	na	na	na	na
4.	Socialist Party	na	na	na	na	na
5.	Mizo Democratic Front	4	nil	nil	925	0.56
6.	People's Conference	27	18	60	53,515	32.67
7.	Mizoram Janata Party	30	2	6.67	21,435	13.09
8.	People's Conference 'B'	23	4	13.33	22,259	13.59
9.	Independents	20	1	3.33	13,206	8.06
10.	Total	150	30	100	1,63,801	100

Notes: na = not arise, P.C. = percentage

- Source: 1. Chief Electoral Officer, Mizoram, 1972 General Election to Mizoram Legislative Assembly, Aizawl, 1972.
2. Chief Electoral Officer, Mizoram, 1978 General Election to Mizoram Legislative Assembly, Aizawl, 1972.
3. Chief Electoral Officer, Mizoram, 1979 General Election to Mizoram Legislative Assembly, Aizawl, 1972.

Table 1.2: Number and Percentage of Votes Polled in the three General Elections

Year of General Elections	Total Electorate	Valid Votes polled	Invalid votes	Percentage of votes polled
1972	1,56,898	1,11,328	3,038	72.55
1978	2,22,226	1,40,470	1,855	63.96
1979	2,41,950	1,63,801	1,544	68.22

Source: Compiled from Facts about the Elections to the Mizoram Legislative Assembly, prepared and compiled by the Directorate of Information, Public Relations and Tourism, Government of Mizoram, 1984, pp. 1-2.

Though the Mizo Union secured 21 seats out of 30, it got only 35.61 per cent of valid votes in the first general election held on 18 April 1972.¹⁰ Ch. Chhunga of the Mizo Union was sworn in as the Chief Minister. But the ruling Mizo Union Party in spite of its overwhelming majority in the 1972 elections decided to merge with the Congress Party and the merger took place on 23 January 1974.¹¹ Thus, the Mizo

10. See Table 1.1. Also see, R.N. Prasad, "Evolution of Party Politics in Mizoram", in Political Science Review, Vol.12, Jaipur, 1973, pp. 209-10.

11. The Socialist Party which contested 18 seats and got only 1.53 per cent of the total valid votes in the 1972 election did not get any seat in the Assembly. The Mizo Labour Party which contested 27 seats and secured 13.68 per cent of valid votes also drew blanks in 1972 election. The debacle of the two parties led them to merge their parties into the Congress on 16 September 1972. This merger gave the Congress Party in Mizoram a shot in the arm and it became very active in Mizoram politics. This appears to be one of the reasons for the Mizo Union leaders thought of merging their party with the Congress. Moreover, some

Union Ministry was turned into a Congress Ministry overnight, though Ch. Chhunga continued to be the Chief Minister. The merger automatically brought about changes in the composition of the House: all the 33 members of the Assembly became the ruling Congress party members in January 1974. Commenting upon this, on 20 March 1974, the Speaker said, "unusually we have only one legislative party."¹² But this situation did not last long. On 12 March 1974, a few Mizo Union leaders who were opposed to the merger met at Aizawl and decided to renew the Mizo Union Party under the leadership of C. Pahlira.¹³ Four former Mizo Union MLAs who had some reservations about the Mizo Union joining en-bloc to the Congress, joined the newly formed Mizo Union. They claimed the newly formed Mizo

of the Mizo Union leaders had a national outlook and they thought that the time had come, in the interest of the people of Mizoram, for the party to join the national mainstream. They were nationalists and pro-Congress, and also hoped that merger into Congress might bestow patronage from the Centre.

See "Politics of the Merger in Mizoram", The Hindustan Standard, Calcutta, 18 February 1974.

Also see, Lalchungnunga, Regionalism in Mizoram Politics, A thesis submitted for the Degree of Doctor of Philosophy, North-Eastern Hill University, Shillong, 1987, pp.157- 8.

12. Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Proceedings, Aizawl, 20 March 1974, p. 12. (Hereafter cited as Mizoram L.A. Proceedings).
13. H. Thansanga, Government and Politics in Mizoram, A Doctoral thesis, Gauhati University, Gauhati, 1981, p. 186.

Union as the original Mizo Union. These MLAs formed separate group in the House in September 1974.¹⁴ The new Mizo Union leaders contested second general election to the Mizoram Assembly held on 17 and 20 May 1978, but failed to get any seat, though they secured 7.01 per cent of the valid votes.¹⁵ The party also contested the third general election held on 24 and 27 April 1979 but failed to win any seat, though it had got 8.15 per cent of valid votes. However, it captured one seat in the bye-election held on 19 May 1982 with the help of the People's Conference.¹⁶

The Congress Party got six seats and 30.92 per cent of valid votes in the 1972 Assembly election. Consequent upon the merger of the then ruling Mizo Union Party into the Congress, the Congress Party became the ruling party and on 3 May 1974, two leaders of the Congress Party, namely Lalsangzuala and Zalawma were inducted into the Council of Ministers, the former as a Cabinet Minister, the latter as Deputy Minister in the Ministry of Ch. Chhunga.¹⁷ The Congress Party which contested the general election to the Second

14. Ibid., 17 September 1974, p. 12.

15. See Table 1.1.

16. Chief Electoral Officer, Mizoram, 1982 Bye-Election to Mizoram Legislative Assembly (Statistical Data), Aizawl, 1982, p.3.

17. For details see, V.Venkata Rao, H. Thansanga, Niru Hazarika, A Century of Government and Politics in North-East India, Vol. III, Mizoram, N. Delhi, S. Chand and Company Ltd., 1987, p. 93.

Assembly in 1978 could get only four seats, though it secured 21.97 per cent of valid votes which was 8.98 less than what it had got in the 1972 election.¹⁸ It appears that the merger did not, in any way, help the Congress in getting more votes in the second general election. In the third general election to the Assembly held on 24 and 27 April 1979, the Congress could get only 5 seats but it got 23.88 per cent of total valid votes. The Congress Party¹⁹ increased its percentage of votes from 13.33 in 1978 to 23.88 in 1979, it could win only one additional seat in the third general election.

The Mizo Labour Party which was established in 1921²⁰ contested 21 seats in the first general election, but could not get any seat, though it polled 13.68 per cent of valid votes. It merged with the Congress on 16 September 1972.

18. See Table 1.1.

19. The Mizoram Congress Party contested the 1978 election in the name of Mizoram Congress with a regional symbol of Sparrow as it found its link with the Central leadership ambivalent following a split in the organisation. Later it gained Mrs. Gandhi's Congress I and contested the 1979 election on Congress I ticket. P.K. Bandopadhyay, "Election Scene in Mizoram, A Note" in Electoral Politics in North East India, P.S. Dutta (ed), N. Delhi, Omsons Publications, 1986, p. 172.

20. In protest against the acceptance of Union Territory for Mizoram by the Mizo Union in 1971, some Youth leaders of the Mizo Union, broke away from the party and formed a new political party called Mizo Labour Party on 13 December 1971. Chaltuahkhuma, Political History of Mizoram, (1920-1980), Aizawl, R.D. Press, 1981, p. 112.

The Socialist Party a branch of the Social Party of India, established on 3 November 1971, contested 18 seats in the 1972 Assembly election but it drew a blank and secured only 1.53 per cent of valid votes.²¹ The Socialist Party also merged with the Congress on 16 September 1972.

Another group in the Assembly was that of the Independents. In the first general election held in 1972, 56 Independents contested but only three won though they secured 18.25 per cent of the valid votes. In the second general election in 1978, 41 Independents contested the election but again only three of them were returned, though they secured 16.54 per cent of valid votes. In the third general election held in 1979, however, 12 Independent candidates contested the election, but only one was elected and they secured 8.06 per cent of total valid votes.²²

The Peoples Party which was formed on 11 December 1974 changed its name to Mizo Democratic Front in 1976. It contested 16 seats and drew a blank, though it secured 1.52 per cent of total valid votes in the 1978 election. It contested four seats in the third general election in 1979, but it did not get any seat. It secured a meagre 0.56 per cent of valid votes.²³ In April 1982, it merged itself with the

21. See Table 1.1.

22. Ibid.

23. Ibid.

Mizo Convention. According to V. Venkata Rao, et al, "the weakness of the Party was its ineffective leadership."²⁴

Peoples Conferences formed on 16 April 1975 and led by Brig. T. Sailo contested 28 seats in the second general election of 1978 and bagged 22 seats despite the fact that it had secured only 37.48 per cent of valid votes polled.²⁵ It contested 27 seats in the third general election held in 1979 and won only 18 seats though it had secured 32.67 per cent of valid votes.²⁶

The Mizoram Janata Party which was established in 1977 contested 28 seats in the 1978 general election and got only one seat, but it got 15.51 per cent of the valid votes. It increased its strength to two and secured 13.09 per cent of valid votes polled in 1979 election.²⁷

The People's Conference 'B' which emerged as a result of the split in the parent party in October 1978, contested 23 seats in the 1979 election and won four seats. It secured 13.59 per cent of valid votes.²⁸ On 3 April 1982, it joined the Mizo Convention.

24. V. Venkata Rao, et. al., Op.cit., p. 154.

25. Brig. T.Sailo's charismatic leadership and his policy of bringing peace to Mizoram appears to be the main reasons for his party getting an absolute majority in the 1978 as well as 1979 elections.

26. See Table 1.1.

27. Ibid.

28. Ibid.

The People's Conference 'B', the Mizoram Janata Party and the Mizo Democratic Front dissolved themselves and formed a new political party called the Mizo Convention on 3 April 1982. It contested the 1982 bye-election to four Assembly constituencies, but failed to win any seat. When the Mizo National Front came overground in June 1986, the Mizo Convention merged into it.

Mizoram could have a stable government in the first three Assemblies mainly because one party was able to win an absolute majority in the general election. . In all the three Assemblies the ruling party secured about one-third of the valid votes polled being 35.61 in 1972, 37.48 in 1978 and 32.67 in 1979. Thus, the government from 1972 to 1984 got the support of a little more than one-third of the people of Mizoram.

An interesting feature of table 1.1 is that though the Congress party secured in 1972, 30.92 per cent of valid votes polled and got only six seats; in 1978 it secured 21.94 per cent of valid votes, and got only four seats and in 1979 it secured 23.88 per cent of valid votes and won five seats.

It may be noted that in all the three general elections total votes polled were 72.55 per cent in 1972, 63.96 per cent in 1978 and 68.22 per cent in 1979.²⁹ This indicates

29. See Table 1.2.

that the political participation of the people is high in Mizoram. This may be due to the fact that nearly 60 per cent of people are literate. It is also an indication of the fact that democracy has taken deep roots in Mizoram even in its early phase.

During the period under study only one woman was elected. Mrs. L. Thanmawii of the People's Conference was the first woman to win an election in Mizoram. She was elected from Serchhip Constituency in 1978 and from Aizawl East in 1979.

1982 Bye-Election to Mizoram Legislative Assembly

The peace talks between the Government of India and Laldenga, the Mizo National Front President, which had been going on since 1976, could not make much progress and violence continued in Mizoram.³⁰ In 1981, Laldenga made a call to the MLAs of Mizoram to resign their membership en-block in order to strengthen his hands in his negotiation with the Centre.³¹ In response to this call all the four MLAs of the People's Conference 'B' resigned their membership of the House in

30. "Mizo quest for Peace" The Statesman, 31 March 1980. See also, "Sailo's terms for Laldenga's Return", in Amrita Bazar Patrika, 11 April 1980.

31. J. Thanghuama, Politics Thudik Laihlanna (in Mizo), Aizawl, V.L. Chhuanga, 1983, p. 7.

August 1981.³² To fill up the resulting vacancies in the Assembly, bye-elections were held on 19 May 1982 in the North Vanlaiphai, Sialsuk, Khawhai and Phuldungsei constituencies in Aizawl District. The Steering Committee, a political alliance, which was formed on 4 August 1979 by all the Opposition parties of Mizoram, disintegrated when the Mizoram Congress I left it as the latter did not like to withdraw its members from the Assembly.³³ Consequently on 3 April 1982, a new political party called the Mizo Convention (MC) was formed consisting of the Janata Party, the People's Conference 'B', the Mizo Democratic Front and some leaders of the Mizo Union.³⁴

The total votes polled in the four constituencies came to be 63.51 per cent of the electorate and the ruling People's Conference and its ally the Mizo Union captured all the four seats. As a result of the bye-elections, the People's Conference increased its strength in the House from 19 to 22. The newly elected member of the Mizo Union ticket also supported the People's Conference Legislature Party in the House.

32. Two MLAs resigned on 12 August 1981, one MLA resigned on 13 August 1981 and one MLA resigned on 25 August 1981. See, Animash Ray, Mizoram: Dynamics of Change, Calcutta, Pearl Publishing House, 1982, p. 261.

33. V. Venkata Rao, et. al, op.cit., p. 121.

34. Chaltuahkhuma, History of Mizoram (in Mizo), Aizawl, 1987, p. 379.

Table 1.3: Constituency-wise number and percentage of votes polled by political parties in the 1982 bye-elections to the Mizoram Legislative Assembly.

Political Parties	North Vanlai-phai	Khawhai	Phuldung-sei	Sateek	Total valid votes
	V.V.	V.V.	V.V.	V.V.	
	3,555	3,899	4,097	4,059	15,610
P. C.	1,924 54.12%	1,770 45.39%	1,885 46.00%	-	5,579
Cong. I	950 26.72%	1,387 35.34%	1,677 40.93%	1,251 30.82%	5,256
M.C.	681 19.15%	751 19.26%	487 11.83%	1,261 31.06%	3,180
M.U.	-	-	-	1,504 37.05%	1,504
M.D.F.	-	-	48 1.17%	43 1.05%	91

- Note: 1. The percentage of valid votes polled is 63.51.
 2. V.V. indicates total valid votes.
 3. P.C. and M.U. formed electoral alliance in which P.C. supported M.U. in Sateek Constituency and M.U. supported P.C. in the rest of the three constituencies.

Source: Chief Electoral Officer, Mizoram, 1982 Bye-Election to Mizoram Legislative Assembly, (Statistical Data), Aizawl, 1982, p. 5.

1983 Bye-Election to the Legislative Assembly for Phuldungsei Constituency

The bye-election to Phuldungsei Constituency was necessitated on account of the killing of the newly elected member. R. Zadinga of the People's Conference Party in the bye-election held in 1982, presumably by some persons belonging to the M.N.F. on 14 June 1982.

Table 1.4: Number and Percentage of valid votes polled by political parties in 1983 bye-election in 22 Phuldungsei Assembly Constituency

Total valid votes cast by the electorate - 4,128.
Percentage of votes polled - 55.19%

Political Parties	No. of valid votes secured by Political Parties	Percentage
Congress I	1928	46.70
P.C.	1608	38.95
M.C.	544	13.17
M.U.	48	1.16

Source: Chief Electoral Officer, Mizoram, 1983 Bye-Election to Mizoram Legislative Assembly (Statistical Data), Aizawl, 1983, p. 5.

In the bye-election held on 8 April 1983, 55.19 per cent of the electorate exercised their franchise. Liansuama of the Mizoram Congress Committee I won the election by getting 46.70 per cent of the valid votes as against the ruling People's Conference Party which got 38.95 per cent

of votes.³⁵ The P.C. was defeated probably due to the absence of active campaign by the party as it feared further violence. With the defeat of its party candidate, the strength of the party was reduced to 22 and that of the Congress I increased to 8.

Organisation of the Assembly

The organisation of the Assembly includes the Speaker, Deputy Speaker, panel of Chairman, Committee and the ordinary Members. The Speaker is elected by the Assembly in its first meeting³⁶ then the Deputy Speaker is elected.³⁷ The Speaker nominates the Panel of Chairman to provide in his and Deputy Speaker's absence. The Member though is the lowest unit, is the most important one.

The Member

The way in which legislators discharge their responsibilities has a far reaching effect on the future of democracy. A legislator has deliberative, electoral and legislative obligation.³⁸ Bal Ram Jakhar, the Speaker of the Lok Sabha rightly observes:

35. See Table 1.4.

36. M.L.A.S. Rules of Procedure, Rule 7 (1), p. 5.

37. Ibid., Rule 8(1), p. 6.

38. Herman Finer, Theory and Practice of Modern Government, London, Mathuen & Co. Ltd., 1956, p. 386.

"A legislator in our day is at once several persons in one, a representative of his constituency, a member of the Legislature, sometimes a Minister, a party man and often a member or spokesman of particular interests in community."³⁹

He shoulders heavy responsibilities for he owes loyalty to the people of his constituency and to his party.

Every legislature has a diversified composition. Members differ in their age group, educational qualifications, economic status and legislative experiences. The way legislature works depends on the quality of the members comprising it. Keeping this object in view, the Legislative Assembly of the Union Territory of Mizoram has been discussed here.

Membership Pattern

As for other State Assemblies in India, the minimum age laid down for the membership of the Mizoram Assembly is 25 years.

39. Bal Ram Jakhar, People Parliament Administration, New Delhi, Metropolitan Book Co., 1982, p. 65.

Table 1.5: The Age Group of Members

Age Group	1972		1978		1979	
	No. of persons	P. C.	No. of persons	P. C.	No. of persons	P. C.
25 - 35	14	46.66	8	26.67	11	31.42
36 - 45	9	30.00	14	46.66	17	48.57
46 - 60	7	23.33	8	26.67	7	20.00
61 and above	-	-	-	-	-	-
Total	30	100.00	30	100.00	35	100.00

Source: (1) Mizoram Legislative Assembly Secretariat, Who's Who; Mizoram Legislative Assembly (1972-1977), Aizawl, 1976.

(2) Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Who's Who (1979-1983), Aizawl, 1984.

(3) Author's interview with the members during 1984.

The table 1.5 shows that the largest group in the first Assembly is from the age group of 25-35. The age group, 36-45, in the first Assembly was 30 per cent. It increased to 46.60 per cent in 1978 and this group remained dominant in the second and the third Assemblies. The age group 46-60 which comprised 23.33 per cent of the members in the first Assembly increased to 26.67 in 1978, but declined in 1979. The two Chief Ministers Gh. Chhunga and Brig. T. Sailo belonged to this category. No member who belonged to the age group of 61 and above was elected to any of the Assemblies. People in Mizoram in 1978 and 1979 elected the people

belonging to the age group of 36-45 probably because this age group provides the golden mean. It is a stage in life where a person has already overcome the lack of experience characteristic of youth and is not yet a victim of senility.

Legislators are elected to represent their constituencies. It is hoped that a person contests the election from a constituency he knows well. As a representative of the people, an M.L.A. is supposed to understand the feelings and aspirations of the people he represents. Such relationship between the people and their representatives is also important for the successful working of parliamentary democracy. A legislator is the mouthpiece of his constituency, the spokesman of those who have elected him. Keeping this role of the legislator in relation to his constituency in mind, it is necessary to look into his educational qualifications, occupational leanings and representative experiences as a member's capacity to discharge his representative duties depends upon all these factors. R.K. Bhandwaj observes:

"The success of any parliamentary institution depends upon the quality of the legislators who play vital role in determining policies and programmes of the party in power Adequately educated members possess the quality of confidence, courage, initiative, drive and understanding and proved better leaders than semi literate or illetrate persons."⁴⁰

40. R.K. Bhandwaj, Parliamentary Democracy and Legislators, New Delhi, National Publishing House, 1983, p. 86.

Table 1.6: Educational Qualifications of Members in the three Legislative Assemblies of Mizoram (1972-1984).

Qualifications	1972		1978		1979	
	No. of Member	P.C.	No. of Member	P.C.	No. of Member	P.C.
Under Matric	9	30	4	13.33	4	11.42
Matriculate	3	10	2	6.67	4	11.42
Post Matric	1	3.33	4	13.33	5	14.22
Graduate	14	46.66	12	40.00	13	37.14
Post Graduate	3	10	7	23.33	8	22.85
Doctorate	-	-	1	3.33	1	2.85
Total	30	100	30	100	35	100

Note: Members who got B.T., B.Ed. or LL.B, and Master's Degree were put under Post Graduate group.

Source: 1. Mizoram Legislative Assembly Secretariat, Mizoram Assembly Who's Who, 1976 and 1984, Aizawl.

As shown in Table 1.6 graduates are the largest group in all the three Assemblies, being 46.60 per cent in 1972, 40 per cent in 1978 and 37.14 per cent in 1979. The second largest group consisted of postgraduates whose member was 10 per cent in 1972, 23.33 in 1978 and 22.85 in 1979. The members who had not passed matric examination constituted the second largest group in the first Assembly but it was reduced significantly in the second and third Assemblies. Matriculates occupied the fourth position on the numerical scale in the second and third Assemblies. There have never been an

illiterate person in any of the three Assemblies. It clearly suggests that the electorate in Mizoram have consistently preferred educated people to represent them in the Assembly.

Table 1.7: The Occupation of the Members in the three Assemblies

Occupation	1972		1978		1979	
	No. of Members	P.C.	No. of Members	P.C.	No. of Members	P.C.
Government Servants	8	26.66	7	23.33	16	45.71
Teaching	9	30.00	11	36.67	9	25.71
Business	7	23.33	7	23.33	5	14.28
Agriculture	1	3.33	2	6.67	1	2.87
Military	3	10.00	2	6.67	1	2.87
Social Worker	2	6.66	-	-	1	2.87
Unspecified	-	-	1	3.33	2	5.71
Total	30	100	30	100.00	35	100

- Source: 1. Mizoram Legislative Assembly Secretariat, Who's Who Mizoram Legislative Assembly (1972-1977), Aizawl, 1976.
2. Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Who's Who (1979-1983), Aizawl, 1984, and also the author's personal contact with the members.

Note: There have been difficulties in the Specification of Members' occupation in Mizoram as people have been engaged in more than one occupation at a time. Some businessmen, besides their business are agriculturists as well. Some teachers are Journalists as well as Social Workers. On such cases the occupation in which he is more active engaged is taken as his occupation.

Members of the Mizoram Assembly have been drawn from various occupations. Table 1.7 classifies members according to their occupations.⁴¹ From the table 1.7 it is clear that teachers represent the largest group in the first and the second Assemblies though their percentage decreased a little in the third Assembly. The members from this group occupied most important places in the House in the first government of the Union Territory of Mizoram. R. Thangliana was the Finance Minister, Vaivenga was the Education Minister and later became the Speaker, Ch. Saprawnga was the Agriculture Minister and Hiphel was the first Deputy Speaker. Saitlawma and Lalhlira who took a leading part in the debates of the House belonged to this group. The Opposition leader in the first Assembly, R. Dotinaia, also belonged to this group. During the second and the third Assemblies also, the members from this group occupied important positions in the House. Lalhmingthanga, a former High School Headmaster and F. Malsawma, a former College Lecturer, were Cabinet Ministers in the second and third Assemblies. The most active member of the Opposition in the second and third Assemblies, C.L. Ruala

41. The term business includes Shopkeepers, Suppliers and Contractors. Military means people who retired or resigned from the military service. Government servants mean those people who retired or resigned from Civil services. Social workers include all those who actively participated in voluntary organisations. The member who did not belong to any of the above group was termed unspecified.

was from this group. The Speaker of the third Assembly, K. Chawngliana, also belonged to this group.

Government servants occupied the second position in the first two Assemblies and the first position in the third Assembly, being 26.60 per cent, 23.33 per cent and 45.71 per cent in the first, second and third Assemblies respectively.⁴² The first Speaker of the Assembly, H. Thansanga and Khawtin-khuma, Finance Minister in the first Assembly belonged to this group. The Opposition leader of the second and third Assemblies, Lalthanhawla, was also a former government servant. Zairemthanga, Minister of Supply in the second and third Assemblies was from this occupational group.

Business group took the third place in the three Assemblies being 23.33, 23.33 and 14.28 per cent in the first, second and third Assemblies respectively.⁴³ There were two Deputy Ministers from this group in the first Assembly and one Minister each in the second and third Assemblies. Members from Defence Services occupied the fourth place in all the three Assemblies, they were only three in the first, two in the second and one in the third Assemblies. But they occupied important positions in the Assemblies and in the Governments. In the first Assembly, Lalsangzuala, who belonged to this

42. See Table 1.7.

43. Ibid.

group, was a Cabinet Minister. J. Thanghuama, who was the leader of the Opposition, in the beginning of the first Assembly and later the Chairman of the Public Accounts Committee in the Assembly was from this group. Brig. T. Sailo and Thangridema, the Chief Minister during the second and third Assemblies and the Speaker in the second Assembly respectively were from this group. There were only two social workers in the first, and one in the third Assemblies. It is also interesting to note that there was only one agriculturist in the first, two in the second and one in the third Assemblies,⁴⁴ though as per the 1981 Census⁴⁵ 70.63 per cent of the people of Mizoram belonged to this group. This is in contrast to most of the State Assemblies in India where agriculturists form an important segment of the Assembly.

The traditions of healthy democracy are served well, if a member of a legislature uses his experience to his credit. The skill in law-making can be acquired through membership of the local bodies and assemblies. To be an effective legislator one has to know the procedures and the actual practices of legislative institutions.⁴⁶

44. Ibid.

45. Census of India 1981, Series 3 - Mizoram, General Economic Tables and Social and Cultural Tables, pp. 32-42.

46. C.M. Jain, State Legislatures in India - The Rajasthan Legislative Assembly: A Comparative Study, New Delhi, S. Chand & Co. (Pvt) Ltd., 1972, p. 150.

Table 1.8: Members' Experience of Local Bodies and Assemblies

Mode of Membership	1972		1978		1979	
	No. of Members	P. C.	No. of Members	P. C.	No. of Members	P. C.
Mizo District Council	10	33.33	1	3.33	1	2.85
P.L. Regional Council	3	10	1	3.33	-	-
Pawi District Council	-	-	-	-	-	-
Lakher District Council	-	-	-	-	1	2.85
Chakma District Council	-	-	-	-	1	2.85
1st Mizoram Assembly	-	-	4	13.34	1	2.85
2nd Mizoram Assembly	-	-	-	-	20	57.14
Fresh Members	17	56.66	24	80	11	31.42
Total	30	100	30	100	35	100

Note: Number of members increased in the third Assembly due to 1982 and 1983 bye-elections.

- Source: 1. Mizoram Assembly Secretariat, Who's Who Mizoram Legislative Assembly (1972-1977), Aizawl, 1976.
2. Mizoram Assembly Secretariat, Mizoram Legislative Assembly, Who's Who (1979-1983), Aizawl, 1984.

Table 1.8 shows the experience of legislators in local bodies and in the first three Assemblies in the Union Territory of Mizoram. Before 1972, there were two local bodies in Mizoram, the Mizo District Council and Pawi-Lakher Regional Council. There were no Panchayati Raj institutions in the erstwhile Mizo District. Therefore, there were only opportunities to get legislative experience from the Mizo District Council and the Regional Council of Mizoram till 1972. However, one could become a member of the Assam Legislative Assembly or a member of Parliament. Among the members in the first Assembly of the Union Territory of Mizoram, Ch. Saprawnga and Ch. Chhunga were members who had experiences in the Rajya Sabha and Assam Legislative Assembly respectively. Ch. Saprawnga was a member of Rajya Sabha in 1950 and a member of Assam Legislative Assembly during 1952-54, Ch. Chhunga was a member of Assam Assembly in 1959 and again elected in 1962 to the Assam Assembly,⁴⁷ and both of them were members of the erstwhile Mizo District Council. After Mizoram became a Union Territory, Pawi-Lakher Regional Council was abolished and three Autonomous District Councils,

47. Chaltuankhuma, op.cit., p. 289.

Pawi Autonomous District Council, Lakher Autonomous District Council and Chakma Autonomous District Council came into being.⁴⁸

As shown in table 1.8, 17 members of the first Mizoram Assembly did not have any experience of the legislative assembly or local bodies, but ten members had experience of Mizo District Councils and three members had experience of the Pawi-Lakher Regional Council. The ratio between the experienced and non-experienced members in the first Assembly was 13:17. During the second Assembly, only six members had previous legislative experience and 24 members were new entrants. Most of the members elected on the People's Conference tickets did not have any previous experience in any of the legislative bodies. Only four members of the first Assembly were re-elected in the second Assembly. Thus, the percentage of experienced members in the second Assembly was only 20. But in the third Assembly the number of experienced members increased to 24. The number of experienced members increased in the third Assembly because most of the People's Conference Party members of the Assembly in the Second Assembly were re-elected in the third general election in 1979. Only 11 new members were elected in the third Assembly. In the first Ministry, five Cabinet Ministers,

48. Government of Mizoram, The Mizoram Gazette, Part II, Aizawl, 5 May 1972, p. 17.

including the Chief Minister had previous legislative experience while three Ministers had no previous legislative experience. In the third Assembly all the Ministers in the Brig. T. Sailo Ministry were experienced hands. Most members of the Opposition were experienced people and it was only natural that they distinguished themselves as the most vocal members of the first two Assemblies. The Opposition leader in the first two years of the first Assembly, J. Thangluama was a former Chairman of the erstwhile Mizo District Council and Zalawma, an influential member of the Opposition was a former Chief Executive Member of the erstwhile Mizo District Council. In the second and third Assembly too, C.L. Ruala, the most active Opposition member, had had previous legislative experience at the Mizo District Council level.

Term

Like other State Legislatures, the term of the Mizoram Legislative Assembly is five years from the date of its first meeting convened after the general election.⁴⁹ The Assembly may be dissolved earlier or its period may be extended under emergency by the President of India by order for a period not exceeding six months after the proclamation has ceased to operate.⁵⁰ The first Legislative Assembly of

49. Chief Secretary, Government of Mizoram, Official Hand Book, Vol. I, Aizawl, 1973, p. 3.

50. U.T. Act as amended in 1971, Section 5, p. 3.

Mizoram was convened on 10 May 1972 and it continued till 9 May 1977. Mizoram was put under President's Rule for the first time with effect from 11 May 1977 which lasted 13 months.⁵¹ The Second Legislative Assembly came into existence on 21 June 1978 and continued till 11 November 1978. Mizoram was placed under President's Rule for the second time from 11 November 1978 to 25 May 1979. The third Legislative Assembly came into being on 25 May 1979 and its term ended on 24 May 1984.

Power Structure and Power Centre in the Assembly

On a Parliamentary Democracy, legislatures have the power to make laws and to control the executive. The Members, the parties, the leader of the ruling party and the Opposition, the Committees and the Speaker exercise the power of the legislature. The ruling party exercises real power. The Council of Ministers acts as the anchor-sheet of the government by which all major decisions are made. The Opposition functions as a check on the powers and prerogatives of the ruling party. The Opposition can often refrain the ruling party through such legislative process as motions, questions, counter-resolutions and walk-outs. An effective and well-organized Opposition can certainly influence decision making

51. Government of India, Notification No. S.O. 324(E) of 11 May 1977, Mizoram Gazette Extraordinary, Aizawl, 11 May 1977.

on the part of the government. Sometimes Opposition members vehemently criticise the government, which cripples the normal functioning of the House. Criticism, censure motions and walk-outs are some of the procedures by which the Opposition can remind the ruling party that it does not enjoy absolute power. Members can and do take part in discussions in the House and have the power to move bills and resolutions and ask questions. Other important power groups in the House are the various Committees constituted from time to time. The Committees in the House act as powerful devices for ensuring legislative supervision of functions of the various departments.⁵² Another important position in the power structure is that of the Speaker of the Assembly. He is elected by the Assembly from amongst its members. He enjoys enormous powers in the conduct of the business of the House. He is the guardian of the privileges of the House, its Committees and members. The legislature revolves around him for he acts as a guide to the House. The prestige and dignity of the House largely depend upon the attitude and behaviour of the Speaker in the conduct of business.⁵³

52. S.M. Sayeed, The Committee of U.P. Legislature, New Delhi, Indian Council of Social Science Research, 1973, p. 2.

53. D.C. Jain, Parliamentary Privileges under the Indian Constitution, New Delhi, Sterling Publishers, 1975, pp. 80-81.

In the study of the power structure, one has to look into the influence of extraneous factors like the electorate, the leaders of the parties outside the House and the Press.

In the first part of the first Assembly, the Mizo Union was in power and it merged with the Congress in January 1974. But Ch. Chhunga was the Chief Minister throughout the period of the first Assembly. In the second and third Assemblies Brig. T. Sailo of the People's Conference Party was in power. The Opposition was very vocal and active in all the three Assemblies. All the Speakers commanded respect of the members of the House and conducted the proceedings of the House in an impartial manner. Many of the public grievances voiced by the Press were promptly taken up by the Opposition in the House.

Independents form another group in the House. In the Union Territory of Mizoram Independent members⁵⁴ have been rather few, being 3 each in the first two Assemblies and only one in the third Assembly and so generally they have not had much influence in the House except in the second Assembly when there was a split in the ruling People's Conference Party when two Independent members supported the Opposition party and this resulted in the final dissolution of the

54. The Independent members usually joined a ruling party or the Opposition in the House soon after the House began to function and never kept separate identity for a full term of office in Mizoram Assembly.

House in November 1978. The Committees have grown in their influence in the House. This can be established by the fact that the report of no committee was ever put to vote and actions were always taken on the reports of the Committee by the concerned authority.

Assembly Secretariat

The State Legislatures in India have separate Secretariats which are independent of executive control. It is necessary to uphold the independence of the House and the dignity of the Speaker. The erstwhile Mizo District Council had a Legislative Department and separate staff which were under the direct control of the Chairman of the Mizo District Council. When Mizoram became a Union Territory the staff of the legislative department of the Mizo District Council was transferred to Mizoram Legislative Assembly in April 1972.⁵⁵ The Secretariat of the Council and the Council Hall were also transferred to the Mizoram Legislative Assembly. Members of the Ministerial Staff working under the District Council were absorbed in the Legislative Assembly Secretariat. The Assembly Secretariat is headed by a Secretary who discharges various administrative functions of the Assembly. He is an adviser to the House, the Speaker, the Deputy Speaker, various

55. Government of Mizoram, Notification No. LJD. 8/72/42 dated Aizawl, the 29th April 1972.

Committees of the House and to individual members. He is assisted by a Deputy Secretary. During our period out of the six Secretaries, two came on deputation from the Lok Sabha Secretariat, three from the Assam Civil Service and one from the Assam Legislative Assembly Secretariat. The total strength of the Assembly Secretariat was 81 in 1984.⁵⁶

The Assembly Secretariat is organised into four sections, namely Establishment Section, Legislative Section, Committee Section and Library Section. The establishment section is one of the most important section in the Assembly Secretariat. It is primarily concerned with the general administration of the Secretariat. It deals with the maintenance of accounts, payment and purchases of materials used in the Assembly. It also recruits the staff of the Secretariat and is responsible for the distribution of works among them. In 1984, there were 10 people in this section, one Superintendent, three Assistants, three U.D.Cs and four Grade IV employees.⁵⁷

The primary function of the Legislative Section is to deal with all matters relating to legislative proceedings.

56. Compiled from the materials provided to the author by the officials of the Establishment Section, Mizoram Legislative Assembly Secretariat, Aizawl on 20 April 1984.

57. Ibid.

It is concerned with the issuing of cards to visitors, maintenance of Galleries of the Assembly building and compilation, editing and printing of the Assembly proceedings. This Section compiles the questions, resolutions and motions of the Assembly and sends copies of resolutions passed by the Assembly to the concerned departments of the government. It also deals with the bills, amendments, budget, vote or accounts and cut motions. Another important function of this Section is to look after matters relating to the summoning of the Assembly, roll of members and lists of business on each day. It publishes the session-wise brief reviews. At the end of the year 1984, the Legislative Section consisted of one Superintendent, two Assistants, two U.D.Cs., three Translators, five L.D.Cs., one tape Recordist, and five Grade IV employees.⁵⁸

The Committee Section consists of one Under Secretary, two Committee Officers, one Superintendent, one Assistant, two U.D.Cs, one L.D.C. and three Grade IV employees. The main function of the Committee Section is to deal with matters relating to the various Committee of the Assembly. It is concerned with the calling of the meetings of the Committees and making arrangement for on the spot studies. Further, It also deals with the publication of reports and

58. Ibid.

distribution of reports to all concerned. It looks after the needs of all the 12 Committees of the House and so it is always overburdened with work.⁵⁹

The Legislative Assembly has a separate Library Section. It is concerned with the maintenance of Library books, press clippings and other related matters. A Librarian is incharge of this section. More space is necessary for the proper functioning of this Section.

The Mizoram Assembly Secretariat needs to have a question Section to deal with Assembly questions, resolutions and motions for half-an-hour discussion. The strength of the staff of the Committee Section need to be increased as this Section is over-burdened. The Assembly needs more vehicles so that Public Accounts Committee and Estimate Committee need not requisite vehicles from government departments when they have to go out of Aizawl to examine the functioning of the government departments far away from Aizawl. Mizoram Assembly Secretariat need a separate reporting and editing section to look after compilation, editing and printing of Assembly debates.

59. Information is collected from the Officials of the Committee Section, Mizoram Legislative Assembly Secretariat, Aizawl, on 20 April 1984.

CHAPTER - III

MIZORAM ASSEMBLY AT WORK:

RULES OF PROCEDURES AND COMMITTEE SYSTEM

MIZORAM ASSEMBLY AT WORK:
RULES OF PROCEDURES AND COMMITTEE SYSTEM

Under a parliamentary form of government legislatures have to work in accordance with the provisions of the constitution of the country, a legislative Assembly frames its own rules of procedure for the conduct of its business; the members of the Legislature have to follow parliamentary norms and etiquette. The Mizoram Legislative Assembly which came into existence as a result of the passing of the Government of Union Territories Act 1963 (as amended by the North Eastern Areas Reorganisation Act, 1971 and Government of Union Territories Amendment Act, 1971) has to follow the provisions of the Constitution of India, the Government of India Act which created it.

Sessions and Sittings of the Assembly

The term of the Legislative Assembly of the Union Territory of Mizoram is five years¹ and the Lieutenant Governor of Mizoram summons, prorogues and dissolves the Assembly, but it should meet at least once in six months.²

1. U.T. Act as amended in 1971, Section 6, p. 3.

2. Ibid.

Table 2.1: The Dates of Commencement and Termination of the Sessions of the Mizoram Assembly (1972-1984)

Year	Date of Commencement	Date of Termination	Total Sessions	No. of days Assembly meet
<u>First Assembly</u>				
1972	10.5.1972	12.5.1972	2	3
	20.10.1972	1.11.1972		9
1973	15.3.1973	30.3.1973	2	10
	25.9.1973	10.10.1973		9
1974	10.3.1974	2.4.1974	2	11
	17.9.1974	14.10.1974		11
1975	11.3.1975	1.4.1975	3	11
	23.9.1975	3.10.1975		6
	7.11.1975	7.11.1975		1
1976	15.3.1976	30.3.1976	3	11
	21.9.1976	29.9.1976		7
	11.11.1976	15.11.1976		3
1977	22.3.1977	30.3.1977	1	7
Total			13	99
<u>Second Assembly</u>				
1978	21.6.1978	4.7.1978	1	8
<u>Third Assembly</u>				
1979	25.5.1979	30.5.1979	2	3
	17.8.1979	24.8.1979		6
1980	22.2.1980	29.2.1980	3	6
	24.3.1980	31.3.1980		7
	8.9.1980	12.9.1980		5
1981	5.3.1981	27.3.1981	2	13
	22.9.1981	1.10.1981		6

Year	Date of Commencement	Date of Termination	Total Sessions	No. of days Assembly meet
1982	11.3.1982	26.3.1982	3	11
	26.5.1982	31.5.1982		3
	19.10.1982	25.10.1982		5
1983	16.3.1983	28.3.1983	3	9
	8.9.1983	13.9.1983		4
	5.12.1983	5.12.1983		1
1984	14.3.1984	21.3.1984	1	6
Total			14	85

Source: Compiled from Mizoram Legislative Assembly Proceedings (1972-1984).

There were altogether 28 sessions of the first three Assemblies during the period under study i.e., from May 1972 to March 1984, 13 Sessions in the first Assembly, one Session in the second Assembly and 14 sessions in the third. There were altogether 192 Sessions i.e. on an average the Assembly met 16 days in a year. The Assembly met from 10 A.M. to 1 P.M. and from 2 P.M. to 4 P.M. on all week days except on Saturdays and Sundays; though the Speaker could extend the hour of sittings or adjourn the House earlier. In the first three Assemblies sittings were rarely held beyond the allotted time or the House was rarely adjourned earlier than the scheduled time. When a no-confidence motion against Brig. T. Sailo's Ministry was discussed on 29 September 1981,

the sitting was adjourned only at 12.45 P.M.³ Usually the Assembly sessions were held during the months of March and May to discuss the budget and in the months of August, September and October to transact other business. The maximum number of session in a year was three and the minimum was one.⁴

Code and Norms of Conduct to be observed by the Members

Parliamentary procedures have developed certain codes of conduct and norms of behaviour to be observed by every member of a legislature.

A legislator has to attend regularly the sittings of the House and its committees. The House has a Roll Register which is to be signed by every member every day before taking his seat. The attendance of the members of the three Assemblies in Mizoram was very satisfactory; only on 24 September 1976 and 27 March 1980, the sittings of the Assembly were adjourned due to lack of quorum⁵ and during the three Assemblies no member of the House absented himself from attending the sittings of the House for a period of more than

3. Mizoram L.A. Proceedings (in Mizo), 29 September 1981, p. 252.

4. In 1977, only one session of the House was held, because at the end of the session in May 1977 the House was dissolved which was followed by the imposition of President's rule in Mizoram.

5. Mizoram L.A. Proceedings, 24 September 1976, p. 42 and 27 March 1980, p. 38.

60 days at a stretch. Though the members were required to sign the Roll Register everyday when they came to the House to attend the session, most of the members of the three Assemblies did not always sign the Roll Register of the House before taking their seats. This did not create any serious problem mainly because the number of members in each Assembly was only 30. As the officials incharge of the Roll Register knew the members, they ticked the names of those members who came to the House on a particular day.⁶

The members should behave in conformity with the decorum and dignity of the House. Members of the Mizoram Legislative Assembly are required to follow parliamentary etiquette, i.e., they (i) should enter and leave the chamber with decorum, (ii) should not interrupt any member while he is speaking, (iii) should not make insinuations against fellow members and should avoid offensive and unparliamentary expressions, (iv) should avoid making running commentaries on speeches being made in the House, (v) should always address the chair, (vi) should not read out a written speech, (vii) should not speak unless he has caught the eye of the Speaker, (viii) should never cross the floor when the House

6. Interview with Siliana, Superintendent of Legislative Section, Mizoram Assembly Secretariat at Aizawl on 28 March 1984.

is sitting, (ix) should speak only from the seat usually occupied by him, and (x) should not keep standing at the same time as somebody else is speaking.⁷ However, it was found that during the period under study as many as 670 times the members interrupted in the House, 397 times in the first Assembly; twice in the Second Assembly and 271 times in the third.⁸ But only in 11 cases the Speaker of the three Assemblies ruled that unparliamentary expressions were used by the members in the House; six in the first Assembly, none in the second Assembly and five in the third.⁹ Walk-outs in the first, second and third Assemblies were two, one and five respectively.¹⁰ Generally, parliamentary etiquette was observed by the members of the three Assemblies.¹¹

7. Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Handbook for Members, Aizawl, 1974, pp. 11-15.

8. Compiled from the Mizoram Legislative Assembly Proceedings (1972-1984) by the author.

9. Ibid.

10. Ibid.

11. This remark is based on the author's observation of the proceedings of the Assemblies; he attended some of the sessions in the first Assembly and almost all the sessions of the second and third Assemblies.

Privileges and Immunities of the Assembly and its Members

In a parliamentary democracy legislators enjoy certain privileges and immunities and the members of the Mizoram Assembly are no exception to this rule. Their privileges and immunities are the same as those enjoyed by the members of the Indian Parliament and its Committees.¹² The Constitution of India specifies only two privileges of the legislatures, namely freedom of speech (including the right of publication of proceedings) and immunities in a Court of Law and leaves the legislatures themselves to define their privileges.¹³ According to Erskine May, the privileges of a Legislative Assembly fall broadly into two categories, (i) privilege that belong to a legislature collectively, and (ii) privileges of the individual members. Without the first it would not be possible for a legislature to maintain its independence of action or dignity of its position; without the second the members cannot freely discharge their duties or perform their functions.¹⁴ The privileges enjoyed by a legislature includes the right to publish proceedings, the right to exclude strangers, the right to regulate internal

12. U.T. Acts as amended in 1971, Section 15(3), p. 7.

13. The Constitution of India, Allahabad, Allahabad Law Agency, 1984, Article 194, pp. 56-57.
A.R. Mukherjea, Parliamentary Procedure in India, Bombay, Oxford University Press, 1958, p. 258.

14. Erskine May, Parliamentary Practice, London, Butterworth and Co. Ltd., 1957, pp. 67-85.

affairs and the right to punish members and outsiders for the breach of privileges.¹⁵ Above all, the foundation upon which the privileges stand is the maintenance of the dignity and independence of the House and of its members.¹⁶ In the Mizoram Legislative Assembly, a breach of privilege either of a member or of the House or of a Committee of the House can be brought to the notice of the House through a complaint by a member or by a petition or by a report from a Committee of the House. The House can take action even without a complaint if a breach of the privilege of the House is committed.¹⁷

There were two privilege motions in the first Assembly, none in the second but four in the third Assembly.¹⁸ On 27 March 1973, a local newspaper Hmar Arsi, wrote that the Speaker of the Mizoram Legislative Assembly did not fully understand the rules of the Assembly. On 29 March 1973, Saitlawma, a ruling party member forcefully argued for taking action against the newspaper, though the Opposition urged that the matter was too trivial to be taken notice of.

15. Ibid.

16. M.N. Kaul and S.L. Shakdher, Practice and Procedure of Parliament, Vol. I, New Delhi, Metropolitan Book Co., 1978-1979, p. 177.

17. M.L.A.S., Rules of Procedures, Rule 144, p. 56.

However, the Privilege Committee of the Assembly came to the conclusion that there was a prima facie case against the paper. When R.K. Pautu, the Editor of the paper, tendered an apology to the Committee, the Committee decided not to proceed further.¹⁹

A privilege motion was tabled by R. Zoliana, a ruling party member, on 17 September 1974 against Mizoram Police which arrested C. Lalruata, a member of the Assembly, for its failure to report the matter to the Speaker.²⁰ The motion was admitted and after a discussion in the House, the Speaker promised to get more information from the police and on 23rd September 1974, the Speaker informed the House that C. Lalruata was released after obtaining a personal bond from him and the Speaker decided to drop the matter.²¹

On 26 February 1980, the Opposition leader Lalthanhawla, tabled a Privilege Motion against People's Conference Party's Official daily paper Harhna which on 23 February 1980 accused the Opposition parties in the Assembly of conspiring to obstruct the Lt. Governor and the Speaker on the opening

19. Mizoram Legislative Assembly Secretariat, Report of the Committee in the Matter of Breach of Privileges by the Editor Hmar Arsi, First Report, Aizawl, 1973, p. 13. (Hereafter cited as M.L.A.S., Aizawl, Committee on privileges).

20. M.L.A.S., Rules of Procedure, Rule 164 states that when a member is arrested on a criminal charge the executive authority should immediately intimate to the Speaker about it.

21. Mizoram L.A. Proceedings, 23 September 1974, p. 30.

day of the session of the Assembly. The paper also accused the Opposition of having destructive plan. The Opposition leader observed that the report of the newspaper affected the dignity and privileges of the members of the House.²² The Privilege Committee of the House on 18 March 1982 warned that the editor should guard himself against printing or publishing any materials casting reflections on the members of the House. No further action was taken against the editor.²³

On 28 February 1980, a ruling People's Conference Party member, Saidenga, tabled a Privilege Motion against the editor of the Romei, a local Mizo daily. According to the member the Romei in its issue of 27 February 1980 reported what the Opposition member C.L. Ruala had said to the chair, "Come down and I will take your seat."²⁴ According to him, it had further stated that the ruling party members could not compete with the Opposition members in the knowledge of the House rules. When the matter was taken up by the Privilege Committee of the House, the editor of the paper tendered an apology to the Committee and stated that he had no intention to lower the prestige of the members or

22. Mizoram L.A. Proceedings, 26 February 1980, pp. 20-22.

23. M.L.A.S., Aizawl, Committee on Privileges, Second Report, 1982, p. 4.

24. The Romei, Aizawl, 27 February 1980.

of the Speaker. The Committee recommended to the House that no further action was necessary on the matter.²⁵

K. Biakchungnunga, a ruling party member, wanted the House to take action against the Mizoram Congress I as one of its pamphlets alleged that he had drawn Rs. 7,664.75 as TA/DA when he attended the meeting of the House Site Allotment Board in Aizawl on 25 May 1980 and 18 June 1980.²⁶ The Privilege Committee found that the figure shown in the pamphlet was wrong and issued a Show Cause Notice to the Congress Committee I.²⁷ When the Mizoram Congress I leaders tendered an apology for publishing wrong figures and published a corrigendum in all the local newspapers giving the correct figures, the matter was dropped by the Committee.²⁸

On 13 September 1983, five members of the ruling P.C. party tabled a joint Privilege Motion against the Deputy Commissioner of Aizawl who failed to arrange seats in order of precedence for members of Legislative Assembly to witness the Independence Day Celebrations in Aizawl. But

25. M.L.A.S., Aizawl, Committee on Privileges, First Report, 1981, p. 6.

26. The Mizoram Congress I, Corruption Kawngkhar Vengtu, (in Mizo), Aizawl, 1983, pp. 13-14.

27. M.L.A.S., Aizawl, Committee on Privilege, Third Report, 1984, p. 7.

28. Ibid., pp. 11-13.

the Privilege Motion was withdrawn when the Deputy Commissioner tendered an apology to the Speaker.²⁹

During debates in the House, Opposition members criticised all privilege motions tabled by the ruling party members as frivolous. Similarly, members of the ruling party described all privilege motions tabled by the Opposition as unnecessary and without any reasonable basis. It is important to note here that the attitude of the legislators to look even at privilege motions from their party point of view defeats the purpose for which the powers of privilege given to the House.

Calling Attention Motion to a Matter of Urgent Public Importance

Any member of the House can draw the attention of the House through a calling attention motion on matters of public importance and if permitted by the Speaker the Minister concerned is required to make a brief statement on that matter.³⁰

There were ten, none and eight notices of calling Attention Motion in the first, second and third Assemblies, respectively. Two notices in the first and one notice in the

29. Mizoram L.A. Proceedings, 13 September 1983, p. 244.

30. M.L.A.S., Rules of Procedure, Rule 59 and 60, p. 30.

third Assemblies were rejected by the Speaker. During the period under study, violence was caused by the Mizo National Front (MNF). The Government of Mizoram was obliged to deploy police force and the army to check violence and to exercise an effective control over the activities of the M.N.F. from 1966 onwards.³¹ Altogether there were six motions relating to violent incidents in Mizoram in the three Assemblies. On 27 March 1973, Saitlawma, a ruling party member moved a Calling Attention Motion relating to the torture of Thanghuaia, a villager from Lunglei District, by the security forces at Lunglei. The Chief Minister made a statement and assured the House that he would look into the matter and that appropriate action would be taken.³² On 30 March 1973, J. Thanghuama, the Opposition leader moved a Calling Attention Motion relating to alleged Military high-handedness and contended that Vanlalngala, a leading citizen of Mizoram and his three friends were wrongly detained by the army at Tuirial Jail. The Chief Minister shared the member's feeling and expressed his unhappiness over the matter.³³

31. Mizoram Towards Peace, New Delhi, Lancers Publishers (on behalf of the Directorate of Information, Public Relations and Tourism, Government of Mizoram, 1979, pp. 13-48.

32. Mizoram L.A. Proceedings, 27 March 1973, pp. 16-19.

33. Ibid., 30 March, 1973, pp. 21-25.

So in the first Assembly, the members brought to the attention of the Government through Calling Attention Motions the sufferings of some innocent people at the hands of the security forces.

On another occasion, on 11 October 1974, again Saitlawma, moved a Calling Attention Motion regarding the stopping and checking of the car of the Deputy Minister P.B. Nikhuma by an army Captain in Lunglei District. The statement made by the Minister Lalsangzuala was founded to be evasive and a Special Motion³⁴ was moved by Sapliana, a ruling party member, to discuss the statement made by the Minister. During the discussion on the Motion most members were critical of the high-handedness of the security forces and they insisted that action should be taken against the Captain.³⁵ The Chief Minister assured that he would look into the matter in right earnest.³⁶

During the third Assembly a Calling Attention Motion was moved by Joe Ngurdawla, a ruling party member on 28 March 1980, which wanted the government to take measures which would

34. Rule 135 provides that whenever any report or any matter of urgent public importance and of recent occurrence is brought before the House any member can move a motion for the discussion of that matter. Such motion will get precedence over other motions, M.L.A.S. Rules of Procedure Rules 135, p. 31.

35. Mizoram L.A. Proceedings, 11 October 1974, pp. 6-24.

36. Ibid., p. 24.

prevent the violent activities like the ambushing of the Border Road Task Force (DRTF) vehicle on 24 March 1980, the burning of the BRTF Camp on 20 March 1980 near Therzawl village, the murder of R.P. Dutta, a science teacher at Chhiahtlang on 20 March 1980 and the killing of another science teacher on 15 March 1980 at Kepran village.³⁷ The Chief Minister, Brig. T. Sailo stated that these violent incidents, as per information received by the government, were linked with Mizo National Front activities and that his government would take remedial measures.³⁸

The other issue which dominated the Calling Attention Motion³⁹ was the adequate and timely supply of rice to the Fair Price Shops all over Mizoram. This is one of the fittest grounds for Calling Attention Motions, because about 75 per cent of the rice consumed in Mizoram comes from other states of India and rice is the staple food of the Mizos and any delay in transit and the inefficiency on the part of

37. "Mizo Quest for Peace", The Statesman, 31 March 1980. Also see, "Concern at Mizo Rebel Activity", Indian Express, 8 April 1980 and "Radical Change of Tactics", Amrita Bazar Patrika, 8 April 1980.

38. The Statesman, 28 March 1980, pp. 10-12.

39. Three of the Calling Attention Motion in the first Assembly and two in the third related to supply of rice to Fair Price Shops.

the Supply Department of the Government of Mizoram would adversely affect the people of Mizoram.⁴⁰

The other issue relating to violence in Mizoram, is also an important issue greatly affecting the Mizo people. The members of the Mizoram Legislative Assembly have been perfectly justified in forcing the attention of the government on violence in the Union Territory through Calling Attention Motions.

Adjournment Motion

One notice of Adjournment Motion was received in the first Assembly, no such notice was received in the second Assembly and four notices were received in the third Assembly. Since all the adjournment motions were initiated by the Opposition, it is discussed in detail in Chapter VI.⁴¹

Questions

The House normally begins the day's business with question hour⁴² which lasts about an hour. A question may expose the misdeeds of the Government to the public. Asking questions in the House is one of the means of legislative

40. "Starvation Condition in Mizoram Areas", The Times of India, New Delhi, 4 April 1980. "Sailo's Appeal for More Grain", The Statesman, New Delhi, 11 April 1980, and "Blockade Starving Mizos", National Herald, New Delhi, 11 April 1980.

41. See Chapter VI, pp. 188-9.

42. M.L.A.S., Rules of Procedures, Rule 33, p. 17.

control on the executive.⁴³ Through questions in the legislature, the grievances of the people against the executive can be brought to the notice of the government.⁴⁴ Asking questions in a legislature is an important right of its member and is vital to the proper functioning of democracy. As rightly pointed out by D.N. Mishra, it is the hour by which a member renews daily his faith that "democracy is the government of the people, by the people and for the people."⁴⁵

Notice of question is to be given in writing to the Assembly Secretary. The notice should also mention the Ministry to which it is addressed and the nature of the question.⁴⁶ There are three types of questions, starred, unstarred and short notice question. Starred questions may be answered orally and unstarred questions should be answered in a written form; but not less than 15 days notice is to be given for the unstarred questions. For Short Notice Questions 15 days time need not be given and it may be answered orally.⁴⁷

43. D.N. Mishra, Legislatures and Indian Democracy, Delhi, Concept Publishing Company, 1978, p. 3.

44. Carl J. Friedrich, Constitutional Government and Democracy: Theory and Practice in Europe and America, New Delhi, Mohan Pramlani, Oxford and I.B. Publishing Co., 1974, (fourth edition), p. 359.

45. D.N. Mishra, op.cit., p. 3.

46. M.L.A.S., Rules of Procedures, Rule 35, p. 17.

47. Ibid., Rule, 34, 35 and 36, pp. 17-18.

During the period under study, although 1540 notices of Starred Questions were received from members, the Speaker admitted only 1364; of these, 1217 were answered in the House orally. 193 unstarred questions were received and the Speaker admitted 127. 43 Short Notice Questions were raised in the three Assemblies, out of which only 29 were admitted by the Speaker.⁴⁸

Table 2.2: Number of Questions asked in three Assemblies

Type of questions	Assembly			Total
	First	Second	Third	
No. of Sessions	13	1	14	28
Notice of Starred Questions	1,066	-	474	1,540
Admitted	944	-	420	1,364
Notice of Unstarred Questions	140	-	53	193
Admitted	127	-	51	178
Notice of Short Notice Questions	1	5	37	43
Admitted	1	4	24	29

Source: Compiled by the author from the Mizoram Legislative Assembly Proceedings (1972-1984) and from the Legislative Section, Mizoram Assembly Secretariat, Aizawl.

Notices of Starred Questions were 1066 in the first Assembly, but it was only 474 in the Second Assembly; the notices of Unstarred Questions in the first Assembly was 140

⁴⁸. Compiled from the Mizoram Legislative Assembly Proceedings (1972-1984).

whereas in the third Assembly it was reduced to 53. Contrary to this trend the number of Short Notice Question was only one in the first Assembly but it increased to 37 in the third. It is puzzling to note that the number of questions declined in the third Mizoram Assembly compared to the first Assembly. The former Finance Minister Lalhmingthanga told the author that generally the Opposition used the question hour in the House mainly to embarrass the Ministers. Since the Opposition in the third Assembly knew that it was not possible to do so any longer because the Ministers were relatively better informed about the functioning of their department.⁴⁹ The author was also told by C. Chawngkunga that the main reason was that whereas in the first Assembly the members of the ruling party itself used to ask too many questions to embarrass the government, in the third Assembly they did not do so because there was better discipline in the party.⁵⁰ The later's view was more acceptable than the former, because compared to the first Assembly the number of questions raised by the Opposition increased in the third Assembly whereas the total number of questions raised by the ruling party members decreased.⁵¹

49. Researcher's interview with Lalhmingthanga former Finance Minister at Aizawl on 20 February 1987.

50. Author's interview with C. Chawngkunga, former Deputy Speaker, at Aizawl on 20 February 1987.

51. For details see Chapter VI, pp. 184-5.

The question hour is generally used by the members to get information from the government on issues that affect the life of the people. For example, the question asked by a member of the Opposition relating to the quantity of rapeseed oil allotted by the government of India for Mizoram between 1 July 1980 and 30 June 1981 and the supplementary questions asked by him and other members revealed that 922 metric tonnes had been allotted to Mizoram and that two contractors had misappropriated a large quantity of rapeseed oil.⁵²

Supplementary Questions

Generally each supplementary question takes more time than the main question for several reasons. The member has to put in all the details. It is not just a simple thing printed on paper; the minister has to consider a number of things to be able to give a reply, it is not a mere reading of a prepared text, and both the member and the minister are likely to be less precise in formulating the draft of the questions and the reply respectively.⁵³ In the Mizoram Legislative Assembly, supplementary question time was always used by the Opposition to corner the minister. Many a time the weaknesses of the administrative machinery was exposed through supplementary questions.

52. Mizoram L.A. Proceedings, 29 September 1981, pp. 90-93.

53. D.N. Chester, et. al., Question in Parliament, Oxford, Clarendon Press, 1962, p. 551.

Table 2.3: Starred and Short Notice Questions followed by Supplementary Questions in three Assemblies (1972-1984).

Assembly	No. of Sessions	No. of Sittings	Starred and Short Notice questions admitted	Supplementary Questions
First	13	99	944	2,685
Second	1	8	4	22
Third	14	85	420	1,142
Total	28	192	1,368	3,749

Source: Compiled by the author from the Mizoram Legislative Assembly Proceedings (1972-1984)

On an average, three supplementary questions were asked for one main question in the first three Assemblies. The average of supplementary question asked in a day was 27 in the first Assembly, but it fell down to 14 in the third Assembly.⁵⁴ One of the youngest members of the Assembly, C. Lalruata asked 403 out of 2,685 supplementary questions.⁵⁵ Through the supplementary questions the members were able to wrest assurances from the ministers. Such assurances were generally given effect to by the government. The members took a good deal of interest in putting supplementary questions to ministers. The Speakers of all the three Assemblies found it hard to restrict the members from putting too many supplementary questions to ministers.

54. Compiled from the Mizoram Legislative Assembly Proceedings (1972-1984) by the author.

55. Ibid.

Questions Raised Relating to Different Departments

The question raised in the first three Assemblies related to almost all the areas of government activities.

Table 2.4: Questions Admitted in the Three Assemblies Relating to Different Departments

Sl. No.	Departments	1972-1977		1978		1979-1984		Total
		No.	P.C.	No.	P.C.	No.	P.C.	
1.	P.W.D.	179	16.70	-	-	56	11.31	235
2.	Education	138	12.87	-	-	60	12.10	198
3.	Supply and Transport	123	11.47	1	0.093	52	10.50	176
4.	Home/Police	80	7.46	-	-	44	8.89	124
5.	Agriculture	65	6.03	-	-	42	8.48	107
6.	Health	65	6.03	-	-	20	4.04	85
7.	General Admn.	64	6.00	-	-	18	3.63	82
8.	Local Administration	42	3.91	-	-	26	5.25	68
9.	Appointment	39	3.64	-	-	26	5.25	65
10.	Revenue	39	3.64	-	-	12	2.42	51
11.	Forest	37	3.40	-	-	10	2.02	47
12.	Industry	21	1.95	1	0.093	22	4.44	44
13.	Community Development	18	1.67	-	-	18	3.64	36
14.	Electricity	15	1.34	-	-	19	3.84	34
15.	Political	30	2.80	-	-	4	0.80	34
16.	Secretariat Administration	24	2.24	-	-	6	1.21	30
17.	Finance	14	1.31	-	-	15	3.03	29
18.	Co-operation	19	1.77	-	-	11	2.22	30
19.	Information	14	1.31	1	0.093	5	1.01	20
20.	Law & Judicial	9	0.84	-	-	5	1.01	14
21.	Employment	6	0.56	-	-	6	1.21	12
22.	Public Health	7	0.65	-	-	4	0.80	11

Sl. No.	Departments	1972-1977		1978		1979-1984		Total
		No.	P.C.	No.	P.C.	No.	P.C.	
23.	Soil Conservation	10	0.93	-	-	-	-	10
24.	Veterinary	2	0.18	-	-	7	1.41	9
25.	Parliamentary	5	0.47	-	-	1	0.20	6
26.	Planning	4	0.37	-	-	1	0.20	5
27.	Rehabilitation	1	0.093	1	0.093	2	0.40	4
28.	Social Welfare	-	-	-	-	2	0.40	2
29.	Excise	-	-	-	-	1	0.20	1
30.	Fishery	1	0.093	-	-	-	-	1
31.	Statistics	1	0.093	-	-	-	-	1
		1072		4		495		

Source: Compiled from (1) Mizoram Legislative Assembly Proceedings (1972-1984).
 (2) A Short Review of the Works Transacted during the Sessions (from 1972-1981) issued by Mizoram Assembly Secretariat.

The Table 2.4 shows the number of questions raised in the first three Assemblies as well as the percentage of questions relating to a particular department in the first and third Assemblies. During the first Mizoram Assembly the Public Works Department topped the lists with 179 questions out of a total of 1072 questions, being 16.70 percent and in the third Assembly it took the second position with 56 questions out of 495 questions, being 11.31 percent. During the first Assembly the Department of Education occupied the second position with 138 questions, but in the third Assembly it topped with 60 questions. The Supply and Transport Department occupied the third position in both the Assemblies.

The other departments which were the main focus of attention in the first and third Assemblies were Home, Agriculture and Health. Statistics, Fishery, Excise, Rehabilitation, Planning, Veterinary Departments attracted less than ten questions in the first and third Assemblies. This indicates that members were mostly concerned with development departments like P.W.D., Education, Supply and Transport, Agriculture and Health Departments and wanted that these departments should function with great efficiency so that Mizoram, one of the most economically backward areas in the country could catch up with the rest of India. The second important segment of government activity which matter to the members in the first and the third Assemblies appears to be the Home/Police Department as tranquility did not prevail in Mizoram during the period under study and the members of the Assembly were greatly concerned about the deterioration of law and order situation in Mizoram.

Half-an-Hour Discussion

A Half-an-Hour discussion could be held on a matter of public importance arising out of replies to questions given by the minister. A discussion can take place only with the permission of the Speaker.⁵⁶ A member wishing to raise a matter should give notice in writing to the Secretary of

56. M.L.A.S., Rules of Procedures, Rule 52(1), p. 26.

the Assembly three days in advance of the day on which he desires to raise the matter. Such a notice is also required to be accompanied by an explanatory note stating the reasons for raising a discussion on the matter and it is to be signed by another member.⁵⁷ The member who has given notice may make a short statement and the Minister concerned should give a short reply. **Three Half-an-Hour discussions were held in all in the first Assembly, but no such discussion was held in the second and third Assemblies.** The following table 2.5 gives the subject matter of discussion and other particulars about the Half-an-Hour discussion.

Table 2.5: Half-an-Hour Discussion in the Mizoram Assemblies (1972-1984) and the subject discussed.

Sl. No.	Session	Name of Member	Date of Discussion	Subject discussed
1.	4th Session 1973	Zalawma	1.10.73	Arising out of answer of unstarred question No.1 on 26.9.1973 regarding giving a house-site near the Power House at Electric Veng, Aizawl.
2.	6th Session 1974	Lalkunga	10.10.74	Regarding appointment of an Ex-Emergency Commission Officer to the post of Deputy Director, Community Development.
3.	7th Session 1975	Saplana	1.4.75	Arising out of answer to starred question No.32 of 19.3.1975 regarding Construction of Mizoram House at Silchar

Source: Mizoram Legislative Assembly Secretariat, Mizoram Legislative Assembly Proceedings, 1 October 1973, pp. 18-23; 10 October 1974, pp.14-18 and 1 April 1975, pp. 31-34.

57. Ibid., Rule 52(2), p. 26.

Short-Duration Discussion

A member desirous of introducing discussion on a matter of urgent public importance may give notice in writing for a Short-Duration Discussion to the Secretary specifying clearly the matter to be raised.⁵⁸

In the first Assembly of Mizoram, only one motion for Short-Duration Discussion was raised. K.L. Rochama, a member from the ruling party initiated a discussion on widespread damage to crops by rats in southern part of Mizoram. Several members took part in the discussion and the Agriculture Minister, R. Thangliana informed the House that the Agriculture Department had done its best to wipe out rats and its officials had visited different areas affected with insecticides.⁵⁹ Though six Short-Duration Motions were raised in the third Assembly, one motion was ruled out by the Speaker as the matter relating to this was under consideration by the House. Out of the six motions raised in the third Assembly, four motions were raised by a member from the ruling party and the other were raised by Opposition members. The topics of the motions are given in Appendix - A.

58. Ibid., Rule 53, p. 28.

59. Mizoram L.A. Proceedings, 10 October 1974, pp. 19-33.

Legislation

Legislation may be defined as making new rules of general applicability for the future.⁶⁰ Legislature is composed of a large body of people to make laws and their authority is derived from some scheme of representation, most often, the population living in a delimited geographical area. According to Professor Ruthnaswami, "people in a democracy look for the coming of the good life. For it is legislation that removes the obstacle that stands in the way or creates the aids and helps to a good life."⁶¹

The Mizoram Legislative Assembly can make laws for the whole or any part of the Union Territory of Mizoram with respect to any matter on the State List or the Concurrent List in the Seventh Schedule to the Constitution of India⁶² subject to the restriction imposed by Article 286, 288 and 304 of the Constitution of India.⁶³

A member desiring to introduce a Bill can move a motion asking for the leave of the House to introduce the Bill.

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60. Ralph K. Huitt, "Legislature" in International Encyclopedia of the Social Sciences, Volume 9, David L. Sills, ed. England, Macmillan Company, 1968, p. 232.
61. M. Ruthnaswamy, Legislation; Principles and Practices, Delhi, D.K. Publishing House, 1974, pp. 2-3.
62. U.T. Act as amended in 1971, Section 18, p. 7.
63. Ibid., Section 20, pp. 7-8.

After the motion is carried, the Bill is introduced. A Bill may be initiated by a Minister or by any Member of the House. The period of notice of a motion for leave to introduce a Bill in the Mizoram Legislative Assembly is one month unless the Speaker allows the motion to be raised as a shorter notice.⁶⁴ After publication of the Bill in the Gazette, the member in-charge of the Bill, after giving four days' notice, can move that the Bill be taken up for consideration, or it may be referred to a Select Committee of the House or circulated for eliciting public opinion.⁶⁵ If the motion before the House is for the consideration of the Bill, a general discussion on the Bill takes place, after which the Bill is considered clause by clause. At this stage amendments to various clauses are also moved and considered. Finally, the member or Minister in-charge moves that the Bill be passed. When a Bill is passed by the House it should be signed by the Speaker and the Secretary of the Assembly should send an authenticated copy of the Bill to the Administrator for assent.⁶⁶

On 26 September 1973, when the Finance Minister, Khawtinkhuma, moved that the Mizoram Salaries and Allowances

64. M.L.A.S., Rules of Procedures, Rule 68(3), p. 32.

65. Ibid., Rule 77 (a),(b) and (c), p. 35.

66. Ibid., Rule 100, p. 43.

of Ministers' Bill, 1973, be taken up for consideration, several members raised objections that four days' time had not been given as required by Rule 77 and they demanded that rule 77 should be followed strictly as the members needed adequate time to study the Bill. Thereupon, the Speaker, H. Thansanga rightly observed that the Government should ensure that Bills were sent to the Assembly Secretariat within the prescribed period. He, therefore, postponed the consideration of the Bill till the next day.⁶⁷

Table 2.6: The Number of Bills passed by the Mizoram Legislative Assembly (1972-1984).

Assembly	Total Bills passed	Referred to the Select Committee	Withdrawn	Rejected by the Lt. Governor	Sent for public opinion
First 1972-1977	37	1	1	-	-
Second 1978	1	-	-	-	-
Third 1979-1984	25	-	1	-	-
Total	63	1	2	-	-

Source: 1. Compiled from the Mizoram Legislative Assembly Proceedings 1972-1984.

2. Also compiled from the Bill Registered 1972-1984 maintained by Legislative Section, Mizoram Assembly Secretariat.

67. Mizoram L.A. Proceedings, 26 September 1973, pp. 16-25.

Only the Mizoram Roadside Land Control Bill 1975 was referred to a Select Committee in the three Assemblies. This was done because the Chief Minister Ch. Chhunga, on 29 April 1975, desired that before the House took up the Bill, it should be discussed threadbare in the Select Committee of the House.⁶⁸ Only one Bill was withdrawn by a Minister in the first Mizoram Assembly.⁶⁹ Only one bill was passed in the Second Assembly in its lone session. During the working of the third Assembly 25 Bills were passed and one Bill was withdrawn. In all, 63 Bills were passed in the first three Assemblies, including the two Bills known as Private Members Bills.

On 25 September 1975, a ruling party member, Saitlawma, introduced a private Members Bill, the Mizoram Union Territory Legislature Members (Removal of Disqualifications) Bill, 1975. The Bill was passed by the House unanimously. According to this Act, a member of the Mizoram Assembly should not be disqualified just because he holds part-time office in a different capacity.⁷⁰ Another Private

68. Mizoram L.A. Proceedings, 1 April 1975, p. 29.

69. For details see Chapter V, pp. 56-57.

70. The Mizoram Union Territory Legislature Member's (Removal of Disqualifications) Act 1975. See A compilation of Acts passed by the Mizoram Legislative Assembly and Rules made by the Government of Mizoram, by the Law and Judicial Department, Government of Mizoram, Vol. II, pp. 9-10.

Members Bill, the Mizoram Board of School Education (Amendment) Bill, 1981, was introduced by a ruling party member, K. Lalsanga, on 6 March 1981. It was unanimously passed by the House on 13 March 1981.⁷¹ This Bill sought the Rules and Regulations of Mizoram Board of School Education to be laid on the table of the Mizoram Legislative Assembly as it used to be done in the case of other departments. The Bills passed by the three Assemblies are given in the Appendix.

Total 2.7: Total Number of Bills Passed by the Mizoram Legislative Assembly in respect of various Departments.

<u>Sl. No.</u>	<u>Name of Departments</u>	<u>No. of Bill passed</u>
1.	Appropriate Bill	27
2.	Assembly and its Member	9
3.	Revenue	8
4.	Taxes	6
5.	Local Administration	3
6.	Education	2
7.	Finance	2
8.	Law	1
9.	Home	1
10.	Language	1
11.	Industry	1
12.	Supply	1
13.	Society Registration	1
	Total	63

Source: Compiled from the Bill Register 1972-1984, maintained by the Legislative Section Assembly Secretariat and from the Proceedings of the Mizoram Legislative Assembly (1972-1984).

71. Mizoram L.A. Proceedings, 13 March 1981, pp. 106-7

The table 2.7 shows that out of the 63 bills passed 27 bills are the Appropriation Bills. Nine Bills relate to the salaries and allowances of the Minister, Speaker, Deputy Speaker, the members of the House and matter concerning the publication of the proceedings of the Assembly. The Mizoram Excise Act 1973, the Mizoram Board of School Education Act, 1976, and the Mizoram Khadi and Village Industries Board Act, 1982, have some bearing on social change. These three Acts are discussed in detail in Chapter VII. Eight Bills relate to revenue and six Bills make changes in the tax structure. Three Bills on local administration relate to the amendments to the Lushai Hills District Village Council Act 1953. There the Lushai Hill District (Village Council) Amendment Act, 1975, the Lushai Hills District (Village Council) Amendment Act, 1980, and the Mizoram District Administration of Town Committee Amendment Act 1983. The Mizoram Urban Areas Rent Control Act 1974 fixes fair rent of houses situated within the limits of urban areas in Mizoram. The Mizoram Trading by Non-Tribals (Regulation) Act, 1974, regulates trading by non-tribals in the Union Territory of Mizoram. The Mizoram Official Language Act 1974, makes the Mizo language the official language of Mizoram. The Mizoram Weight and Measures Act 1976, extends the Weights and Measures Act, 1976 (Central Act 60 of 1976) to Mizoram. The Society Registration Act, 1976, extends the Society Registration Act, 1860, to the Union Territory of Mizoram. Here it may be mentioned that out of 63 Acts passed by the Mizoram Legislative Assembly, 50 of them (83.33 percent) relate to matters of routine nature.

Resolutions

There are two categories of resolutions viz., a resolution moved by a minister is called Official Resolution and a resolution initiated by a member is called non-official resolution. A resolution is a form of declaration of opinion or a recommendation, or a record, either with approval or disapproval, by the House of an act or policy of government. It may convey a message; or it may be a comment or it may urge or request an action, or call attention to a matter or situation for the consideration of the government.⁷² A member who wish to move a resolution has to give ten days notice in advance and it should relate to one definite issue. The Speaker decides the admissibility of every resolution. Any member of the House may move an amendment to such a resolution.⁷³

In the first Mizoram Assembly, 116 notices of resolutions, including three government resolutions, were received. Of these, only 89 resolutions were admitted by the Speaker. Out of these, 23 private members resolutions and three government resolutions were discussed in the House, but only eight private members resolutions and three government resolutions were passed by the House.⁷⁴ No resolution was passed in the

72. M.L.A.S., Rules of Procedure, Rule 120, p. 47.

73. Ibid., Rules 119(3), pp. 46-47.

74. Mizoram Legislative Assembly Secretariat, Handbook for Members, Vol. II, Aizawl, 1978, p. 44.

Second Assembly. During the third Assembly, 105 notices of resolutions were received, including 7 Government resolutions. The Speaker admitted only 76 resolutions, including seven government resolutions. Out of the admitted resolutions, six government resolutions and 38 private members resolutions were passed by the House. Of the private members resolutions passed, 27 were put up by members of the ruling party and 11 were put up by the Opposition members.⁷⁵

Table 2.8: Resolutions of the Three Assemblies

Assembly	Official Resolutions			Private Members Resolutions		
	Notice	Admitted	Passed	Notice	Admitted	Passed
1st 1972-1977	3	3	3	113	86	8
2nd 1978	-	-	-	6	5	-
3rd 1979-1984	7	7	6	98	69	38
Total	10	10	9	217	160	46

- Source: 1. Mizoram Legislative Assembly Secretariat, Handbook for Members, Vol. II, Aizawl, 1978, p.44.
 2. Records of the Legislative Section, Mizoram Legislative Assembly Secretariat (1972-1984), and the Mizoram Legislative Assembly Proceedings (1979-1984).

As shown in Table 2.8 above, out of 160 resolutions admitted, only 46 resolutions were passed by the House. This is 28.8 per cent of the admitted resolutions. The government

75. Compiled from the Mizoram Legislative Assembly Proceedings, (1979-1984). See Appendix - C.

resolutions were passed with the majority support of the ruling party members. As for private member's resolutions, resolutions which got the support of treasury branch were passed.

A private member's resolution which wants the government to hand over certain parts of its functions to a Central Government Organisation, like the Border Road Task Force, was not passed in the House as it adversely affected the image of Public Works Department of the Government of Mizoram. This resolution which urged the Government of Mizoram to hand over the supervision of road between Aizawl and Thenzawl to the BRTF so that it could be maintained, was not passed because the minister of Public Works Department strongly disapproved it.⁷⁶

The first Private member's resolution passed by the Mizoram Assembly was 'Wild Life Sanctuary be made in the area of Dampa' (Western Corner of Mizoram), put up by C. Chawngkunga, a ruling Mizo Union member, in the first Assembly. This resolution was unanimously passed on 1 November 1972.⁷⁷ As a result of follow-up action taken by the Government of Mizoram, a Wild Life Sanctuary came up. The taking over of the Pachhunga Government College in Aizawl by the North-Eastern Hill University, the construction of Vana Pa Hall (the best

76. Mizoram L.A. Proceedings, 30 June 1978, pp. 5-15.

77. Ibid., 1 November 1972, p. 35.

Public Hall in Aizawl) and the introduction of Mizoram Research Fellowship are a few illustrations of the implementation of the private member's resolutions in the Assembly. All the resolutions passed by the three Assemblies are given in Appendix III.

Financial Business

Finance Minister presents the Budget of the Union Territory of Mizoram with the previous approval of the President of India and on the recommendation of the Lt. Governor.⁷⁸ The budget is presented on the day decided by the Lt. Governor. Conventionally, the budget is presented in Mizoram in the month of March in every financial year, because the financial year starts every year on 1 April; in the years 1972, 1978 and 1979, the budgets were presented in October, June and August respectively, due to the absence of a popular Ministry in these years in March. During discussion on the budget the House considers the estimated receipts and expenditure of the Union Territory. The House also considers and approves taxes which are either being levied for the first time or being increased for the ensuing year or being revised under the terms of the Act by which they were originally applied. The rules of the Assembly provide that the budget should be dealt with by the Assembly in two stages,

78. U.T. Act as amended in 1971, Section 27(1), p. 11.

viz., general discussion and the voting of demand for grants.⁷⁹

Table 2.9: Budget Discussion and Members Participation in the Discussion of the Budget, 1972-1984.

Year	Date of presentation	No. of days allotted for general discussion	Total No. of Members	Total No. of members took part
1972 - 1973	20.10.72	2	33	19
1973 - 1974	24.3.73	2	33	23
1974 - 1975	21.3.74	3	33	28
1975 - 1976	22.3.75	2	33	30
1976 - 1977	19.3.76	2	33	23
1977 - 1978	23.3.77	1	33	10
1978 - 1979	26.6.78	2	30	25
1979 - 1980	17.8.79	1	33	23
1980 - 1981	24.3.80	2	33	22
1981 - 1982	19.3.81	2	33	23
1982 - 1983	13.3.82	2	33	20
1983 - 1984	18.3.83	2	33	24
1984 - 1985	15.3.84	2	33	18

Source: 1. Compiled from Assembly Proceedings 1972-1984.

2. Mizoram Legislative Assembly Bulletin Part I, 1972-1977 and 1978-1984, Legislative Section, Assembly Secretariat.

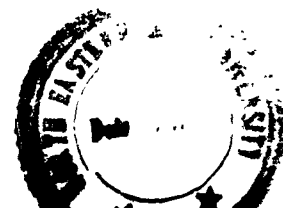
79. The Administrators Rules for the Legislative Assembly of Mizoram, 1972. See A Compilation of Acts passed by the Mizoram Assembly, op.cit., Rule 10, p. 88.

As indicated in Table 2.9 the number of participants in the Budget discussion has varied from 10 to 30. The average number of members taking part per budget session was 22. This indicates that the members were much interested in the budget, considering the fact that only two days are allotted for general discussion on the budget. During the period under study only one notice of cut motion was tabled. The two Opposition members, C.L. Raula and Hiphei, submitted a joint notice that the amount of the demand No. 10 for grant for the Police Department for the year 1980-1981 should be reduced by Rs. 100/-. The aim of the motion was to highlight public grievance about the high-handedness of the Mizoram Police. But the motion was rejected by the Speaker on the technical ground that it was submitted late.⁸⁰

Committee System

A legislature has to deal with a variety of subjects and it has to handle a large number of Bills, resolutions etc. The legislature itself cannot consider all of them at length due to lack of time and lack of sufficient information required for the purpose. A Committee consisting of a small group of members can meet often, deliberate more efficiently and work more expeditiously. Therefore, a Committee can play an important role. Committees have, therefore, become an

80. Mizoram L.A. Proceedings, 29 March 1980, p. 175.



important part of the legislature. Professor K.C. Wheare defines a Committee as "a body to which some task has been referred or committed by some other person or body."⁸¹ This means that Committees do not possess original jurisdiction. Promilal Suri remarks that a Committee is a composite body representing the Assembly in miniature.⁸²

During the first and second Assemblies the following Committees were constituted -

- i) Business Advisory Committee,
- ii) Public Accounts Committee,
- iii) Committee on Petition,
- iv) Committee on Estimates,
- v) Committee on Privileges,
- vi) Committee on Subordinate Legislation,
- vii) Committee on Government Assurances,
- viii) Rules Committee,
- ix) House Committee,
- x) Library Committee, and
- xi) Select Committee

A Committee on Salaries and Allowances was formed on 29 October 1979.

81. K.C. Wheare, Government by Committees, London, Oxford University Press, 1955, p. 5.

82. Promilal Suri, Growth of the Committee System in the Central Legislature of India 1920-1947, New Delhi, Associated Publishing Co., 1979, p. 36.

Public Accounts Committee

The Public Accounts Committee consists of nine members elected by the House on the basis of proportional representation and by means of single transferable votes, out of whom, one is appointed as Chairman by the Speaker. The healthy Parliamentary Convention of having the Chairman from the Opposition was followed only in the first Assembly, but not in the second and third Assemblies. This appears to have been done by the ruling party to accommodate its own influential members in some influential positions.⁸³

In all, the Public Accounts Committee of the first Assembly, presented three original reports to the House. The first P.A.C. of the first Assembly examined the Report of the Comptroller and Auditor General of India for the year . . . 7 1972-1973, and found that there was excess expenditure over voted grants in the Department of Education, Medical, Supply and Transport, Agriculture, Co-operation and Public Works. It recommended that there should be no occasion for any department to incur excess expenditure without a specific authorisation by the Assembly.⁸⁴ The Committee in

83. V. Venkata Rao, et. al., A Century of Government and Politics in North-East India, Vol. III, Mizoram, New Delhi, S. Chand and Company (Pvt) Ltd., 1987, p. 106.

84. Mizoram Legislative Assembly Secretariat, Reports of the Second Public Accounts Committee (1975-1977) First Mizoram Assembly, First Report, Aizawl, 1976, pp. 1-3.

course of the examination of the said departments' accounts found that the Audit Reports pointed out certain serious financial irregularities.⁸⁵ The Second Public Accounts Committee of the first Assembly also examined the Durtlang Water Supply Scheme and found that there were serious irregularities in the execution of the work. It pointed out that though the work was completed in 1974, no water supply could commence till 1976. The Committee, therefore, recommended that suitable action should be taken against the Officers responsible for these irregularities.⁸⁶

The first Public Accounts Committee of the third Assembly was elected on 31 May 1979. This Committee in the fourth report, presented to the House on 26 February 1980, made 67 recommendations. Of these, replies of the Government to 30 recommendations were accepted by the Committee.⁸⁷ The Committee found several cases of misappropriation in some departments. For example, the Public Accounts Committee in its Fifth Report in September 1980, observed that the Administrative Officer of Vervek group Centre misappropriated Rs. 0.66 lakh from the sale proceed of 278 quintals of rice

85. Ibid., pp. 16-77.

86. Ibid., Second Report, 1976, p. 10.

87. Ibid., Report of the First Public Accounts Committee, Third Legislative Assembly Mizoram Fourth Report, February 1980, Aizawl, 1980, p. 1.

and therefore, the Committee recommended that the department should not only discharge the Administrative Officer from service but immediate legal action against the Administrative Officer should be taken for the recovery of the money misappropriated.⁸⁸ The Public Accounts Committee was the most powerful Committee in the House. It brought to light many corrupt practices of the government officers.⁸⁹ In pursuance of the recommendation of P.A.C. not to incur expenditure beyond the amount voted by the legislature, the Forest Department instructed all executive officers to control the expenditure within the allotted fund available in the department for all items of works, thus it brought greater economy in the department.⁹⁰

Committee on Estimates

The first Estimates Committee was constituted in 1972. Out of nine elected members, one was appointed Chairman by the Speaker. Its term is not more than 30 months from the date of its formation. It has four main functions viz., to report what economic measures, improvement in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates, may be affected, to suggest alternative policies in order to bring about efficiency and

88. Ibid., Fifth Report, Aizawl, 1980, p. 169.

89. Ibid., Seventh Report, Aizawl, 1982, pp. 18-19.

90. Ibid., Ninth Report, Aizawl, 1984, p. 8.

economy in administration, to examine whether money is well laid out within the limits of the policy implied in the estimates and to suggest the form in which the estimate should be presented to the Assembly.⁹¹

During the first Assembly, the Estimates Committee was constituted two times on 31 October 1972 and on 1 April 1975. The Committee, in all submitted three reports during the first Assembly. The first report which was submitted to the House on 21 March 1975 dealt with the Public Works Department. The Committee held 70 sittings in all. The Committee observed that Master Roll Labourers were misused by the Officers of the P.W.D. for their purposes and therefore, it suggested further investigation.⁹² The Committee also paid a number of visits to far away places like Lunglei, Saiha etc. It also visited some places in Aizawl and the villages nearby.⁹³ The Committee made 56 recommendations in all.⁹⁴

The Second Estimates Committee (1975-77) dealt with the working of the Department of Education, Health and Family Planning and presented two original reports to the House. The Committee visited some schools in Aizawl in 1975 and 1976

91. M.L.A.S., Rules of Procedures, Rule 231, p. 81.

92. Mizoram Legislature Assembly Secretariat, Report of the Committee on Estimates, First Report March 1975, Aizawl, 1975, pp. 34-35.

93. Ibid., pp. 35-39.

94. Ibid., p. 1.

to study the working of the educational institutions. It observed that school buildings were not properly maintained and it recommended that the Directorate of Education should give special attention to this.⁹⁵ On 29 March 1977, the Committee submitted to the House its third report relating to the working of Health and Family Planning Departments and made 51 recommendations.⁹⁶

During the third Assembly the Estimates Committee submitted eight reports to the House. Of these, five reports related to actions taken reports on the recommendations contained in the previous reports relating to Fishery, Agriculture and Forest Departments. During the period under study, the Committee submitted 11 reports in all, of which six reports were original reports which covered Social Welfare, PWD, Health, Education, Agriculture, Fisheries and Forest Departments. Some significant decisions taken by the government owed their origin to the suggestions given by the Estimate Committee. For instance, two PWD Circles - one at Aizawl and another at Lunglei were created on the recommendations of the Estimates Committee.⁹⁷ The working of the Committee during the period under survey shows that the Committee worked in a non-partisan manner.

95. Ibid., Second Report, Aizawl, 1976, p. 25.

96. Ibid., Third Report, Aizawl, 1977, p. 80.

97. Mizoram Legislative Assembly Secretariat, Report of the First Committee on Estimates third Legislative Assembly, Mizoram, Fifth Report, Aizawl, 1980, p. 3.

Table 2.10: Recommendations made by Estimate Committee to Various Departments in three Assemblies.

Departments	No. of recomen- dations	Recommen- dations accepted by govern ment	Commit- tee agree with reply	Commit- tee dis- agree with reply	Not pur- sued	Time taken in the scru- tiny of Estimates
Education and Social Welfare	73	67	27	32	8	-
P.W.D.	56	56	25	28	3	21.3.75 -11.9.80
Health	60	60	43	17	-	29.3.77 -21.10.82
Fisheries	9	6	6	3	-	22.3.82 -16.3.84
Agriculture	8	2	2	4	2	9.10.82 -16.3.84
Total	206	151	103	84	13	

Source: Compiled by the author from

1. The Report of the First Committee on Estimates of the third Legislative Assembly, Fourth Report presented to the House on 27 Feb. 1980, Aizawl, Mizoram Legislative Assembly Secretariat, 1980.
2. Ibid., Fifth Report, Presented to the House on 17 September 1980, Aizawl, Mizoram Legislative Assembly Secretariat, 1980, p. iii.
3. Report of the Second Committee on Estimates Third Legislative Assembly, Mizoram, Eight Report presented to the House on 21 October 1982, Aizawl, Mizoram Legislative Assembly Secretariat, 1982, p. iii.
4. Ibid., Ninth Report presented to the House on 16 March 1984, Aizawl, Mizoram Legislative Assembly Secretariat, 1984, p. ii.
5. Ibid., Tenth Report, 1984, p. ii.

It is clear from the table 2.10 that most of the recommendations of the Committee were accepted. The Committees took 16 months to five years to finalise the recommendations. Such delay should be avoided. Of course, it is true that in some States like Uttar Pradesh Assembly Committee on Estimates have taken two years to seven years to finalize their reports.⁹⁸

Business Advisory Committee

The Speaker nominates the members of the Business Advisory Committee and the Speaker is the Chairman of the Committee. It consists of not more than six members. Its function is to allot time to different subjects for discussion.

One unique feature of the Committee in the first three Assemblies was that its decisions were always unanimous. Even the Chief Minister cannot by-pass this Committee. For example, on 29 September 1975, when the Chief Minister introduced the Mizoram Urban Areas Rent Control (Amendment) Bill 1975, without first getting the date and time of the introduction of the Bill recommended by Business Advisory Committee, it was objected to by several members. Therefore,

98. S.M. Sayeed. The Committees of U.P. Legislature, Lucknow, Hindustan Printing Press, 1973, p. 172.

the Speaker directed that the Bill ~~should~~ be considered by the House after getting the recommendation of Business Advisory Committee.⁹⁹ After getting the recommendation of the Business Advisory Committee, the Bill was considered by the House on 3 October 1975.

Committee on Petitions

Committee on Petitions consists of five members appointed by the Speaker. Its term of office is one year. The Committee on Petitions examines every petition referred to it. It reports to the House on specific complaints made in the petition referred to it after taking necessary evidence. It suggests remedial measures to the House. The first Committee on Petitions was formed on 20 October 1972, and only in 1975, the Committee received a petition. During the period under study only three petitions were examined by the Committee. Jamadar Darthuama, who served in the Burma Regiment, wanted the extension of the benefit in increment enjoyed by all pensioners in India to him. The Committee agreed to his request but the Government did not.¹⁰⁰ By the time the Committee decided to pursue the matter the petitioner died and the Committee had to close the matter.¹⁰¹ T. Kapmawia of

99. Mizoram L.A. Proceedings, 29 September 1975, pp. 152-60.

100. Government of India, Ministry of Defence Notification No. A/31452/BAP/AG/PS4(b)/2645/C/D(Pens/Sers), Delhi the 4th September 1980.

101. Mizoram Legislative Assembly, Report of Committee on Petition Third Mizoram Legislative Assembly Third Report September 1983, Aizawl, 1983, pp. 1-2.

Leithum village, on 7 September 1979, submitted a petition on behalf of the Khawbung Assembly Constituency to the Petition Committee stating that the Constituency was not properly linked with other parts of Mizoram by good roads. He urged the government to construct good roads which was agreed to and the government took steps for this.¹⁰² Chawngfianga a retired Primary School teacher of Kolasib village, got his pension with the help of the Petition Committee.¹⁰³

Committee on Privileges

The Committee consists of seven members nominated by the Speaker for a term of one year. In the Mizoram Legislative Assembly, the first Committee on Privileges was formed on 20 October 1972. There had been four reports, one was submitted in the first Assembly, none in the second Assembly and three in the third Assembly. The working of the Committee was already discussed with the privileges raised in the Assembly itself.¹⁰⁴

Committee on Subordinate Legislation

The Committee on Subordinate Legislation consists of not more than seven members nominated by the Speaker for a term of one year. The function of the Committee is to

102. Ibid., Report of the First Committee on Petitions third Mizoram Legislative Assembly, Second Report, March 1981, Aizawl 1981, p. 4.

103. Ibid., p. 6.

104. See, pp. 71-74.

scrutinize and report to the Assembly whether the powers to make regulations, rules, sub-rules and bye-laws conferred by the Assembly are being exercised within such delegation.¹⁰⁵ The Committee presented its first report to the House on 29 September 1975. The Committee had nine sittings and examined seven rules and five orders.¹⁰⁶ The second report was presented to the House on 24 March 1976, and dealt with two rules and one order.¹⁰⁷ The Committee on Subordinate Legislation (1975-1976) presented its report on 22 September 1976, to the Assembly. It had six sittings and examined 10 rules and two orders.¹⁰⁸

The rules and orders scrutinized and examined by the Committee during the first Assembly were primarily concerned with Education, Agriculture, Housing loan, Supply and Transport and Health Departments. During the third Legislative Assembly, the Committee presented four reports. It had 24 sittings and examined 16 rules. The departments examined by the Committee during the third Assembly were Education, Health, General Administration Department, Forest, Agriculture and Local Administration.

105. M.L.A.S., Rules of Procedure, Rule 238, p. 83.

106. Mizoram Legislative Assembly Secretariat, Report of the Committee of Subordinate Legislation 1974-1975, First Report, Aizawl, 1975, p. 2.

107. Ibid., Second Report, Aizawl, 1976, p. 2.

108. Ibid., Third Report, Aizawl, 1976, pp. 2-3.

A study of the reports of the Committee reveals that there had been a number of inordinate delays on the part of the ~~government departments~~ which framed the rules, regulations, orders and bye-laws. The Committee felt that most of the rules framed by various departments did not have marginal references in the margin provided for it. This caused much inconvenience to the Committee, and some rules did not have notification number.¹⁰⁹ Another observation which the Committee made in its first report in 1975 ~~was that there had been~~ a time lag between the commencement of ~~an~~ Act and the framing of the rules and therefore, it recommended that rules should be framed within a period not exceeding 12 months of the commencement of the Act.¹¹⁰ It may be observed that such a strict procedure need not be followed as sometimes due to certain valid reasons, like change of circumstances, certain Acts need not be immediately implemented. So, the government can make rules under the Acts when the time is ripe for its implementation.

Committee on Government Assurances

The Committee consists of not more than seven members nominated by the Speaker. The first Committee on Government Assurances was formed on 20 October 1972. The function of

109. Ibid., First Report, Aizawl, 1975, p. 5.

110. Ibid.

this Committee is to scrutinize the assurances, promises and undertakings given by the ministers from time to time in the House and to report on the extent to which such assurances, promises and undertakings have been implemented and, where implemented, whether such implementation had taken place within the minimum time necessary for the purpose.¹¹¹ The Committee during the period under study took up 72 assurances, out of which 68 had been implemented and four had remained pending with the government.¹¹² The Committee submitted nine reports till 1984. The reports of the Committee always emphasized the need for quick disposal of the assurances given. For instance, the Assurance Committee 1975-1976, in its sixth report says: "The Committee regrets to note that as many as 18 assurances pertaining to the 4th session of the First Assembly are still pending and the department has not sent any information."¹¹³ The Committee felt strongly about it. It is clear from the following observation of the Committee:

111. M.L.A.S., Rules of Procedure, Rule 244, p. 85.

112. The Author's interview with Thanzuala, Committee Officer, Mizoram Legislative Assembly Secretariat at Aizawl, on 10 March 1987.

113. The Mizoram Legislative Assembly Secretariat, Report of the Committee on Government Assurances (1975-1976) First Mizoram Legislative Assembly, Sixth Report September 1976, Aizawl, 1976, p. 3.

"The government had neither sent implementation reports nor asked for extension of time limit in the case of assurance pertaining to the second, third, and fourth sessions though long overdue thereby losing the value of assurances."¹¹⁴

It may be noted that many of the assurances of the ministers could not be implemented at once because some of the assurances were not always fully under the purview of the Government of Mizoram.¹¹⁵ The Ministers, therefore, should be more careful in giving assurances.

Rules Committee

The Rules Committee was constituted to consider matters of procedure and conduct of Business in the House and to recommend any amendment or addition to these rules that may be deemed necessary.¹¹⁶ The first Rules Committee was formed on 20 October 1972. It consists of nine members nominated by the Speaker and the Speaker is the ex-officio Chairman of the Rules Committee.

The Rules Committee of Mizoram Assembly framed the Rules of Procedure and Conduct of Business in the Mizoram

114. Ibid., p. 4.

115. On 11 November 1973, Zalawma, an Opposition member wanted to know the total number of local arms surrendered to the Security Forces due to disturbance in Mizoram. The Chief Minister assured him that he would inform him later. But the government had difficulties to get information as the guns were under the custody of the Army and also under the Government of Assam. Ibid., third Legislative Assembly, Mizoram, Ninth Report, Aizawl, 1983, p. 9.

116. M.L.A.S., Rules of Procedure, Rule 246, p. 86.

Legislative Assembly and adopted these Rules at its meeting held on 1 March 1973. The Mizoram Legislative Assembly adopted these Rules on 26 March 1973. The Committee submitted four reports in the first Assembly. A few amendments were incorporated in the second edition of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly in 1978. The Committee did not publish any report in the second Assembly. The Committee published only one report in the third Assembly and suggested among other things a new clause may be added in Rule 35¹¹⁷ after the words nature of the question (Starred or Unstarred as follows - "the date on which the question is proposed to be placed on the list of questions for answer." This suggestion was presented in the House on 25 February 1980 and it was approved.¹¹⁸

House Committee

The House Committee consists of not more than six members nominated by the Speaker for a term of one year. The first House Committee was constituted on 20 October 1972.

117. Rule 35 after proposed amendment will read as follows:
"Notice of a question shall be given in writing to the Secretary and shall specify the Official designation of the Minister to whom the question is addressed, the nature of the question (Starred or Unstarred), and the date on which the question is proposed to be placed on the list of questions for answer.

See, Mizoram Legislative Assembly Secretariat, Report of the First Rules Committee, Third Legislative Assembly, First Report, February 1980, Aizawl 1980, p.2.

118. Mizoram L.A. Proceedings, 25 February 1980, p. 19.

The functions of the Committee are to deal with all questions relating to residential accommodations for members of the Assembly; to exercise supervision over facilities for accommodations, food, medical aid and other amenities accorded to members in the Members Hostel; to look into the comfort and conveniences of the members as well as to maintain general discipline in the Hostel.¹¹⁹

The House Committee submitted two reports during the first three Assemblies. The first report was presented on 23 March 1976 to the House. The Committee held 14 sittings in all and in its first report recommended that a new M.L.A. Hostel having 40 rooms should be built.¹²⁰ The second report of the House Committee was presented to the House on 30 September 1981 by the third House Committee (1981-1982). The Committee held eight sittings in all. This report deals with the administration of the new M.L.A. Hostel which was handed over to the Assembly Secretariat.¹²¹ The Committee also made rules regulating allotment, occupation and vacation of seats in the Mizoram Legislative Assembly Hostel at Aizawl.

119. M.L.A.S., Rules of Procedure, Rule 249, p. 87.

120. Mizoram Legislative Assembly Secretariat, Report of the House Committee First Mizoram Legislative Assembly, First Report, Aizawl, 1976, p.5.

121. Ibid., Report of the third House Committee Third Mizoram Legislative Assembly Second Report, Aizawl, 1981, p.1.

Library Committee

A Library Committee consists of not more than six members who are appointed by the Speaker. The Committee has to suggest measures for the improvement of the library and to assist the members in fully utilising the services provided by the Library. The Library Committee did not publish any report till 1984.

Select Committee

Select Committee is not a standing committee of the Assembly. It is constituted when the need for the appointment of a Select Committee on any bill arises as and when a motion or a bill is to be referred to it. The Minister incharge and the Member who introduces the bill should be members of the Committee.¹²² Other members may be appointed by the Assembly.

Committee on Salaries and Allowances

The Committee on Salaries and Allowances of Members is not a standing committee of the Assembly. It is to be constituted if and when necessary. The Speaker constituted such a Committee on 29 October 1979 to look into the Salary and Allowances of Ministers, the Speaker, the Deputy Speaker and the Members of the Mizoram Assembly and to suggest revisions, if necessary. The Chairman of the Public Accounts

122. M.L.A.S, Rules of Procedure, Rule 222, p. 77.

Committee was appointed Chairman of the Committee. There were ten members in the Committee including the Chairman. The Committee had six sittings and published three reports. All the three reports were presented on 10 September 1980. The Committee recommended for the revision of pay of the members.¹²³

General Purpose Committee

A General Purpose Committee consisting of the Speaker, the Deputy Speaker, Members of the Panel of Chairman, Chairman of all Standing Committees of Mizoram Assembly, leaders of recognised parties and groups in the Mizoram Assembly and such members as may be nominated by the Speaker, came into being in 1981. The Speaker is the ex-Officio Chairman of the Committee.

The function of the Committee is to advise the Speaker on matters concerning the affairs of the House which do not fall under the purview of any other legislative committee. The Speaker may refer any matter to this Committee.¹²⁴

Concluding Remarks

In the first three Assemblies the Committees generally made unanimous recommendation despite the fact that the

123. Mizoram Legislative Assembly Secretariat, Reports of the Committee on Salaries and Allowances of Members, Third Report, Aizawl, 1980, pp. 1-4.

124. M.L.A.S., Rules of Procedure, Annexure B, p. 119.

Committee consists of members from different political parties. The Committees in the three Assemblies helped the Opposition to use its influence in law making better as the views of the Opposition members were taken into consideration in a more sympathetic manner in the Committees rather than in the House where the suggestions of the Opposition were looked with suspicion and prejudice by the ruling party members.

The Committee also worked as a useful bridge between the government and the people. Many of the problems faced by the people had been brought to the notice of the government through Committees, as the members of the Committee had a chance to question the officials of the government only in the Committees; the P.A.C. and the Estimate Committees especially used this method of direct communication with the officials fruitfully.

Since except the Public Accounts Committee and Estimate Committee, as the term of other Committees was only one year, it was not possible for them to examine many subjects. It is suggested that the term of the other Committees should also be at least 30 months. Efforts should be made to create an atmosphere of closer co-operation between the Committees and the government than it had been in the first three Assemblies. The officials should be instructed to

co-operate with Committees. Sometimes inordinate delay on the part of the government in implementing the recommendations of the Committees defeated the very purpose of the recommendations.

As the functioning of the Committee depends upon the personality of its Chairman, it would be more in conformity with the spirit of democracy, if the Chairman of the various Committees were chosen by the members of the Committee themselves, rather than by the Speaker. The Chairman should preferably be drawn from members of the Opposition, especially in Public Accounts Committee.

CHAPTER - IV

ROLE OF THE SPEAKER

IN THE MIZORAM LEGISLATIVE ASSEMBLY

ROLE OF THE SPEAKER IN THE MIZORAM LEGISLATIVE
ASSEMBLY

The Office of the Speaker is one of the most important and dignified institutions in a Parliamentary democracy. The Office of the Speaker of the State Assembly and the Union Territories is modelled on the Speaker of the British House of Commons.¹ The Speaker's Office carries with it an aura of honour and power.² The speaker is a symbol of authority in the Assembly and he is expected not only to protect the privileges of the House, but also to conduct its business impartially. He is considered as a symbol of moderation and supposed to defuse tensions in the House. He should try his best to minimise conflicts in the House. The quality of the performance of the members in a legislature depends to a large extent upon the role played by the Speaker in the Assembly. A good Speaker is an institution in himself. He rises above all and annoys none. He is required to be firm and decisive but not arrogant and unresponsive to reasoning.³

The powers and functions of the Speaker is more or less the same in all the States and Union Territories of

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1. Kunja Medhi, State Politics in India: A Study of Assam Legislative Assembly, New Delhi, Omson's Publications, 1988, p. 52.
 2. S.S. More, Practice and Procedure of Indian Parliament, Bombay, Thacker and Co., 1960, p. 67.
 3. Hans Raj, "Speaker in India", in Journal of Constitutional and Parliamentary Studies, Vol. 15, 1981, p. 145.

India; State Assemblies and the Union Territories have framed their own Rules of Procedures and Conduct of Business based on the one obtained in the Lok Sabha.⁴ The Union Territories Act of 1963, (as amended in 1971) provides for a Speaker and the Deputy Speaker elected by the Assembly.⁵ The Speaker is elected by the House either at the beginning of the new Assembly or when a vacancy in the office of the Speaker occurs subsequently. The Speaker continues to be in his office till a new Speaker is elected.⁶ He can be removed from office by means of a no-confidence motion in the Assembly.⁷

Speaker's Ruling During Question Hour

The Speaker decides on the admissibility of questions, regulation of the question hour and the number of supplementary questions.⁸ The first Speaker of the Mizoram Assembly gave a few ruling in respect of the nature and form of questions raised in the Assembly. In his rulings he also directed the members to ask the right type of questions. On 28 May 1973, during the question hour, Vanlalhrauaia, a Mizo Union Member, pointed out that the failure of the Minister

4. S.L. Shakhdar, Glimpses of the Working of Parliament, New Delhi, Metropolitan Book Co., 1977, p. 47.

5. U.T. Act 1963 as amended in 1971, Section 7(C), p. 9.

6. Ibid.

7. M.L.A.S., Rules of Procedure, Rule 140, p. 55.

8. Ibid., Rules 34, 35, 36, 37 and 41, pp. 17-19.

to give replies to the questions put by the members of the House was due to the inefficiency of the Officers of the Government of Mizoram. Thereupon, the Speaker rightly pointed out that the members should not directly make references to the Officers of the Government.⁹ On another occasion, i.e. on 20 March 1974, when a member insisted on some sort of assurances from a minister, the Speaker said that question hour should not be used for obtaining assurances from ministers and that assurances might be secured from ministers during regular discussions.¹⁰ On 17 September 1974, during question hour, when a member started arguing after the reply had been given by a minister, the Speaker directed him to ask supplementary questions.¹¹ On 23 September 1974, when a member asked a minister a supplementary question about certain confidential matters relating to the police organisation, the Speaker pointed out that ministers could not be forced to disclose confidential matters in the House.¹² On 29 March 1974, when R.D. Sangkhuma raised a question as to who was to decide the relevancy or irrelevancy of the question, the Speaker or the minister? The Speaker correctly ruled that it

9. Mizoram L.A. Proceedings, 29 September 1973, p. 6.

10. Ibid., 20 March 1974, p. 4.

11. Ibid., 17 September 1974, p. 10.

12. Ibid., 23 September 1974, p. 18.

was the Speaker.¹³ On another occasion he said that in the question hour comments should be avoided.¹⁴

The Second Speaker discouraged members from asking irrelevant questions and requested the ministers to submit their replies to questions without delay.¹⁵ He directed that the ministers should give reasons to the House on the last day of its sitting of a session for their failure to supply replies to questions raised in the House.¹⁶ He also ruled that ministers should be in a position to give full explanation for not able to supply answers to questions in time.

The third Speaker Thangridema, in the short-lived Second Assembly, ruled that not more than five minutes would be permitted for the consideration of matters arising out of a supplementary question.¹⁷

The fourth Speaker of the Mizoram Assembly Kenneth Chawngliana expressed his displeasure at the failure of some ministers in not replying to the questions of the members of

13. Ibid., 29 March 1974, p. 10.

14. Ibid., 3 October 1974, p. 17.

15. Ibid. 29 September 1976, p. 17.

16. Ibid., p. 43.

17. In Uttar Pradesh Legislative Assembly, the time allotted for this purpose is three to five minutes, and in the West Bengal Legislative Assembly also it is five minutes. Ranajit Basu, Speaker's Ruling and Decisions 1937-1972; Evolution of Parliamentary Democracy with Special Reference to West Bengal, Calcutta, Biswanan, 1983, p. 110.

the House¹⁸ and on 29 February 1980, he observed that ministers should give reasons in case they were unable to give reply to a question.¹⁹ On 29 February 1980, the Speaker requested the Minister for Supply to reply a supplementary question asked by an Opposition member as it was relevant even though the leader of the House had declared the question as irrelevant.²⁰ This ruling of the Speaker was correct because the relevance or otherwise of a question is decided by the Speaker alone and by nobody else in the House.²¹ The Speaker also ruled out some supplementary questions asked by the members in the House and did not allow the ministers to reply to such irrelevant questions.²²

Speaker's Ruling on Point of Order

The Speaker can use his authority to conduct the business of the House in an orderly manner so that the decorum of the House is maintained.²³ While giving his rulings on any point of order, the Speaker must be conscious that he is being followed and watched by outside bodies and

18. Many a time questions were not replied by ministers in the House due to the failure of the concerned Department. Many members pressed the Speaker to direct the ministers to take stern action against the department officials.

19. Mizoram L.A. Proceedings, 29 February 1980, pp.40-41.

20. Ibid., p. 34.

21. M.L.A.S., Rules of Procedure, Rule 37, p. 19.

22. Mizoram L.A. Proceedings, 11 September 1980, pp.6-12.

23. M.L.A.S., Rules of Procedure, Rule 293, p. 102.

agencies and as such his rulings should not be of partisan spirit, but be sound, based on solid facts and defensible if need be.²⁴ All the Speakers in the period under study were impartial in giving rulings on point of orders, sometimes supported the members and sometimes supported the ministers. During his term of office, the first Speaker gave as many as ten rulings on point of order.²⁵ On 26 September 1973, when the Finance Minister moved that the Mizoram Salaries and Allowances of Ministers Bill 1973, be taken up for consideration, points of orders were raised by members, contending that four days' time was not given as required under Rule 77. They demanded that the rule should be followed strictly as they needed sufficient time to study the bill. The Speaker supported the members and asked the government to ensure that a bill was sent to the Assembly Secretariat in time. Otherwise, such a bill would not normally be permitted by him to be considered by the House.²⁶

On 30 September 1974, in course of clause by clause consideration of the Mizoram Urban Areas Rent Control Bill, 1974, the minister incharge of the Bill wanted to move

24. Hans Raj, op.cit., p. 163.

25. Compiled by the author from the Mizoram Legislative Assembly Proceedings, (1972-1975).

26. Ibid., 26 September 1973, pp. 16-25.

certain amendments to the Bill. R.D. Sangkhuma, a member from the Opposition, raising a point of order contended that such amendments could not be moved because two days' notice was required as per Rule 32, but the Speaker dismissed the point of order by ruling that in special cases as per Rule 82(1) he could waive the requirement of two days' notice.²⁷

On 24 September 1976, just before the House took up a discussion of the four resolutions of the leader of the Opposition, C. Lalruata, a ruling party member, raised a point of order and said that as per Rule 119(a), not more than one resolution standing in the name of a member should be included in the order of business for a day. Thereupon, the Speaker, Vaivenga, clarified that through the ballot procedure it was already decided what resolutions should be taken up for the day and that it so happened that these four resolutions which were chosen by the ballot procedure belonged to a member and so he allowed the discussion on the four resolutions.²⁸

On 27 September 1976, when the Chief Minister introduced the Mizoram Societies Registration (Extension to Mizoram) Bill 1976, on a point of order raised in the House,

27. Ibid., 27 September 1976, p. 28.

28. M.L.A.S., Rules of Procedure, Rule 119(3), p. 47.

the Speaker observed that he was allowing the consideration of the Bill as a special case though four days' time was not given to the members to study the bill.

The third Speaker Thangridema did not give any ruling on point of order. The fourth Speaker Kenneth Chawngliana, on a point of order raised by the Opposition leader Lalthanhawla, ruled that taking of photographs in the business hour in the Assembly could be done after getting the Speaker's permission.²⁹

On 28 March 1973, the first Speaker, in response to a member's request, said that the officers concerned should be present while discussion on the demand relating to their departments, if they were not too busy with their official work.³⁰ This ruling of the Speaker was later embodied in an order of the Lt. Governor which stated: "Secretaries and Heads of Departments should invariably attend the Assembly Sessions, particularly the question hour. Should however,

29. After a bye-election held in 1982, when the newly elected members, Lalnghenga, J.H. Lianchungnunga, R. Zadinga and C. Pahlira took their oath before the Speaker on 26 May 1982, the photographs of these members were taken. Lalthanhawla leader of the Opposition objected to this. Thereupon, the Speaker ruled that a new convention in Mizoram Assembly will be that a Speaker may give permission to take photographs in the House on important occasions. Mizoram, L.A. Proceedings, 26 May 1982, pp. 2-4.

30. Mizoram L.A. Proceedings, 28 March 1973, p. 25.

their personal attendance be not possible, they should ensure that their deputies attend the same."³¹ During the general discussion on the annual budget 1983-1984, on 22 March 1983, several members pointed out that Secretaries and Heads of Departments were not present in the House. Thereupon, the Speaker rightly instructed the ministers to ask the officers to pay more attention to the Assembly Sessions³² as it would be beneficial for Secretaries and Heads of Departments to know the views of the members.

Speaker's Ruling on the Maintenance of the House

The Speaker can use his authority to conduct the business of the House in an orderly manner so that discipline is maintained in the House.³³ The Speakers of the three Assemblies in Mizoram, were to a large extent successful in maintaining the discipline in the House. The first Speaker told members to avoid any unparliamentary words in their expression in the House.³⁴ On another occasion, when the members mentioned the names of particular officers of

31. Government of Mizoram, Standing Orders of the Lt. Governor, Standing Order No. X(4), Aizawl, 1982.

32. Mizoram, L.A. Proceedings (Mizo), 22 March 1983, p.370.

33. M.L.A.S., Rules of Procedure, Rules 293, p. 102.

34. On 25 March 1975, Lalhlira used the expression, "I warn the Government", when he referred to the distribution of seeds by the Agriculture Department to the people. He however, withdrew his remark as per the Speaker's direction. Mizoram Legislative Assembly Proceedings, 25 March 1975, p. 41.

the Government, the Speaker reminded them that they should only mention the designation of the officers.³⁵ The second Speaker Vaivenga, also did not allow the use of unparliamentary language in the House.³⁶ The third Speaker Thangridema, also did not allow any member to interrupt other members while speaking.³⁷

The fourth Speaker also had to reprimand some members of the Opposition for not maintaining decorum in the House. On 18 March 1982, the Speaker told two Opposition members not to interrupt while a member of the House was speaking. When the request of the Speaker was not heeded to by them, he ordered the two Opposition Members to go out of the House or sit down. When they refused to follow the order of the Speaker, he directed the Marshall of the Assembly to force them out. Thereupon, the two Opposition members took their seats.³⁸ The fourth Speaker also did not allow any unparliamentary expression in the House.³⁹

35. Ibid., 30 March 1973, p. 51.

36. On 22 March 1976, when C. Lalruata, a ruling party member remarked, "The Nagaland Government was spoiled by too much money," the Speaker asked the member to withdraw his remark.

Ibid., 22 March 1976, pp. 22-26.

37. Ibid., 4 July 1978, p. 8.

38. Ibid., (Mizo), 18 March 1982, p. 178.

39. Ibid., 19 March 1984, p. 191.

Speaker's Ruling on Adjournment Motions

There was only one adjournment motion brought by Opposition in the first Assembly, whereas the third Assembly received four notices of adjournment motions from the Oppositions. The Speaker's ruling on adjournment motion is discussed in the Chapter on Opposition under the sub-heading Opposition and Adjournment Motion.⁴⁰

Impartiality of the Speaker

The Speaker is the umpire of the House and he should be non-partisan and impartial in conducting the proceedings of the House.⁴¹ The first Speaker, H. Thansanga allowed the members of the Opposition as well as the ruling party to fully express their views. But he insisted that all members should fully observe the rules in the House. When the Opposition members insisted on raising certain points which were not in accordance with the Rules, he did not allow them. For example, on 29 September 1976, the House took up for discussion the Mizoram Roadside Land Control Bill 1975, after it was discussed and unanimously recommended by the Select Committee, R. D. Sangkhuma, a member of the Opposition, who had been a member of the Select Committee, raised objections in the

40. See Chapter VI, pp.

41. Maya Dube, The Speaker in India: A Study of Origin and Growth of the Speaker's Office in the Indian Parliament, New Delhi, S. Chand & Co., (Pvt) Ltd., 1971, p. 334.

House against the Bill, the Speaker did not allow him to raise any objection in the House, as he did not record his dissent when the Bill was considered by the Committee as provided by Rule 224(4).⁴²

Whenever necessary, the Speakers came to the rescue of Ministers in the House. For example, when members insisted that the Minister should reply to their questions, the first Speaker made it clear that it was not always necessary for Ministers to answer all the supplementary questions.⁴³ Though the first Speaker did not resign from his party when he became the Speaker of the Assembly, he refused to play into the hands of the executive. On another occasion, when the Chief Minister informed the House that the statement given earlier in the House by a Minister "was not true enough"⁴⁴ the Speaker rightly remarked, "I would like to tell the government that in future, when there is a statement to be given in the House, let it be gone through carefully and it may be ensured that whenever a statement is to be made it is correct and satisfactory."⁴⁵

42. Mizoram, L.A. Proceedings, 29 September 1975, pp. 20-22.

43. Ibid., 28 March 1973, p. 9.

44. Ibid., 14 October 1974, p. 22.

45. Ibid., p. 23.

The second Speaker also, by and large, maintained impartiality in conducting the business of the House. On 26 March 1976, during the discussion on demand for grants, members of the Opposition interrupted Zalawma, a Deputy Minister, while he moved the demand for grant of his departments,⁴⁶ the Speaker rightly told the members not to interrupt the minister while he was making a statement in the House.⁴⁷ On another occasion, on 29 September 1976, when members expressed their unhappiness over some ministers not replying certain questions raised by the members, the Speaker, defended the ministers and said that it would be difficult for a minister to know each and every question under his charge whenever questions were raised in the House. He, however, asked the government to be in a position to explain the reason for their failure to reply questions.⁴⁸ On 23 March 1976, when the Speaker objected to a deputy minister's remark, "The Government of Mizoram had given out loans for Rice Hullers in favour of the Mizos,"⁴⁹ the minister changed the wording of the remark as follows: "Loan had been given to the applicants".⁵⁰ The third Speaker

46. Ibid., 26 March 1976, pp. 70-83.

47. Ibid., 29 March 1976, p. 22.

48. Ibid., 29 September 1976, pp. 12-14.

49. Ibid., 23 March 1976, pp. 16-18.

50. Ibid.

wanted to give equal opportunity for both the Opposition and the ruling party members to express their views in the House and fixed 15 minutes for each member.⁵¹

The fourth Speaker K. Chawngliana gave weight to the points raised by the Opposition members wherever necessary. During the general discussion of the budget 1980-81 held on 31 March 1980, Lalthanzauva and P. Lalupa, members of Opposition strongly criticised the activities of the Mizoram Police and the Central Reserve Police (C.R.P.) because their houses were searched without any warrant. Thereupon, the Speaker requested the Minister concerned to look into the matter and inform the House about the action taken by the government in this regard.⁵² On 23 August 1979, during the discussion on the government resolution regarding the communal riots on 15 June 1979 at Silchar, the Speaker admitted a motion to amend the resolution submitted by the Opposition, despite objections from the ruling party members.⁵³ On another occasion, on 15 March 1982, during the discussion of the Lt. Governor's Speech, when several ruling party members, including one Minister, interrupted Hiphel, an Opposition member, while he was speaking, the Speaker directed the

51. Ibid., 21 June 1978, p. 7.

52. Ibid., 31 March 1980, p. 52.

53. Ibid., 23 September 1979, p. 69.

members not to disturb him.⁵⁴ But outside the House, like other Speakers of the Mizoram Assembly he did not abstain from taking part in party politics. The Speaker sometimes made his bungalow available for holding party meetings.⁵⁵

Walk-outs did not make the Speakers of the three respective Assemblies deviate from following the Rules of the House; they maintained their impartiality in conducting the proceedings of the House.⁵⁶ On 16 March, 1973, members of the Opposition after criticising the Lt. Governor's address for its failure to mention clearly the development schemes for Mizoram forcefully argued that the House should not pass a motion of thanks on Lt. Governor's address. But when the Speaker rightly objected to it the Opposition threatened that they would stage a walk-out. But the Speaker stuck to his stand and, as a mark of protest, the Opposition staged a walk out.⁵⁷ On 30 June 1978, a ruling party member's non-official resolution asking the House to recommend the taking over of the Aizawl-Thenzawl-Lunglei Road by the Border Road Task Force (BRTF) from the Government of Mizoram was discussed in the House. At the end of a full discussion,

54. Ibid., 15 March 1982, p. 47.

55. During the year 1980, the p.C. Party High Command held its Committee Meeting at the Speaker's bungalow about four times.

56. The number of walk outs were two in the first Assembly, one in the second, and five in the third.

57. Ibid., 16 March 1973, p. 22.

the Deputy Speaker rightly dropped the resolution as withdrawn because the mover himself was not present in the House. But the Opposition member wanted the chair to change his decision and threatened that they would stage a walk out. Since the chair did not relent they staged a walk out.⁵⁸ This ruling was in tune with a practice in the Mizoram Assembly as the House never passed any resolution in the absence of the mover himself.

During the third Assembly, on 9 March 1981, the Opposition Leader wanted to move an amendment motion to the Lt. Governor's address. The Speaker rejected the amendment motion. The Opposition leader asked the Deputy Speaker who was in the chair to clarify why the Speaker did not admit his amendment which, according to him, was permissible under Rule 18 of the Rules of Procedure and Conduct of the Business of the House.⁵⁹ The Chair ignored the points raised by the Opposition Leader and went on with the regular business of the House. The Opposition then staged a walk out.⁶⁰ According to Rule 18, the Speaker may or may not admit the amendment motion raised by any member,⁶¹ and it is also not necessary

58. Ibid., 30 June 1978, p. 38.

59. "Amendment may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker." M.L.A.S., Rules of Procedure, Rule 18, p. 11.

60. Mizoram, L.A. Proceedings, 10 March 1981, pp. 64-69.

61. M.L.A.S., Rules of Procedure, Rule 18, p. 11.

for the Speaker to announce in the House the reasons for rejecting any amendment motion. This was a well established practice of House of Commons of England and the Lok Sabha.⁶²

On another occasion, on 21 March 1984, during the general discussion on the budget when the Speaker was about to start the business of the House, the Opposition members demanded that before all other business of the House could start the Chief Minister Brig. T. Sailo should produce the document whereby the latter had claimed the signature of C.L. Ruala and Zalawma, in a document submitted to the Government of India regarding their approval for the establishment of Chakma District Council. But the Speaker rightly informed the Opposition members that the regular business of the House should be taken first and later the matter would be discussed. Thereafter, the Opposition staged a walk out.⁶³

It appears that the Opposition staged a walk out even on issue of no importance. Its main objective appears to be to politicise as the walk outs got wide publicity in Mizoram through local newspapers.

Concluding Remarks

The Office of the Speaker had evolved in Mizoram on proper footing based on the tenets of parliamentary

62. D.C. Jain, Parliamentary Privileges Under the Indian Constitution, New Delhi, Sterling Publishers, 1975, p.89.

63. Ibid., 21 March 1984, pp. 244-9.

in the first three Assemblies. The unanimous elections of the Speaker, the Speaker's impartiality in conducting the deliberations in the Assembly, the total absence of any move for passing a vote of no-confidence against the Speaker indicate that all the Speakers commanded respect of the members belonging to the various sections of the House. It is also encouraging to note that only a few unparliamentary expressions were used by the members in the House and the dignity and decorum of the Office of the Speaker was recognised by all members.

Like other Speakers of Indian States and the Speaker of the Lok Sabha, none of the Speakers of the Mizoram Assembly relinquished his primary membership of the party to which he belonged. Though four Speakers took a leading part in the party activities outside the House, by and large, they were not partisan when they conducted the proceedings of the House. In the three Assemblies, the Speaker became a symbol of independence of the House and all the four Speakers zealously guarded the rights and privilege of the Members.

With the members becoming aware of the rules and regulations of the House, there is a growing tendency among members to see that the Speaker always follows them which made the role of the fourth Speaker, as the presiding officer of the House more strenuous than that of his

predecessors. In Mizoram, if the British Convention that the Speaker does not keep any party connections and affiliation after he becomes the Speaker is observed, the Office of the Speaker can have more impartial status and the credibility of his position can be greatly enhanced.

CHAPTER - V

EXECUTIVE-LEGISLATIVE RELATIONSHIP

EXECUTIVE-LEGISLATIVE RELATIONSHIP

The relationship between the Executive and the Legislature is discussed in this chapter under four headings: the relationship between the Legislature and the Lieutenant Governor, the relationship between the Council of Ministers and the Lieutenant Governor, the relationship between the Legislature and the Council of Ministers and the relationship between the ruling party legislators and the Chief Minister.

Relationship Between the Legislature and the Lieutenant Governor

The Union Territories Act 1963, as amended in 1971, provides that the Lieutenant Governor, who is the Administrator of the Union Territory of Mizoram, can summon, prorogue and dissolve the Assembly,¹ but six months shall not elapse between the last day of the last sitting in one session and the date appointed for its first meeting in the next session. He can address the Assembly and send messages to it.² According to convention, the address to the Assembly is prepared by the Council of Ministers.

No bill or amendment to an existing Act can be introduced or moved in the Assembly without the previous

1. U.T. Act as amended in 1971, Section 6, p. 3.

2. Ibid., Section 9, p. 4.

sanction of the Administrator if such bill or amendment makes provision for the constitution and organisation and powers of the Court of the Judicial Commissioner and with respect to any matter included in the State list or the concurrent list in the Seventh Schedule to the Constitution of India.³

No bill or amendment can be introduced or moved in the Assembly, except on the recommendation of the Administrator, if such bill or amendment makes provision for (a) the imposition, abolition, remission, alteration or regulation of any tax, (b) the amendment of any law with respect to any financial obligations undertaken or to be undertaken by the Government of the Union Territory, (c) the appropriation of moneys out of the consolidated Fund of the Union Territory, (d) declaring of any expenditure to be expenditure charged on the Consolidated Fund of the Union Territory or the increasing of the amount of any such expenditure, (e) the receipt of money on account of the Consolidated Fund of the Union Territory or the custody or issue of such money. However, no recommendation of the Lt. Governor is required for moving an amendment which provides for the reduction or abolition of any tax.⁴

3. Ibid., Section 22 and 23, pp. 8-9.

4. Ibid., Section 22, p. 8.

When a bill is passed by the Legislative Assembly, it must be presented to the Administrator. He may give or withhold his assent to the bill or reserve the bill for the consideration of the President of India or he may return the bill, if it is not a money bill, to the Assembly with a request to reconsider it as a whole or any specific provision thereof. When he sends a bill back to the Assembly, he can suggest the manner in which the bill may be amended. Once the bill is reconsidered and passed by the Assembly with or without any amendment as suggested by the Lt. Governor, it should be presented to the Administrator for assent. He may or may not give his assent to the bill or may reserve the bill for the consideration of the President.⁵

But as per the Union Territory Act applicable to Mizoram, the Administrator has to reserve a bill passed by the Assembly for the President's assent, if it contains provisions which relate to the following; (1) any bill which affects or derogates the status, powers and functions of the High Court assigned to it by the Constitution, (ii) any matter specified in Article 31A of the Constitution of India,⁶ (iii) any matter referred to entry 1⁷ and entry 2⁸

5. Ibid., Section 25, pp. 9-10.

6. Article 31A relates to the acquisition of property by the State.

7. Public Order.

8. Police.

of the State list in the seventh Schedule to the Constitution of India and any bill which has been passed by the Legislative Assembly of Mizoram relating to any area comprised in any autonomous district in the Union Territory under the Sixth Schedule to the Constitution of India. The President may direct the Administrator to reserve any bill for his consideration.

When Mizoram became a Union Territory on 21 January 1972, S.J. Das was appointed the first Administrator and he was designated as the Chief Commissioner of Mizoram. He continued in this office till April 1972. When he was the Administrator there was no Legislative Assembly in Mizoram. On 24 April 1972, S.P. Mukherji assumed charge as the Lieutenant Governor of Mizoram. On 10 March 1974 he was injured in his leg when his car was ambushed allegedly by M.N.F. men near Zanlawn village in Aizawl-Silchar road¹¹ and he relinquished his post.

Apart from the Appropriation Bills he gave his assent to the following bills: the Contingency fund of the Union Territory of Mizoram (Determination of Amount) Bill 1973, the Indian Stamp (Mizoram Amendment) Bill, 1973, the Taxation Laws (Mizoram Amendment), Validation of Surcharge Bills 1973. He reserved the following bills for the consideration of the President as required by the U.T. Act and

11. Hindustan Standard (Calcutta), 12 March 1974.

the President gave his assent to: the Mizoram Salaries and Allowances of Ministers Bill 1973, the Mizoram Salaries and Allowances of Speaker and Deputy Speaker's Bill 1973, the Mizoram Salaries and Allowances of Members of the Legislative Assembly Bill 1973, the Mizoram Excise Bill, 1973, and the Mizoram (Sales of Petroleum Products including Motor Spirit and Lubricants) taxation Bill, 1972.¹²

S.K. Chibber became Lieutenant Governor on 13 June 1974 and continued in the post till 29 September 1977. Apart from the Appropriation Bills he gave his assent to the following bills: the Lushai Hills District (Revenue Assessment Amendment) Regulation Bill, 1974, the Mizoram Urban Areas Rent Control Bill, 1974, the Lushai Hills District (Village Councils) (Amendment) Bill, 1975, the Mizoram Roadside Land Control Bill, 1975, the Mizoram U.T. Legislative Member's Removal of Disqualifications) Bill, 1975, the Mizoram Board of School Education Bill, 1975, the Mizoram Trading by Non-Tribals (Regulation) (Amendment) Bill, 1975, the Mizoram Urban Areas Rent Control (Amendment) Bill, 1975, the Mizo District (Land and Revenue) (Amendment) Bill, 1976 and the Mizoram Urban Areas Rent Control (Amendment) Bill, 1976.¹³ He reserved the following bills for the assent

12. Mizoram Legislative Assembly Secretariat, Legislative Section, Assembly Bill Register 1973, Aizawl, n.d., pp. 1-30.

13. Ibid.

of the President as required by the U.T. Act: the Mizoram Trading by Non-Tribals Bill, 1974, the Mizoram Official Language Bill, 1974, the Mizoram Legislative Assembly Proceeding (Protection of Publication) Bill 1974, the Mizoram General Clauses Bill, 1976, the Mizoram Weight and Measure Bill, 1976, the Mizoram (Professions Trade Callings and Employment Taxation) Amendment Bill, 1976, and the Mizoram Salaries and Allowances of Members of the Legislative Assembly (Amendment) Bill 1976.¹⁴ The President gave his assent to these bills. The Societies Registration (Extension to Mizoram) Bill, 1976 which was also reserved for the President's assent was sent back to the Assembly by the President for reconsideration as the President felt that the Act was not necessary for Mizoram.¹⁵ The President's letter about the direction to reconsider the bill was not traceable in the Assembly Secretariat in 1985 and therefore the reason given by the President for its reconsideration is not known. However, the Bill was passed again by the House without any modifications and the President gave his assent to the bill on 26 February 1977.

S.K. Chibber was succeeded by N.P. Mathur on 29 September 1977 and he remained in office till 15 April 1981. Apart from the Appropriation Bills, he assented to the

14. Ibid.

15. See the speech of Ch.Chhunga, the Chief Minister of Mizoram in the House, Mizoram L.A. Proceedings, 19 September 1974, p. 10.

Lushai Hills District (Village Council) Amendment Bill, 1980 and sent the Mizoram Animal (Control and Taxation) Bill, 1980 to the President for his consideration.¹⁶

Admiral S.N. Kohli assumed office as Lt. Governor on 16 April 1981 and continued in his office till 9 September 1983. He assented to no bill except the Appropriation Bills. He referred the following bills as required by the Union Territories Act to the President for assent and the President gave his assent to them: the Mizoram Salaries and Allowances of Members of the Legislative Assembly (Amendment) Bill 1981, the Prison's (Extension to Mizoram) Bill, 1981, the Lushai Hills District (Taxes Amendment) Bill, 1982, the Mizoram Khadi and Village Industries Board Bill, 1982, the Mizoram Salaries and Allowances of Members of Legislative Assembly (Amendment) Bill, 1982, and the Mizoram Salaries and Allowances of Ministers (Amendment) Bill, 1982. All these Bills were assented by the President.¹⁷

H.S. Dubey took charge of Lt. Governor on 10 August 1983 and remained in Office till 9 December 1986. Apart from the Appropriation Bills, Dubey gave his assent to one bill, the Mizoram District Administration of Town Committee Amendment Bill 1983 and did not reserve any bill for the President assent.¹⁸

16. Mizoram Legislative Assembly Secretariat, op.cit. pp.1-20.

17. Ibid.

18. Ibid.

No Lt. Governor in the period under study did send any Bill back to the Assembly for reconsideration nor did reserve any bill for the President's assent except those required by the U.T. Act. This appears to be one of the reasons for the Lt. Governor not having been unnecessarily criticised in any Assembly. The Lt. Governor's image among the legislators also remained good. The members of the Assembly took pains to make it clear that their criticism of the Lt. Governor's address and walk-out after his address had nothing to do with their view of the Lt. Governor or the institution of the Lt. Governor, but only reflected their disagreement with the Council of Ministers.

Administrator and Council of Ministers

The Union Territories Act provides for a Council of Ministers with the Chief Minister at the head to aid and advise the Administrator in the exercise of his functions in relation to matters with respect to which the Legislative Assembly of the Union Territory has the power to make laws, except in so far as he is required by the Act to act in his own direction or render any law to exercise any judicial or quasi-judicial functions.¹⁹ The Act also provides that if any question arises as to whether any matter is or is not a matter in respect to which the Administrator is required by

19. U.T. Act as amended in 1971, Section 44(1), p. 19.

any law to exercise any Judicial or Quasi-Judicial functions, the decisions of the Administrator is final. Moreover, under sub-section 2 of Section 44 of the said Act, Lt. Governor is given special responsibility for the security of the borders of India and for that purpose he can issue such directions and **take** such measures as he thinks necessary; as far as this special responsibility is concerned, the Administrator should act in his discretion.²⁰ The Act also provides that whether any matter is or is not a matter render his discretion is to be decided by the Administrator himself.²¹ In case of difference of opinion between the Administrator and his Ministers on any matter, the Administrator shall refer it to the President for decision and act according to the decision given thereon by the President, and pending such decisions the Administrator shall be competent to act in any case where the matter is, in his opinion, so urgent that it is necessary for him to take immediate action, to take such action or to give such direction in the matter as he deems necessary.²²

The powers conferred on the Lt. Governor to discharge his special responsibilities soon became a bone of contention between the Council of Ministers and the Lt. Governor.

20. Ibid., Section 44(2) and (3), p. 19.

21. Ibid., Section 44(4), p. 19.

22. Ibid., Section 44(1), p. 19.

Immediately after the Lt. Governor S.P. Mukherji was shot in his leg on 10 March 1974, on his way to Silchar from Aizawl, a village near the place where the shooting had taken place, Zanlawn was "group"²³ with Kawnpui village which was about 30 Kilometres away, without the knowledge of the Council of Ministers.²⁴ This grouping of Zanlawn village drew severe criticism from almost all members of the Assembly.²⁵ Ch. Saprawnga, Chief Whip of the ruling party said, "It is wrong to put a blame on Zanlawn village just because the incident took place near it."²⁶ The Chief Minister also expressed his dismay over the grouping of the village.²⁷ This indicates the helplessness of the Council of Ministers in issues relating to law and order. The shifting of this village was fully completed by the end of March 1974 in spite of the disapproval of the Cabinet.²⁸

23. If village 'A' is grouped with another village 'B' then people in village 'B' would come under the strict control of the security forces so as to prevent them from having contacts with the M.N.F. For detail see, V. Venkata Rao, A Century of Tribal Politics in North-East India, 1874-1974, Vol. I, New Delhi, S. Chand & Co., 1976, p. 510.

24. Interview with R. Thangliana, a Senior Cabinet Minister in the Ch. Chhunga Ministry at Aizawl on 27 September 1987.

25. Mizoram L.A. Proceedings, 25 March 1974, pp. 12-32, 26 March 1974, pp. 16-18, 27 March 1974, pp. 8-13.

26. Ibid., 26 March 1974, p. 29.

27. Ibid.

28. Interview with R. Thangliana, the then Finance Minister and P.B. Nikhuma, Deputy Minister in Ch. Chhunga Ministry at Aizawl on 3 August 1987.

On another occasion, during the third Assembly on 13 June 1979, R.C. Choudhury, a P.W.D. Sub-Divisional Officer, who hailed from Silchar, Assam, was killed at Saitual village and it was believed to be a case of the execution of the notice "Non-Mizos Quit Mizoram", by the M.N.F.²⁹ As a retaliatory measure two Mizos were killed, several Mizos were injured and many properties of a small group of the Mizo community in Silchar were burnt down on 15 June 1979 by the Bengalees in Silchar.³⁰ As a result the atmosphere in Aizawl became very tense and to prevent retaliatory lootings and arson in Aizawl, 24 hour curfew was imposed on 16 June, 1979, which continued till 23 June 1979. The Cabinet under the chairmanship of the Chief Minister, Brig. T. Sailo, advised the Lt. Governor N.P. Mathur to lift the curfew at least for a few hours on 23 June 1979. But the Lt. Governor refused to follow the Council of Ministers' advice. He did not relax curfew order on the advice of the Deputy Commissioner of Aizawl and the Inspector General of Police of Mizoram. In protest against this, Brig. T. Sailo's Cabinet sent a letter to the Prime Minister to clarify the powers of the Lt. Governor vis-a-vis the Council of Ministers.³¹ The Prime Minister did not reply to

29. "Most of all Mizo people need peace and tranquility", Radio Broadcast at Aizawl by Brig. T. Sailo on 10 July 1979.

30. Mizo Aw, (Local daily), 26 June 1979.

31. See the letter of the Council of Ministers to the Prime Minister, Appendix D.

the letter . Curfew was lifted by the Deputy Commissioner of Aizawl as per the direction of the Lt. Governor only on 25 June 1979. Thus during the period under study the Lt. Governor sometimes did not follow the advice of the Council of Ministers in matters of Law and Order.

On 13 October 1978, nine members, including the Speaker, of the ruling party in the legislature withdrew their support to Brig. T. Sailo's Ministry. The Chief Minister advised the Lt. Governor to dissolve the Mizoram Assembly when he found that he was reduced to a minority in a House of 30 members.³² The Lt. Governor had the option to dissolve the Assembly or to dismiss Brig. T. Sailo's Ministry and appoint another which, in his opinion, commanded the majority support in the House or to convene the Assembly to test the majority of Brig. T. Sailo's Ministry. Thangridema, the Speaker, expected that he would be called to form a new Ministry after the sixteen members of the Assembly went personally to Raj Niwas and told the Lt. Governor that they supported him.³³ But on 11 November 1978, the Mizoram Assembly was dissolved, Brig. T. Sailo's Ministry was dismissed and President's rule was imposed in Mizoram. This action was

32. In the Second Assembly no member was nominated.

33. Romei (a local daily in Mizo) 13 November 1978 and Author's interview with Thangridema, Ex-Speaker at Aizawl on 9 March 1985.

criticised by the Oppositions as undemocratic. The Lt. Governor's decision to dissolve the House and to hold fresh elections was vindicated by the people's verdict in the general election held in 1979 when they rejected the defectors and elected the People's Conference Party led by Brig. T. Sailo again with a clear majority.³⁴

Council of Ministers and the Legislature

The Council of Ministers is a small body of persons who are collectively responsible to the Legislature. Generally the members of the Council of Ministers are drawn from the members of the House and, if a minister is not a member of the House, he is required to become a member of the House within six months of his appointment failing which he ceases to be a minister.³⁵ According to Harold Laski, the Council of Ministers is "essentially a Committee of that party or coalition of parties which can command a majority"³⁶ in the House.

The first ministry formed in Mizoram in 1972 was a two-tier ministry consisting of Cabinet Ministers and Deputy Ministers. The Deputy Ministers also attended all the

35. U.T. Act as amended in 1971, Section 45(5), p. 20.

36. Harold J. Laski, Parliamentary Government in England: A Commentary, New Delhi, S. Chand & Co., 1978 (Rpt.), p. 221.

Cabinet meetings.³⁷ The Deputy Ministers were given independent charge of separate departments. But in the second and third Assemblies all the ministers were of cabinet rank.

The House exercises its control over the Council of Ministers through questions, motions, voting on the budget, passing of bills etc.

It appears that in the first half of the first Assembly ministers did not take the questions of the members seriously. On 25 September 1973, a ruling party member R. Zoliana felt that the Chief Minister never gave categorical replies to certain questions in the House.³⁸ Another member from the Opposition wondered why the Chief Minister could not give concrete replies to many questions.³⁹ On another occasion, on 28 September 1973, when the Finance Minister Khawtinkhuma failed to give replies to questions, members wondered why many questions were not replied to.⁴⁰ Yet another member even asked the Minister to explain why questions were not answered even though they were submitted 15 days in advance as required by the rules.⁴¹ One of the

37. Author's interview with P.B. Nikhuma the then Deputy Minister in the First Ministry (1972-1977), at Aizawl on 3 August 1987.

38. Mizoram L.A. Proceedings, 25 September 1973, p. 11.

39. Ibid., p. 9.

40. Ibid., 28 September 1973, pp. 6-9.

41. Ibid., p. 6.

Opposition members, Lalkunga asked, "will the Minister resign or penalise the staff for he could not answer the questions?"⁴² The Speaker pulled up the Ministers and said that Ministers should be in a position to explain issues raised through questions.⁴³ Gradually the situation changed in the latter part of the first Assembly when Ministers started taking the question hour seriously.

In the first Assembly, the questions that were raised by the members related to issues which were of importance for the people of Mizoram, viz. Mizoram-Cachar border problem, loss of more than 200 bundles of G.C.I. sheets in transit during 1974-1975, the law and order problem etc. But only four short notice questions were asked in the lone session of the short-lived second Assembly. From the reply of the Chief Minister to a question asked by a member on 4 July 1978, relating to the number of advertisements given to newspapers and the amount paid for the advertisement, it was revealed that the government indulged in discrimination in giving advertisements to newspapers. For example, a local daily, Zomi got 30 advertisements and was paid Rs.9813.25 whereas another local newspaper Harhna received only one advertisement and got Rs. 332/- only.⁴⁴ It appears from the

42. Ibid., p. 7.

43. Ibid., 3 October 1974, p. 19.

44. Ibid., 4 July 1978, pp. 4-9.

reply of the Chief Minister that the paper which supported the government got more advertisements than the other papers which opposed the government.

In the third Assembly important issues like restoration of Village Councils to Thlawhbawk (Temporary village), matters relating to supply conditions, the law and order problems etc. were the subject matter of the questions. Many pieces of information on matters of public importance were elicited through questions.⁴⁵

It is noticeable that unlike in the first Assembly,⁴⁶ replies given by Ministers in the third Assembly drew much less criticism simply because the ministers by this time had started taking questions put by the members of the Assembly more seriously.⁴⁷

Another important method through which the House exercises its control over the Council of Ministers is through adjournment motions⁴⁸ and calling attention motions⁴⁹

45. Ibid., 11 September 1980, pp. 6-9, 6 March 1981, pp. 10-11, 29 February 1980, pp. 23-25, 20 October 1982, pp. 33-34.

46. Ibid., 26 September 1973, pp. 2-11, 3 October 1974, pp. 13-14, 31 March 1975, pp. 1-10, 18 March 1976, pp. 2-10.

47. Ibid., 10 September 1980, pp. 2-10, 23 March 1981, pp. 193-7, 13 September 1983, pp. 193-9, 16 March 1984, pp. 55-77.

48. For detail see Chapter VI, pp. 189-90

49. See Chapter III, pp. 76-79

on issues of public importance. A minister made statements for example, on two issues of adjournment motions relating to the boundary issue with Assam on 25 September 1975⁵⁰ and the firing incident that took place on 27 February 1980 near Kawnpui village between Aizawl and Silchar.⁵¹ The Mizoram Legislative Assembly also exercised control over the Council of Ministers through its Committees.⁵²

During the period under study, two government bills, one in the first Assembly and another in the third Assembly were withdrawn by the ministers concerned due to pressure from the members. On 21 March 1974, the Finance Minister, Khaw-tinkhuma, introduced the Mizoram Revenue Assessment Amendment Bill, 1974, to increase the then existing house tax of Rs.2/- for every house to an amount to be decided by the Lt. Governor. But when the bill was discussed in the House on 1 April 1974, several members both from the ruling and the Opposition parties criticised the bill and wanted the bill to be withdrawn. A senior ruling party member, Ch. Saprawnga, observed that giving the power of fixing the rate of House tax to the Lt. Governor might result in his fixing the house tax even to Rs. 10/- or Rs. 1000/- to a house.⁵³ Most of the members

50. Mizoram L.A. Proceedings, 25 September 1973.

51. Ibid., 29 February 1980, pp. 3-4.

52. For details see Chapter III, pp. 103-10.

53. Mizoram L.A. Proceedings, 1 April 1974, pp. 9-15.

also did not like to pass the bill because the bill failed to mention any formula for fixing the house tax. Saitlawma, Lalsangzuala, C. Lalruata and Ch. Saprawnga all belonging to the ruling party, wanted to move amendments to the bill. Finally, the bill was withdrawn by the Finance Minister with the permission of the House on 1 April 1974.⁵⁴ Thus, the Mizoram Legislative Assembly showed its effectiveness by forcing a Minister to withdraw a bill which, it thought, was not in order.

On another occasion, a bill introduced by a minister was also withdrawn in the third Assembly. On 20 October 1982, the Mizoram Assembly discussed a bill, the Lushai Hill District (Revenue Assessment) Amendment Bill, 1982, which was introduced by Lalhmingthanga, the Finance Minister. The objective of the bill was to raise the rate of land revenue from 50 paise to Rs. 30 per bigha per year.⁵⁵ When the bill was discussed several members, including some ruling party members, B. Lalchungnunga and Mrs. K. Thansiami, wanted the postponement of the consideration of the bill indefinitely. C.L. Ruala, a member of the Opposition, felt that the proposed rate of increase from 50 paise to Rs. 30/- was too high. Some other Opposition members also opposed the bill.

54. Ibid.

55. Ibid., 20 October 1982, p. 65.

When the Finance Minister saw that many members were opposed to the bill he withdrew the bill and the bill was never brought up again in the House.⁵⁶

Relationship between the Ruling Party Legislators and the Chief Minister

In the first general election to the Mizoram Legislative Assembly held on 19 April 1972, the Mizo Union captured 21 seats out of 30. In the Mizo Union Parliamentary party meeting held in May 1972, some MLAs wanted Ch. Saprawnga to be the leader of the party in the House whereas some others wanted Ch. Chhunga to be the leader of the Mizo Union Legislature Party. The supporters of Ch. Saprawnga argued that he was the Chief Executive Member of the Mizo District from 1954 to 1964, a member of the Rajya Sabha from 1950 to 1951, a member of the Assam Legislative Assembly from 1952 to 1954 and the Parliamentary Secretary in the Assam Legislative Assembly from 1952 to 1954 and his administrative experience would help him to be a successful Chief Minister.⁵⁷ On the other hand, Ch. Chhunga's supporter's put forward

56. Ibid., pp. 90-96.

57. Hrangaiia an Ex-M.L.A. told the author when he interviewed him at Aizawl on 7 September 1987, that he himself proposed the name of Ch. Saprawnga because he thought that Mizoram needed an experience man in its initial stage. This report was confirmed by R.D. Sangkhuma, C. Chawngkunga and Hrangvela. Author's interview with them at Aizawl on 7 September 1987.

the view that Ch. Chhunga had been the President of the Mizo Union for a long period of time i.e., 1954-1970; so he deserved to be elected as the leader of the Mizo Union Legislature Party. Ultimately at the very Parliamentary Party meeting, Ch. Chhunga was elected leader of the Mizo Union Parliamentary party and he was sworn in as the first Chief Minister of Mizoram on 3 May 1972. On 3 May 1972 itself, Khawtinkhuma, R. Thengliana and Vaivenga were appointed the Cabinet Ministers. On 27 June 1973, the Chief Minister expanded his Ministry by inducting P.B. Nikhuma as a Deputy Minister with independent charge. H. Thansanga, an influential member in the party was made the Speaker of the Assembly. The merger of the Mizo Union on 23 January 1974 with the Congress necessitated the inclusion of two Congress members of the Assembly, and accordingly Lalsangzuala and Zalawma were made Cabinet Minister and Deputy Minister respectively on 3 May 1974.

Members of the ruling party themselves started criticising the Ministry on various grounds in the Assembly in 1974. For instance, K. L. Rochame demanded the Chief Minister to clearly state his policy towards the MNF and suggested that if the MNF personnel surrendered to the government, they should not be arrested.⁵⁸ Another ruling

58. Mizoram L.A. Proceedings, 26 April 1974, pp. 33-35.

party member C. Lalruata charged the Ministry as too partial, allotting more money to minister's constituencies like Kolasib, the constituency of the Chief Minister, than other constituencies. He also complained that Ch. Chhunga's Government neglected the interior places like Khawbung Assembly constituency. As he put it: "It is heartening to see the negligence of those backward areas by this popular government of ours! While Kolasib is endowed with all sorts of facilities, the people of interior and more backward places do not have clothings. I don't agree to this partiality... I am not at all pleased with the budget preparation."⁵⁹ The party chief whip Ch. Saprawnga was also critical of the Ch. Chhunga Government and he asked the government not to neglect the Agriculture Department as it was in his view, the most important Department.⁶⁰ On 25 March 1975, during the general discussion of the budget, a ruling party member Lalhlira requested the Finance Minister to withdraw the following portions of his budget speech, "two-thirds of the survey of the areas under wet rice cultivation at Champhai have been completed,"⁶¹ as in fact even "one-tenth of the field has not been surveyed."⁶² Another ruling member

59. Ibid., pp. 22-23.

60. Ibid., pp. 27-28.

61. Ibid., 25 March 1975, p. 4.

62. Lalhlira was a member elected from Champhai Constituency.

Hrangvela also remarked: "Public Works Department totally failed in its work not due to officers and staff of the department but because of the Ministry itself."⁶³

In September 1975, there were hectic activities among the ruling party legislators for the removal of Ch. Chhunga as the leader of the House.⁶⁴ But this resulted only in a major reshuffle of the Ministry. On 18 October 1975, the Chief Minister Ch. Chhunga dropped Khawtinkhuma, the Finance Minister, and Vaivenga, the Education Minister, from the Ministry and Ch. Saprawnga and H. Thansanga were inducted into the Ministry. Later Vaivenga was elected Speaker of the Assembly on 7 November 1975. This pacified the critics of Ch. Chhunga in the legislature party.

In the second general election to Mizoram Assembly held on 17 and 20 May 1978, the People's Conference Party captured 22 seats. One Independent MLA, R.T. Zachono, joined the party immediately after the election. Brig. T. Sailo was unanimously elected leader of the People's Conference

63. Ibid., p. 19.

64. When the author interviewed K.L. Bochama, an ex-MLA, at Aizawl on 7 August 1987, he said that the members from the young educated group, including him started this move because they felt that the Ministry was too weak and had poor image in the eye of the public. Hrangvela, other MLA held the same view when the author interviewed him at Aizawl on 28 July 1987.

Legislature Party on 30 May 1978. On 2 June 1978, Brig. T. Sailo and Lalhmingthanga were appointed Chief Minister and Cabinet Minister respectively. Zairemthanga, P.B. Rosanga and F. Malsawma were included in the Cabinet. Eight members of the People's Conference Legislature Party, K.M. Biaksailova, J.H. Rothuama, R. Romawia and Vanlalhruaia, all former activists of the MNF and J. Kapthianga, P. Lalupa, Lalthanzauva and Kiautuma wanted Thangridema, another member of the People's Conference Legislature Party, to be included in the Brig. T. Sailo's Cabinet as he was the acting President of the People's Conference Party during its most critical period during emergency when Brig. T. Sailo and other seven top leaders of the party were in prison under the Maintenance of Internal Security Act between June 1976 and May 1977. They were greatly disappointed when they found that Thangridema was excluded from the Council of Ministers.⁶⁵ It appears that Brig.T. Sailo did not include any of them or their leader Thangridema in his Ministry because these members who were the supporters of the MNF at that time were critical of Brig. T. Sailo's relationship with the leader of the MNF, Laldenga. They tried to capture the party posts at the People's Conference Party election held on 10 October 1978. But this group failed to get elected to any of the party posts. So

65. Author's discussions with ex-MLAs, Kiautuma, Vanlalhruaia, and C. Chawngkunga at Aizawl on 15 October 1978, 10 March 1985 and 11 March 1985.

the nine MLAs, including the Speaker Thangridema, who called themselves the People's Conference 'B' decided on 13 October 1978 to withdraw their support to Brig. T. Sailo's Ministry and to form a United Legislature Party with four MLAs of the Congress, one MLA of Janata Party and two Independent members, under the leadership of Thangridema.⁶⁶ The latter informed the Lt. Governor on 30 October 1978 that majority of the members of the Assembly no longer supported Brig. T. Sailo's Ministry and therefore, it should be dismissed immediately and that the leader of the United Legislature Party should be appointed Chief Minister as he had the support of 16 out of 30 members of the Assembly. But on 11 November 1978, without a chance being given to Thangridema to prove his majority in the House, Brig. T. Sailo's Ministry was dismissed and the Assembly was dissolved.⁶⁷

In the third general election to the Mizoram Legislative Assembly which was held on 24 and 27 April 1979, the People's Conference Party led by Brig. T. Sailo secured 18 seats out of 30 seats and all the members of the earlier Ministry were re-elected. On 8 May 1979, Brig. T. Sailo was appointed Chief Minister. In his address to the public

66. Chaltuahkhuma, History of Mizoram, Aizawl, R. D. Press, 1987, pp. 355-356, and A. Thanglura, Mizoram Politic Lumlet Dan, Aizawl, Thakthing Bazar Press, 1982, p. 273.

67. Harhna, 13 November 1978.

in the Assam Rifle ground in Aizawl, he said: "In due reverence for the wish of the electorate the same Ministers of last year are now back in office However, the old Speaker faded away..."⁶⁸ On 18 November 1983, F. Malsawma, the Education Minister accused Brig. T. Sailo of not giving due weightage to the views of his cabinet colleagues and resigned from the Ministry⁶⁹ and Brig. T. Sailo recommended to the Lt. Governor that his resignation be accepted. The resignation of F. Malsawma did not result in any serious threat to his Ministry and he continued to be the Chief Minister till the end of his term.

Conclusion

During the period under study, the relationship between the members of the Assembly and the Lt. Governor was smooth as the Lt. Governor did not prevent any Act passed by the legislature from becoming law. The relationship between the Council of Ministers and Lt. Governor soured when the latter used his discretionary powers relating to law and order against the advice rendered by the former.

In the first Assembly both the ruling and the Opposition members criticised the policies of the Council

68. Harhna, 9 May 1979.

69. F. Malsawma, Ka Ban Chhan (The reason for my resignation) a cyclostyle copy, Aizawl, 19 November 1983.

of Ministers in the House and asked searching questions and supplementaries. As time passed, a gradual change was noticeable in the attitude of the Council of Ministers towards the House as they become more and more conscious of their responsibility to the House. The members of the House in all the Assemblies exposed the lapses of the ministers and used all the instruments of control over the latter successfully. The failure of the Council of Ministers to solve law and order problem created by the MNF and the Military excess, the irregular receipt of essential commodities to Mizoram from other States of India, the other commissions and omissions of the ministers were the main target of criticism by the members.

The Ch. Chhunga Ministry had to resort to force against MNF activists to maintain law and order in the Union Territory. The people in general did not approve of a strong hand policy against the MNF. He was criticised on the one hand, for not preventing violence in Mizoram and on the other hand, was branded as anti-MNF. This strategy of the opposition was successful in making his Ministry unpopular with the people. This was one of the important reasons for his party being defeated in the general election held in 1978.

The Second Ministry led by Brig. T. Sailo could not maintain majority support in the House in 1978, and this led to its downfall within six months of its installation in Office. Though he was elected to power for a second time in 1979, his open criticism of the MNF inside and outside the House was severely resented and it made his Ministry unpopular and he was voted out of office in the fourth general election held on 16 February 1984.

CHAPTER - VI

ROLE OF OPPOSITION IN THE MIZORAM

LEGISLATIVE ASSEMBLY

ROLE OF OPPOSITION IN THE MIZORAM LEGISLATIVE ASSEMBLY

An effective Opposition is essential for the right functioning of parliamentary democracy. Its primary purpose is not to justify but to criticise.¹ It makes government by discussion real. It not only keeps the government on the guard through constant criticism of its acts of omission and commission, but also can provide an alternative government when the ruling party loses majority. It endeavours to maintain continuous contact with the electorate and expresses their grievances in the Legislative Chambers which the ruling party may choose to ignore. If there is only one political party in absolute control of the political system, it is bound to become dictatorial.² As rightly pointed out by Maurice Douverger, one important object of having Opposition parties in a democracy is to limit power by power.³ The constructive role of the Opposition is essential for the successful working of a representative government. According to Harold J. Laski, "Men who are to live together peacefully must be able to argue together peacefully."⁴

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1. Ivor Jennings, Parliament, London, Cambridge University Press, 1970, (Rpt), p. 176.
 2. C.M. Jain, State Legislatures in India - The Rajasthan Legislative Assembly: A Comparative Study, New Delhi, S. Chand & Co. (Pvt) Ltd., 1972, p. 150.
 3. Maurice Douverger, Political Parties, New Delhi, B. I. Publications, 1979, p. 413.
 4. Harold J. Laski, Parliamentary Government in England: A Commentary, New Delhi, S. Chand & Co., 1979, p. 15.

According to L.M. Shingvi, "An effort must also be made inside Parliament to accept as far as possible the reasonable or political suggestions offered by the Opposition in regard to any measure that brought before Parliament by the government If there is an intelligent appreciation of the Opposition's view and the measure brought before Parliament are adjusted without prejudice to the essential principles and policies of the ruling party, much of the trouble from the Opposition may possibly be avoided."⁵

Origin and Development of Opposition Parties in Mizoram

The history of the Opposition in Mizoram can be traced back to 9 April 1946, when the Mizo Union was formed to act as an opposition to the British Government in the Lushai Hills. Its objective was the social and political uplift of the Mizos.⁶ It not only wanted to abolish the Chieftainship in Mizoram, but also desired to establish a popularly elected Council to control the affairs of the Mizos. Due to the pressure of the Mizo Union the Government of India in 1952 decided to establish an Autonomous District Council for the Lushai Hills under Assam.⁷ The Mizo Union

5. L.M. Singhvi, Parliament and Administration in India, New Delhi, Metropolitan Book Co., 1972, p. 24.

6. The Original Constitution of the Mizo Union, Aizawl, 1946, p.1.

7. See for details R. Vanlawma, Ka Ram leh Kei (My Country and I), Aizawl, Zalen Printing House, 1972, (Second Impression), p. 163.

became a ruling party in Mizoram when it captured a majority of seats in the first general election to the District Council held on 4 April 1952,⁸ and continued to dominate the Mizoram political scene till 1970. In 1970, in the District Council election the Congress captured power, but in the election to the newly formed Mizoram Assembly the Mizo Union captured power in 1972.

From 1947 to 1972, there were a few opposition parties in Mizoram, viz. the United Mizo Freedom Organization (UMFO) established in 1947, the Mizo Union Right Wing established in 1956, these two Parties were merged into the Eastern Indian Tribal Union (EITU) established in 1961, Indian National Congress (Mizoram Branch) formed in 1961, Mizo National Union established in 1971 and Mizo Integration Party established in 1971. Till 1957 the UMFO Party was the main Opposition Party whereas the Mizo Union Right Wing was a mere factional party and its popularity among the people was negligible. Then Eastern Indian Tribal Union became the main Opposition in Mizoram in 1962, but by 1963 the Mizo National Front Party became popular in Mizoram. Of the three Assembly seats allotted to the Mizo District, the MNF secured two seats in the bye-election held in 1963. But the MNF

8. Chaltuakhuma, History of Mizoram, Aizawl, R. D. Press, 1987, pp. 196-9.

Party went underground from 1966 to 1986 and has not in a position to play a role as a recognised party.

From 1952 to 1969 in the Mizo District Council only one party, the Mizo Union was in a dominant position. The Opposition parties contested all the elections since 1952 till 1969 in the Mizo District Council, but failed to capture the Council.

Composition of the Opposition in Mizoram Assembly

In the Mizoram Legislature Assembly during the period under study the Opposition included all political parties other than the ruling party and the Independents not supporting the government in office. The composition of parties in different years during the first three Assemblies is provided in Table 3.1. In the first General Election to the Mizoram Assembly held on 18 April 1972, four Political parties, the Mizo Union, the Congress, the Socialist Party and the Mizo Labour Party and 26 Independents contested the election. The Mizo Union won 21 seats out of 30 in the Assembly in 1972. The Congress won 6 seats and was recognised as the Opposition group with J. Thanghuama as its leader.⁹ The three Independent members joined the Mizo Union Legislature Party, one of whom was elected Deputy Speaker.

9. Mizoram Legislative Assembly Secretariat, Handbook for Members, Vol. II, Aizawl, 1979, p. 11.

Table 3.1: The Composition of Political Parties in Different Years in the First Three Assemblies.

S. No.	Parties	FIRST ASSEMBLY 1972-1977						
		1972	Oct. 1973	Jan. to Aug. 1974	Sept. 1974	March 1975	Jan 1976	Jan 1977
1.	M.U.	21	24	Nil	4	4	3	2
2.	Cong.	6	6	33	29	29	29	30
3.	P.C.	-	-	-	-	-	1	1
4.	P.C. 'B'	-	-	-	-	-	-	-
5.	Janata	-	-	-	-	-	-	-
6.	Independents	3	3	-	-	-	-	-
7.	Nominated	3	-	-	-	-	-	-
Total Strength		33	33	33	33	33	33	33

Sl. No.	Parties	SECOND ASSEMBLY 1978	
		May 1978	October 1978
1.	M.U.	-	-
2.	Cong.	4	4
3.	P.C.	23	14
4.	P.C. 'B'	-	9
5.	Janata	1	1
6.	Independents	2	2
Total Strength		30	30

		THIRD ASSEMBLY 1979-1984									
Sl. No.	Parties	June 1979 to July 1979	Nov 1979	Dec 1979 to Dec 1980	Jan 1981 to Aug 1981	Sep 1981	May 1982	Nov 1982	Oct 1983	Dec 1983	Apr 1984
1.	M. U.	-	-	-	-	-	1	1	1	1	1
2.	Cong.	5	5	5	7	7	7	7	8	9	9
3.	P.C.	18	19	22	22	22	25	24	24	23	23
4.	P.C. 'B'	4	4	4	4	-	-	-	-	-	-
5.	Janata	2	2	2	-	-	-	-	-	-	-
6.	Independents	1	-	-	-	-	-	-	-	-	-
7.	Nominated	-	3	-	-	-	-	-	-	-	-
Total Strength		30	33	33	33	29	33	32	33	33	33

Source: Keneth Chawngliana, Facts and Figures for Legislators in Mizoram, (Unpublished), Aizawl, 1984, pp. 45-47.

All the three nominated Members joined the ruling Parliamentary Party during the First and the Third Assembly.

The Mizo Labour Party and the Socialist Party did not get any seat in the House and both the parties merged with the Congress in October 1972.¹⁰ An important change took place in the composition of Mizoram Assembly when the ruling Mizo Union merged into the Congress on 23 January 1974 and as a result of which, Congress which was in Opposition, became a ruling Party at once. It may be interesting to note that for a few months between January and August 1974 there was not even a single member of the Opposition in the Assembly.¹¹ But in September 1974, four MLAs namely, R. Dotinaia, R.D. Sangkhuma, C. Chawngkunga and Vanlalhruaia of the erstwhile Mizo Union left the Congress Party¹² and formed Mizo Union Legislature Party in the House. They requested the Speaker to allot separate seats for them in the House as they would not like to be on the Treasury Benches. The Speaker accepted their request and allotted separate seats for them.¹³ But in 1976, C. Chawngkunga left Mizo Union and joined P.C. Party and Vanlalhruaia returned to the Congress in January 1977.

10. The Highlander, Aizawl, 27 September, 1972.

11. Mizoram L.A. Proceedings, 20 March 1974, p. 12.

12. The Highlander, 31 July 1974.

13. Mizoram L.A. Proceedings, 17 September 1974, p. 12.

Immediately after the general elections in 1972 and 1979, the strength of the Opposition was at its highest. But during the first and the third Assemblies, some of the Independents and all the nominated Members joined the ruling party. The nominated members owed their membership due to the recommendation of the Chief Minister and so all of them had joined the ruling party. The membership of the ruling party increased in the first Assembly due to the merger of the ruling M.U. with the Congress. The strength of the ruling Party increased in the third Assembly not due to any defection from the Opposition to the ruling Party, but due to the success of the ruling Party in the bye-elections held on 19 May 1982 for 4 Assembly Constituencies vacated by P.C. 'B' members. At the beginning of the third Assembly the ratio between the Opposition and the ruling Party was 2:3.¹⁴ But the numerical strength of the Opposition decreased from 12 in the beginning to ten members towards the end of the Assembly. In the first Assembly the strength of the Opposition was nine in the beginning but reduced to **three** towards the end of the Assembly. The number of members of the Opposition in the beginning of the second Assembly in June 1978 was eight, but it increased to 16 in October, 1978 thereby turning the ruling party into a minority. This was due to the split in the ruling People's Conference Party.

14. See Table 3.1.

This finally led to the dissolution of the House by the President of India on 11 November 1978.¹⁵

The Congress Party was the main Opposition in the first Mizoram Assembly with a strength of six members in the House. It could play a successful role as Opposition within a brief period of two years and was able to convince the two parties, the Mizo Labour Party and the Socialist Party to merge with the Congress on 16 September 1972.¹⁶ This had given an impression that the Congress Party might become a viable and formidable alternative to the ruling Mizo Union Party. It appears that the Mizo Union leadership at that time came to the conclusion that unless they merged with the Congress its ministry might be toppled down by the Congress with the help of the Central Congress leadership.¹⁷ The Congress Party became a ruling Party due to the merger of the ruling Mizo Union into it on 23 January 1974. But the merger did not satisfy some of the leaders of the erstwhile Mizo Union.¹⁸ S.K. Chaube has rightly remarked that the defect of the merger was that it bred deep factional rift between the old and new Congress,¹⁹ as there was infighting

15. Harhna, Aizawl, 12 November 1978.

16. The Highlander, 27 September 1972.

17. Chaltuahkhuma, Op.cit., p. 334.

18. The Highlander, 22 May 1974.

19. S.K. Chaube, Electoral Politics in North East India, Madras, University Press, 1985, p. 197.

between the faction of Ch. Chhunga, the new Congress, and the faction of Lalthanhawla, the old Congress. Another important effect of the merger of the two Parties was that the MNF which had all along backed the pre-merger Congress, was ill-at-ease with the new Congress under the leadership of the Mizo Unionists who had never supported the MNF.²⁰ In the general election to the Assembly in 1978 it got 4 seats and in the 1979 election 5 seats.

The People's Conference which came into existence in 1975 became popular rapidly under the dynamic leadership of Brig. T. Sailo who promised to bring peace to Mizoram and to start a meaningful dialogue with the MNF. He boldly spoke against the army excesses in Mizoram.²¹ The Congress party while in power in Mizoram from 1975 to 1977 vehemently criticised Brig. T. Sailo's party as anti-national, and seven leaders of People's Conference Party including Brig.T. Sailo were arrested on 3 June 1975 under the Maintenance of Internal Security Act and were released only in May 1977. But this, instead of having an adverse effect on the party, increased its popularity with the people. In the Lok Sabha election

20. Animash Ray, Mizoram: Dynamics of Change, Calcutta, Pearl Publishers, 1982, p. 236, and "Price of Expediency" (Editorial), The Statesman, 14 March 1974.

21. Lalchungnunga, Regionalism in Mizoram, A Thesis submitted for the Degree of Doctor of Philosophy to North-Eastern Hill University, Shillong, 1987, pp. 178-9.

held on 16 March 1977, the P.C. Party candidate polled 52.73 per cent of valid votes, whereas the Congress polled only 37.7 per cent.²² In the subsequent general election to the Assembly in 1978, the People's Conference Party won a majority and the Congress became the opposition party.

The Congress Party was the main opposition party in the second and the third Assemblies. During this period it changed its strategy and branded the P.C. Party as anti-M.N.F. and anti-peace.²³ The Congress also projected itself as a national party with a regional character.²⁴ It made it clear that only the Mizoram Congress Party, which was also a branch of the ruling Congress Party at the Centre, alone could bring peace to Mizoram. This strategy of the Congress paid rich dividends, as it was elected to power in the 1984 election. The Congress got 19 seats and P.C. could get only 8 seats.²⁵

The composition of other Opposition parties, Janata Party, People's Conference 'B', Mizo Union and Independents is provided in detail in Chapter II.

22. Chief Electoral Officer, Mizoram, General Election to the Lok Sabha, 1977, Mizoram: A Statistical Report, Aizawl, 1977, p. 9.

23. "Remna Thlentu Anih Kan Beisei Tehlul Nen", a Pamphlet issued by Mizoram Congress I, Aizawl, 17 November 1980, pp. 5-8.

24. A Leaflet issued by the Mizoram Congress I under Memo No. MCC. 6/83/Pt. dated Aizawl, 5 December 1983.

25. Chief Electoral Officer, Mizoram, Report on the Fourth General Elections to the Legislative Assembly of Mizoram 1984, Aizawl, p. 50.

Table 3.2: Occupation of the Opposition Members in the three Assemblies

Sl. No.	Occupation	1972		1978		1979	
		No.	P.C.	No.	P.C.	No.	P.C.
1.	Government Servants	3	33.33	5	71.42	9	64.28
2.	Teaching	3	33.33	1	14.29	3	21.44
3.	Agriculture	1	11.11	-	-	-	-
4.	Ex-Service	1	11.11	-	-	-	-
5.	Business	1	11.11	-	-	1	7.12
6.	Social Worker	-	-	-	-	1	7.12
7.	Unspecified	-	-	1	14.29	-	-
Total		9	100	7	100	14	100

Table 3.3: Educational Standard of Opposition Members in the first three Assemblies.

Sl. No.	Educational Standard	1972		1978		1979	
		No.	P.C.	No.	P.C.	No.	P.C.
1.	Postgraduate	-	-	-	-	1	7.14
2.	Graduate	4	44.44	4	57.14	7	50.00
3.	Undergraduate	-	-	1	14.28	4	28.57
4.	Matriculate	2	22.22	-	-	-	-
5.	Under Matriculate	3	33.33	2	28.57	2	14.28
Total		9	100	7	100	14	100

Table 3.4: Age Group of Opposition Members in the three Assemblies

Sl. No.	Age Group	1972		1978		1979	
		No.	P.C.	No.	P.C.	No.	P.C.
1.	25 - 35	3	33.33	1	14.28	2	14.28
2.	36 - 45	5	55.55	4	57.14	9	64.28
3.	46 - 59	1	11.11	2	28.57	3	21.42
4.	60 and above	-	-	-	-	-	-
Total		9	100	7	100	14	100

Note: P.C. means percentage

Source of the tables 3.2, 3.3, and 3.4.

1. Mizoram Legislative Assembly Secretariat, Who's Who Mizoram Legislative Assembly 1976, Aizawl, 1976, and Who's Who Mizoram Legislative (1979-1983), Aizawl, 1984.

All those who were Opposition members at one time or another were included as Opposition members in these tables 3.2, 3.3, and 3.4. But one Independent member who just after the 1979 election joined the ruling party and the nominated members were not included in these tables.

Membership Pattern of the Opposition in the Mizoram Assembly (1972-1984)

The occupation, educational qualifications and the age of the Opposition members in the three Assemblies are provided in Tables 3.2, 3.3 and 3.4. Most of the Opposition members were either ex-government servants or former teachers. As shown in table 3.2, the former government servants formed the dominant group in the Opposition in the first three Assemblies. In the first Assembly, they were 33.33. per cent,

in the second 71.42 per cent and in the third 64.28 per cent. Former teachers were the next prominent group in the Opposition. In the first Assembly, this group had 33.33 percent of Opposition seats, in the second Assembly 14.29 percent and in the third 21.44 per cent.

The table 3.3 shows that almost half of the Opposition members in the three Assemblies were graduates. This is in striking contrast to many State Legislatures in the country where most of the legislators are non-graduates. This may be one of the reasons for the orderly behaviour of the Opposition in Mizoram Legislative Assembly. More than half the members of the Opposition in the three Assemblies were drawn from the age group of 36-45.

The Opposition and the Lt. Governor's Address

The Lt. Governor of the Union Territory of Mizoram has the right to address the Legislative Assembly at the commencement of the first session after each general election and also at the commencement of the first session of each year.²⁶ In the Mizoram Legislative Assembly during the Lt. Governor's address, no member has ever indulged in unruly behaviour as is done sometimes by the members of the Opposition in some other State Assemblies during the address of the Governor.²⁷ In the Mizoram Legislative Assembly during

26. U.T. Act as amended in 1971, Section 9, p. 4.

27. N.S. Gehlot, State Governors in India: Trends and Issues, New Delhi, Gitanjalee Publishing House, 1985, p. 129.

the period under study, all attempts made by the Opposition to defeat the government on the Lt. Governor's address were defeated. However, walk-outs against the Lt. Governor's address was one of the method of protests used by the members of the Opposition in some occasions.

The Opposition also used Amendment Motion to the address of the Lt. Governor as a mark of its protest against the address. Though no amendment motion was moved in the first Assembly, the Opposition leader Lalthanhawla submitted an amendment motion to the Lt. Governor's address in the second Assembly wherein he stated that the Lt. Governor's address did not include many important matters relating to infiltrations of immigrants from Bangladesh, development programme of temporary villages (Thlawhbawks), the disputes over the boundary lines of Mizoram and Cachar (Assam), privileges enjoyed by sons of the soil in employments, the shifting of Assam Rifles from the heart of Aizawl town to another place, the removal of Army Brigade Headquarters from private land in Aizawl etc.²⁸ After a thorough discussion on the Lt. Governor's Address, the leader of the Opposition, Lalthanhawla himself asked leave of the House for the withdrawal of his amendment motion and stated: "Listening to various speeches made by members, it seems that majority are in favour of dropping my amendment motion. As we are outnumbered by ruling party

28. Mizoram L. A. Proceedings, 23 June 1978, p. 8.

members, it is not hopeful that they will support me in voting the amendment motion. I therefore, agree to withdraw my amendment motion."²⁹ Then he withdrew it on 23 June 1978. But on 30 May 1979, he again submitted another amendment motion to the Lt. Governor's Address which stated that the Lt. Governor's Address did not include many important points like the peace-talks which was going on between the government of India and the MNF and the allotment of Village Councils to Thlawhbawk. But again he withdrew his amendment motion when the government agreed to take up the points mentioned by him in his amendment motion.³⁰

On 10 March 1981, the Opposition leader submitted an amendment motion to the Lt. Governor's Address, when he raised a point of order regarding his amendment motion to the Lt. Governor's Address, the Deputy Speaker who was in the chair informed him that the amendment notice was not acceptable. Thereupon, the entire opposition staged a walk-out from the House.³¹

The basic idea of the Opposition's amendment motion to the Lt. Governor's Address was to suggest alternatives to the policy of the government. The members of the Opposition in the House pointed out that certain important subjects

29. Ibid., p. 49.

30. Ibid., 30 May 1979, pp. 33-35.

31. Ibid., 10 March 1981, p. 69.

were not even mentioned in the Lt. Governor's Address. On 23 June 1978, Lalthanhawla pointed out that the address did not contain anything about the steps to be taken to link Mizoram with other States of India through rail head which would solve many of the problems faced by the people of Mizoram.³² During the discussion of the Lt. Governor's Address, on 30 May 1979, J.H. Rothuama, a member from the Opposition, pointed out that a District Council was necessary in each of the Lunglei and Aizawl Districts to fill a wide gap between a Village Council and the Union Territory Government.³³ C.L. Ruala expressed his regret over the repeated omission of the Statistical Department in the Lt. Governor's Address.³⁴ Sainghaka, a member from the Opposition Congress, pointed out the need to implement Indira Gandhi's 20 points programme, which, according to him, was neglected by the Government of Mizoram.³⁵

During the discussion of the Lt. Governor's Address especially in the second and third Assemblies, the Opposition expressed its dissatisfaction over the lack of adequate progress achieved in the peace-talks between the Government of India and the Mizo National Front and desired that the

32. Ibid., 23 June 1978, pp. 9-11.

33. Ibid., 30 May 1979, p. 17.

34. Ibid., p. 19.

35. Ibid., 15 March 1984, pp. 14-15.

Government of Mizoram must take appropriate steps to quicken the pace of peace talks so that it might lead to a fruitful conclusion at an early date.³⁶ They emphasized that for the development of Mizoram, peace and tranquility was more vital than anything else.³⁷ The problems of Law and Order created by the MNF and some military excesses were the other important issues raised by the Opposition members.³⁸ Though the Opposition failed to get the amendments to the Lt. Governor's address passed by the House, it drew attention of the Council of Ministers to the burning issues of the day.

Question Hour and the Opposition

During the first Mizoram Legislative Assembly, the Opposition members raised 170 starred and 18 unstarred questions out of the total of 941 starred and 133 unstarred questions respectively.³⁹ 24 per cent of the total number of questions were asked by the Opposition. The average number of questions asked by each member of the Opposition was 18. The lone short notice question was asked by an Opposition member.

36. Ibid., 23 June 1978, p. 30.

37. Ibid., 30 May 1979, pp. 18-26.

38. Ibid., 20 March 1974, pp. 14-19, 23 June 1978, p. 8, and 15 March 1982, p. 30.

39. Compiled by the author from the Mizoram Legislative Assembly Proceedings (1972-1977).

In the short-lived second Assembly two short notice questions were asked by Opposition members out of the four.⁴⁰ No other question was raised during this Assembly.

In the third Assembly the Opposition raised 243 starred questions out of 420 starred questions (57.85 per cent) and 36 unstarred questions out of 51 unstarred questions (70.58 per cent) and seven short notice questions out of 24 short notice questions (29.16 per cent).⁴¹ Many questions raised by the Opposition members related to the performance of the Mizoram Government.⁴² It appears that the Opposition tried mainly to expose the administrative lapses of the government and to elicit information on matters of public importance through these questions. They pointed out several defects in the administration. For instance, R. D. Sangkhuma, an Opposition member, revealed that Lower Primary School Teachers who had got only 3, 8 and 10 marks out of 100 in the qualifying examination were appointed teachers by the government.⁴³ On 28 March 1973, Lalsangzuala, another member of the Opposition, brought to the attention of the Minister, the long pending cases of payment of bills to contractors in Mizoram.⁴⁴ On 26 September 1973, J. Thanghuama,

⁴⁰. Mizoram L. A. Proceedings, 3 July 1978, pp. 3-5.

⁴¹. Compiled from the Mizoram Legislative Assembly Proceedings (1979-1984).

⁴². Ibid., 25 March 1974, pp. 8-9, 23 March 1973, p. 5, and 25 October 1982, p. 155.

⁴³. Ibid., 3 October, 1974, pp. 13-14.

⁴⁴. Ibid., 28 March 1973, pp. 6-9.

Leader of the Opposition asked: "How many false High School Leaving Certificates have been detected and what action has been taken by the Government on this."⁴⁵ The Minister for Education told the House "only one case has been detected and appropriate action has been taken."⁴⁶ On another occasion, in his reply to a question asked by the Opposition leader, on 26 September 1973, the Education Minister Vaivenga, disclosed that 220 Lower Primary School teachers were appointed between 1 May 1972 and 8 September 1973 and that the government had given appointments to the relatives of those persons who were killed by the MNF even though they did not take the written examination conducted by the government for the selection of Primary School teachers.⁴⁷

On 25 March 1981, Saikapthianga a member of the Opposition, asked the Chief Minister whether the culprits in the murder of Vanlalchhuana at Darlawn village and Lalthara at Aizawl had been arrested? The Chief Minister replied that Ramfangzauva, an Assistant Inspector of Police, and Vanlaltana, a police constable were arrested and suspended from their jobs. Rohmingthanga, a police constable, and his associate Zoramthanga were also arrested in connection with the murder

45. Ibid., 26 September 1973, p. 8.

46. Ibid.

47. Ibid., 26 September 1973, p. 10.

of Lalthara at Aizawl.⁴⁸ A question asked by one of the Opposition members on 28 September 1981, led the government to enquire into the quantity of rapeseed oil allotted by the Government of India for Mizoram and the quantity of the oil brought into Mizoram by dealers. It was found that only 443.861 Metric Tonnes of rapeseed oil had been lifted to Mizoram, though 922 Metric Tonnes were allotted to Mizoram during the period from 1 June 1980 to 30 June 1981.⁴⁹ On 29 September 1981, in a reply to a question asked by an Opposition member, Sainghaka, the Minister of Supply, revealed that out of 16,230 Metric tonnes of Cement allotted for Mizoram, only 5,264 Metric tonnes had been lifted by the government through its dealers between 1 July 1980 to 30 June 1981.⁵⁰ This indicates the failure of the government to supply important commodities to the people in time. It may be observed that the Opposition in Mizoram played a significant role in eliciting information on matters of public importance and was able to bring important issues to the notice of the people from answers to the questions asked by them.

48. Ibid., 25 March 1981, pp. 264-5.

49. Ibid., 29 September 1981, pp. 89-92.

50. Ibid., pp. 94-95.

Opposition and the Adjournment Motion

During the period under study, there were five notices of adjournment motions, one in the first Assembly, none in the second Assembly and four in the third, and all were raised by the Opposition members. But all these motions were rejected by the Speakers and no discussion took place on these motions in the House.⁵¹ The adjournment motion in the first Assembly was submitted by Zalawma to discuss the eviction of many families of Vairengte village by Cachar Forest Guard of Assam which caused great damage to crops and paddy. Though the Speaker did not allow any discussion on the adjournment motion, he called the Chief Minister to give a statement on this. On 25 September 1973, the Chief Minister said: "Our Development Minister, R. Thangliana and Aizawl Deputy Commissioner went to Shillong and met the Chief Minister (Assam) there. The Chief Minister Sinha told our representatives that they will not continue the eviction operation till they completed reaping their crops."⁵²

51. In India the Chair has shown disinclination in admitting adjournment motions. Upto the end of the third Lok Sabha, only 10, out of 2063 notices received were admitted. In Britain, the average is six times of this.

Narain Udai, Parliamentary Control of Public Administration in India, Allahabad, Chugh Publications, 1981, p. 368.

52. Mizoram L.A. Proceedings, 25 September, 1973, p. 15.

On 23 August 1979, Sainghaka, an Opposition member submitted an adjournment motion to discuss the irregular movement of transport between Aizawl and Silchar which caused acute scarcity of essential commodities in Mizoram and to take steps so that regular movement of transport between Aizawl and Silchar could be restored.⁵³ Another adjournment motion raised by Sainghaka on 25 May 1979, related to the firing by C.R.P. guard on the under trail prisoners in Aizawl two days earlier.⁵⁴ On 25 February 1980, Lalthanhawla raised an adjournment motion to discuss the firing incident which had occurred on 27 February 1980 near Kawnpui on Aizawl-Silchar road.⁵⁵ On 25 September 1981, Lalthanhawla submitted another adjournment motion to discuss the student agitation in Mizoram.⁵⁶ These matters brought by the Opposition for discussion in the House clearly indicate that the Opposition was deeply concerned about matters of public importance.

Opposition and the No-Confidence Motion

During the period under study, the Opposition in Mizoram moved two no-confidence motions, one in the first Assembly and the other in the third Assembly. Both these

53. Ibid., p. 28.

54. Ibid., 25 May 1979, p. 63.

55. Ibid., 29 February 1980, p. 38.

56. Ibid., 25 September 1981, p. 32.

motions were moved by the Congress Party which was then in Opposition.

The motion, moved on 8 October 1973 in the first Assembly, was discussed in the House on 8 and 9 October 1973. The subject matter of discussion related to corruption, maladministration, nepotism and law and order problems in the Union Territory.⁵⁷ Among many other things, the leader of the Opposition alleged that the Minister for Supply had constructed a building in Aizawl without proper permission from the government. He also pointed out that 53 quintals of rice for Chawngtlai despatched from Serchhip did not reach Chawngtlai in full.⁵⁸ He further said that a Government building was constructed in the Compound of the Chief Minister without prior administrative approval.⁵⁹ During the discussion on the no-confidence motion all the ministers were present in the House and tried their best to refute the charges of the Opposition.⁶⁰ In this connection it may be observed that the ministers did not succeed in fully refuting the charges of the Opposition.

On 29 September 1981, the Opposition leader, Lalthanhawla moved a no-confidence motion against Brig. T. Sailo's Ministry. The Chief Minister chose to go to Delhi

57. Ibid., 8 October 1973, pp. 16-52.

58. Ibid., pp. 24-25.

59. Ibid., p. 22.

60. Ibid., 9 October 1973, pp. 26-45.

for attending a Conference when the motion was to be discussed in the House. The Chief Minister's absence from the House was severely criticised by the Opposition and it argued that it amounted to the contempt of the House.⁶¹

The Opposition charged that the People's Conference Ministry led by Brig. T. Sailo sowed seeds of hatred between the people and the MNF as it mobilized public opinion against the MNF. It also charged that the Ministry was trying to sabotage the peace talks between the Government of India and the Mizo National Front for its own vested interests.⁶² The Opposition argued that in case the peace talks succeeded, Brig. T. Sailo's Ministry would have to be dismissed and the legislature would have to be dissolved as all these were included in the demands put forward by the MNF in the peace talks with the Government of India.⁶³ The Opposition further charged that corruption, favouritism and nepotism were rampant in Brig. T. Sailo's administration, and that the ministry had also failed to solve the Mizoram-Assam boundary problem. They accused the ministry of misusing its power

61. Ibid., 29 September 1981, p. 98.

62. Ibid., pp. 131-6.

63. Ibid., p. 104. Also see, "Remove Sailo before talks, say Laldenga" Indian Express, 16 September 1981. "Mizo Controversy", The Patriot, 9 July 1980. "Outlook in Aizawl", The Assam Tribune, 10 July 1980; and Inderjit, "New Danger in the North-East", The Economic Time and Tribune, 15 July 1980.

by issuing contracts to those persons who were prepared to contribute to party fund,⁶⁴ transferring honest officials to interior places and failing to supply essential commodities to the people in time.⁶⁵ The Ministers refuted all the charges.⁶⁶

Compared to the discussion on the no-confidence motion in the first Assembly in 1973, the Opposition's charges were more precise and to the point. In the first Assembly during the discussion on the no-confidence motion, many of the charges against the ministry were only in the form of questions which were conveniently brushed aside by the Chief Minister as vague because they were not in the form of affirmative statements.⁶⁷

Because of the numerical strength of the ruling parties in the first and the third Assemblies, the no-confidence motions were lost when put to vote. However, the Opposition was successful in exposing the weaknesses of the governments.

64. Sainghaka an Opposition Congress Member said that a man from Ramhlun gave Rs. 500/- to the treasurer of the People's Conference Party for its party fund to get a contract, but when he did not get the contract he withdrew his money. P.B. Rosanga, Minister interrupted him: "Out of 52 tenders the (then) Congress Ministry utilised 30 for their party fund".
Ibid., 29 September 1981, pp. 132-3.

65. Ibid.

66. Ibid., pp. 143-9.

67. Ibid., 9 October 1973, pp. 44-45.

Opposition and Budget Discussion

The annual financial statement of the estimated receipts and expenditure for Mizoram for each financial year is to be presented to the Assembly by the Finance Minister.⁶⁸ Usually two days are allotted for general discussions of the Budget in the Mizoram Assembly.⁶⁹ During the period under study the Opposition members participated actively in the debates.

The Public Works Department was severely criticised almost every year by the Opposition members.⁷⁰ There had also been a popular outcry in Mizoram that there was a lot of corruption in **this Department**. It appears that due to the strong criticism of the members in the budget discussion on 26 March 1973, the Government of Mizoram removed the Principal Engineer of the Public Works Department from his post. During the discussion on the budget on 23 March 1981, the Opposition

68. The Administrator's Rules for the Legislative Assembly of Mizoram 1972, See a Compilation of Acts passed by the Mizoram Legislative Assembly and Rules made by the Government of Mizoram, by the Law and Judicial Department, Government of Mizoram, Vol. I, Section 7, Aizawl, 1975, p. 87.

69. Mizoram Legislative Assembly Secretariat, Handbook for Members, Vol. II, Aizawl, 1978, p. 44.

70. Mizoram LA Proceedings,
Ibid., 27 March 1973, pp. 11-12; 26 March 1975, p. 29; 25 March 1976, pp. 23-24; 25 March 1977, pp. 11-12; 29 June 1978, p. 27; 20 August 1979, p. 35; 27 March 1980, pp. 11-14; 24 March 1981, pp. 235-6; 23 March 1982, pp. 350-1; 22 March 1983, p. 81 and 20 March 1984, pp. 182-3.

demanded more funds for the Departments of Agriculture, Community Development and Health.⁷¹

During the general discussion on the Budget the Opposition offered alternative policies to the government. In the first Assembly in 1975, the Government of Mizoram proposed to introduce identity cards to all the Mizos above 14 years so that the security forces could easily identify the members of the MNF. This was strongly criticised by the Opposition in the House.⁷² The Opposition strongly opposed the money allotted in the 1975-1976 for expenses relating to the introduction of Identity Cards.⁷³ Though the budget 1975-1976 was passed without any cut, the government suspended the implementation of the introduction of the identity card scheme prematurely in Mizoram because of the criticism of the Opposition as well as a strong public resentment against it. In the three Assemblies during the discussion on the budget a lot of time was consumed in discussing the question of peace in Mizoram. The Opposition criticised Brig. T. Sailo's policy towards the MNF. It pointed out that sailo failed to bring an end to insurgency in Mizoram through

71. Ibid., 23 March 1981, p. 199.

72. Ibid., 25 March 1975, p. 30 and 26 March 1975, pp.18-22.

73. Ibid., 18 March 1975, p. 34.

peaceful means as promised by his party⁷⁴ and violence was on the increased in Mizoram during his term of office.⁷⁵ The Opposition even charged that Brig. T. Sailo's Ministry was anti-peace and was not really interested in bringing peace to Mizoram. It rightly made it clear that there could be no development in Mizoram unless there was peace.⁷⁶

Unlike in many other State Assemblies in India, no cut motion was discussed in the three Assemblies in Mizoram. Only one notice of cut motion was received in the third Assembly. The two Opposition members, C.L. Ruala and Hiphei submitted a cut motion to cut the demand No. 10 for the Police Department for the year 1980-1981 by 100. This motion was raised with the object of discussing certain police excesses. But the motion was rejected by the Chair on the ground that it was submitted late. Thereupon, the Opposition voted against the demand No. 10 for the Police.⁷⁷

The Opposition not only used the discussion of the Budget to criticise the policies of the government but also suggested alternative policies.

74. The Constitution of People's Conference, as amended in 1981, Section 2(1).

75. B. Rehmthula, "Insurgency in North-East" in Political Science Review, Vol. 21, No. 2, 3, Jaipur 1982, p. 218.

76. Mizoram L. A. Proceedings, 20 August 1979, pp. 29-30.

77. Ibid., 29 March 1980, pp. 40-58.

Conclusion

Since 1972, the ministries had to face difficult law and order problems due to the MNF activities. To counteract the MNF activities the governments had to resort to a strong-arm measure. This led to difficulties for innocent people. Moreover, violence worsened the economic condition of the people and caused an acute scarcity of food in Mizoram. The government led by Ch. Chhunga (1972-1977) failed to check the violence caused by the MNF and the high-handedness of the security forces in Mizoram. So there was a fertile ground for the Opposition to criticise the government inside and outside the legislature.

During the second and third Assemblies the main criticism of the Opposition was focussed on the failure of the governments to maintain peace in Mizoram and to check the violent incidents like the killing of R.C. Choudhury, SDO P.W.D. at Saitual on 13 June 1979, the ambushing of a bus on 7 August 1979 which resulted in the killing of seven non-Mizos etc.⁷⁸

One of the distinctive features of the Opposition strategy in Mizoram in the first three Assemblies was to

78. Santam Gosh, "The Insurgency Game", Sunday Magazine, 22 July 1979, p. 19. Also see, S. Deva Guru, "Unquiet Mizoram", The Statesman, (Delhi), 13 February 1982, p. 6.

paint the ruling party as an enemy of the MNF. When the People's Conference Party was in opposition in 1975-1977, it criticised the ruling Congress Party for its anti-MNF policies and accused it as anti-peace. But during the second and the third Assembly when the P.C. Party was in power, the Opposition parties branded it a party hostile to the MNF. The open denouncement of the MNF violent activities by Brig. T. Sailo⁷⁹ gave a handle to the Opposition to brand him as an enemy of the MNF.

Though the strength of the Opposition in all the three Assemblies was weak, it was active within and outside the House. During the period under study the Opposition was vigilant. This is shown by the interest it took in focussing on issues of public importance, especially matters relating to law and order of the Union Territory. It elicited important pieces of information during the question hour. It exposed the weaknesses and lapses of the government through motions and questions.

The Opposition of the first Assembly captured power as a result of winning an absolute majority in the 1978 general election. The Opposition was successful in toppling down the government led by Brig.T.Sailo

79. "Sailo's terms for Laldenga's Return" Amrita Bazar Patrika, 11 April 1980. Government of Mizoram, Brig. T. Sailo's Radio Broadcast to the People of Mizoram on 24 March 1980, Aizawl.

in the second Assembly. As a result of the general election held in 1984 the Opposition in the third Assembly came to power.

One of the weaknesses of the Opposition was its failure to sustain a United Front against the party in power. The Steering Committee formed by all the Opposition parties on 4 August 1979 to offer stiff resistance to the government ended in a fiasco due to differences among them.

The Congress Party, as a party controlled from New Delhi found it difficult often to co-operate with other Opposition parties in Mizoram. For example, it resigned from the Steering Committee in 1981 when the later decided to request all the Opposition Party Members of Mizoram Legislative Assembly to resign from the Legislature in protest against the delay of peace-talks with Laldenga by the Government of India.

In Mizoram, small parties did not last long. The small parties either merged with bigger parties or desintegrated. Bigger parties always made attempt to absorb smaller parties through merger with considerable success.

CHAPTER - VII

MIZORAM ASSEMBLY AS AN INSTRUMENT
OF SOCIAL CHANGE

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Far reaching changes in the tendencies, customs and the general set up of the society can emanate from the legislatures.¹ The society must be changed, not through violence, but by exchange of views and mutually agreed decisions in the legislature. 'An enactment', writes Herbert Finer, "is a stage in the process of government midway between the original desires of the people for social change and the government effectuation of those desires."²

The essential function of law is not only to reinforce the existing modes and to provide a uniform procedure for the evolution and punishment of deviance from the existing rules, but also to bring about social change by influencing behaviour beliefs and values. As an instrument of social change law involves two inter-related processes. By means of new enactments there will be institutionalization of a new behaviour manifesting social values. When this new pattern is incorporated in the legal code, deviance from this new pattern could be punished according to law. But unless there is internalization of this new pattern of behaviour in the individual

1. "Parliament - A Symposium," Seminar, New Delhi, February 1965, p. 11.

2. H. Finer, Theory and Practice of Modern Government, London, Methuen & Ltd., 1951, p. 377.

the law cannot become an active social force. If the institutionalization is successful it facilitates the internalization of new values by bringing about a change in the attitude and beliefs of individuals through social upbringing in the individual families.³ The term change implies that there is some differences through time in the object under study. Social change implies changes in social behaviour, social structure and cultural values.⁴ According to Wilbert E. Moore, "Social change is the significant alteration of social structures (that is, of patterns of social action and interaction), including consequences and manifestations of such structures embodied in norms (rules of conduct), values, cultural products, and symbols."⁵

In the following pages an attempt is made to find out how far the Acts passed by the Mizoram Legislative Assembly from 1972-84 ushered in social change in Mizoram.

Mizo society is a tribal society where caste distinctions do not exist. There is also no noticeable class structure.

3. B. Kuppuswamy, Social Change in India, Delhi, Vikas Publishing House. (Pvt) Ltd., (Second Edition) 1979, pp. 147-8.

4. Promila Vasudeva, Social Change: An Analysis of Attitudes and Personality, New Delhi, Sterling Publishers (P) Ltd., 1976, p. 31.

5. Wilbert E. Moore, "Social Change" in International Encyclopedia of the Social Sciences, Volume 14, David L. Sills (ed.), London, Macmillan Company and the Free Press, 1968, p. 366.

The villages of the Lushais had been under the control of Chiefs till 1954. A village Chief possessed a lot of power and enjoyed hereditary rights and privileges over land.⁶ The Assam Lushai Hills District (Acquisition of Chief Rights) Act, 1954, abolished the system of Chiefs in all the villages in the Lushai Hills in 1955. The Act also established Village Councils which had the power to regulate local affairs pertaining to each village.⁷ The Lushai Hills District Council which was established ad per the provisions of the Sixth Schedule to the Constitution of India has the powers of supervision and control over the Village Councils. During the period under study, no Act was passed which had the effect of bringing in structural changes in the Mizo society as was done by the above mentioned Act passed by Assam Assembly. Only a few Acts, viz the Mizoram Excise Act, 1973, the Mizoram Board of School Education Act, 1975, which were enacted by the Mizoram Assembly had a bearing on the social norms and values of the Mizo people. The Mizoram Excise Act, 1973, inter alia, aims at the reduction of the drinking habits of the people in Mizoram and at the prevention of manufacturing local liquor. The Mizoram Board

6. J.D. Baveja, The Land Where the Bamboo Flowers, Gauhati, Assam Publication Board, 1970, p. 12.

7. Animash Ray, Mizoram-Dynamics of Change, Calcutta, Pearl Publishers, 1982, p. 41.

of School Education Act, 1975, intends to improve the quality of education in the Mizo society and to expand school education in Mizoram. The Mizoram Khadi and Village Industries Board Act, 1982, aims at the development of village industries so that the village economy may be improved.

The Mizoram Excise Act 1973

From time immemorial, most of the Mizos had been brewing their own liquor, called 'zu', which was made from rice. The Mizos were in the habit of drinking 'zu' before the advent of Christianity to Mizoram. Drinking and dancing formed an essential part in all the ceremonies, festivals and sacrifices among the Mizos. Though the Christian missionaries were teetotalers, they did not strictly prohibit drinking.⁸ The early Mizo church saw the evils of drunkenness and made it clear at the first annual meeting of Lushai Church in 1904 that Christians should avoid 'zu'.⁹ The church has never allowed habitual drinkers to take active part in its affairs. The church can even expel drunkards from the church.¹⁰ In spite of this many Mizos have been drinking 'zu'. Addiction to liquor has been a serious evil in the Mizo society.

8. Zairema, God's Miracle in Mizoram: A Glimpse of Christian Work Among Head Hunters, Aizawl, Synod Press Book Room, 1978, p. 11.

9. Donna Strom, Wind Through the Bamboo: The Story of Transformed Mizo, Madras, Evangelical Literature Service, 1983, p. 63.

10. Mizoram Presbyterian Kohhran, Pastor Hand Book, Aizawl, Synod Publication Board, 1987, p. 64.

Before the enforcement of the Excise Act in Mizoram, there had been virtually no brand of liquor available, other than the 'zu' which used to be sold almost everywhere in Mizoram without any permit. Besides the Church, the voluntary organization viz the Young Mizo Association which has its branches in all the villages, the Mizo Hmeichhe Insuihkhawm Pawl, (the Mizo Women Association), the Village Defence Party and the Mizo Zirlai Pawl, (The Mizo Students Association) had made efforts to do away with the practice of selling and drinking of 'zu' in Mizoram by destroying the distilled liquor and sometimes even destroying the places where the 'zu' was manufactured.¹¹ There were times when the manufacturers of 'zu' were socially boycotted in certain villages. The then underground Mizo National Front between 1966 and 1970 tried to stop the sale of and illicit distillation of 'zu'. But these measures did not succeed. The Deputy Commissioners in Mizoram also had made attempts from time to time to prohibit the brewing and selling of liquor under Cr.P.C. 144.¹² This also proved a failure. So, the first government of the Union Territory decided to bring in legislation which could prevent the manufacture and sale of 'zu' and regulate the sale of foreign made Indian liquor in Mizoram. The first Assembly

11. C. Lalrupuia, Y.M.A. Chanchin, (History of Y.M.A.), (Y.M.A. Golden Jubilee 1935-1985), Aizawl, Central Young Mizo Association, 1985, p. 79.

12. Section 144 of the Cr. C.P.C. gives power to a magistrate to take action for immediate prevention of a public nuisance or for speedy remedy of an apprehended danger.

passed the Mizoram Excise Act, 1973. The government thought that the Act might lead to the reduction in the number of the people who were in the habit of drinking. The members of the Assembly also hoped that the number of persons moving about in a drunken condition in streets in Mizoram might be reduced.¹³ The main objectives of the Act were to control the import, export, manufacture, sale and possession of alcoholic liquor and intoxicating drugs, and to provide for the imposition of excise duties in the Union Territory of Mizoram.¹⁴ The Act provided that no intoxicant could be imported, exported or transported without a valid pass issued by an authorised Officer of the Excise Department.¹⁵ It further provided that no person shall manufacture, import, export, transport, pass or sell charas.¹⁶ The Act further provided for giving licences, permits, manufacture, sale of intoxicants on payment of duties and fees.¹⁷ The Excise Act passed in 1973 was not implemented during the period under study; it was enforced from October 1984 by the Congress Government which came to power as a result of the

13. The Mizoram L.A. Proceedings, 10 October 1973, pp.10-21.

14. The Mizoram Excise Act, 1973, See a Compilation of Acts passed by Mizoram Legislative Assembly and Rules made by the Government of Mizoram by the Law and Judicial Department, Government of Mizoram, Vol. I, Aizawl, 1975, p. 44.

15. Ibid., Section 12, p. 49.

16. Ibid., Section 14(1), p. 50.

17. Ibid., Section 18(1), p. 51.

1984 election. No one was permitted to manufacture 'uzu' and Indian made foreign liquor (IMFL) was permitted to be sold in Mizoram. Licences were issued for the sale of IMFL in Aizawl and Lunglei only.

Table 4.1: Number of Persons arrested under Excise Act during 1985-1987.

Year	No. of Persons arrested
1985	1265
1986	1227
1987	978
Total	3460

Source: Government of Mizoram, Excise Department, File No. F. 23012/1/85/ Comet/101, Aizawl, Dt. 12.2.1988.

Table 4.2: Quantity of Liquor and Drugs seized by the Excise Department during 1984-87.

Liquor and Drugs	1984	1985	1986	1987
Heroin	2Kg 175gr	330gr	-	165 gr
Opium	250 gr	-	-	-
Ganja	12 Kgs	41Kgs 65gr	-	42 Kg.
Liquor (IMFL)	-	787 bottles	-	2190 bottles
Beer	-	410 bottles	661 bottles	531 bottles
Fermented Rice	-	4360 tins	4423 tins	4554 tins
Country Liquor	-	-	900 bottles	4963 litres
Yeast	-	-	6205 pieces	74286 pieces
Fermented Liquor	-	-	6720 litres	-

Source: Government of Mizoram, Excise Department, File No. 2312/1/85 Comet/101, Aizawl, Dt.12.2.1988.

With the enforcement of the Mizoram Excise Act, the Mizoram Excise Police has been trying hard to check the import, export, manufacture and sale of all types of liquor including the 'zu'. Though there is a limited number of the enforcement staff, a good number of cases have been detected. Table 4.2 shows the number of persons arrested under Excise Act. Persons arrested under the Mizoram Excise Act have been prosecuted by the Court and awarded various penalties such as imprisonment, fines or both.¹⁸ As shown in table 4.2, the Excise Department seized a large quantity of liquor and narcotic drugs. The Excise Police has been trying to prevent the illegal flow of dangerous drugs like heroin, ganja, mandrax and opium etc. into Mizoram from adjoining areas. But these measures have not been completely successful. Menacing increase in the number of deaths and the rate of drug addiction has been causing serious concern to the Government of Mizoram. The Excise Department needs larger staff. At present "the department has about three inspectors and an equal number of constables to patrol about 406 Kms of the international boundary with Burma and Bangladesh."¹⁹ Moreover, Excise Department has only four jeeps and two trucks to cover Mizoram. In spite of

18. Government of Mizoram, Administration Report 1985-86, Aizawl, nd., p. 119.

19. "Drug addiction rising among Mizo Youth", The Sentinel, (Gauhati), 13 June 1988. And, "Speaker's Concern Over Drug Menace in Mizoram", The Assam Tribune, 26 June 1988.

this, the Excise forces have done commendable work by seizing dangerous drugs and liquor recently.²⁰ The Excise Department issued retail licence to 10 persons in Aizawl and 3 persons in Lunglei town for selling Indian made foreign liquor.²¹

Table 4.3: Number of Persons arrested under drunken case in Aizawl Police Station

<u>Year</u>	<u>Number of Perons arrested</u>
1981	505
1982	494
1983	949
1984	783
1985	703
1986	1176
1987	1280

Source: Compiled from:

1. Police Record in Aizawl Police Station, Non FIR part III Under Section 290/510 I.P.C., Aizawl, 1981, 1988.
2. From Prosecution Branch, Aizawl Mizoram, Non FIR part III U/S 290/510 and 180 I.P.C. 1980-1988.

20. "Mizoram anti-hooch drive" The Telegraph, 30 July 1988, and "Several Arrested for Brewing 'Hooch'", The Assam Tribune, 23 July 1988.

21. Government of Mizoram, Administration Report 1985-1986, Aizawl, p.118.

Within one year of the issue of liquor licence in Mizoram in November 1984, various voluntary organisations and churches criticised the selling of liquor and demanded the cancellation of licences for selling Indian made foreign liquor. They argued that the availability of liquor at cheap rates had led to an increase in the rate of liquor drinking and in the number of crimes. The Young Mizo Association, the largest voluntary organisation in Mizoram, at its General Conference held at Kolasib in October 1985 passed a resolution which urged the government to **stop** the sale of liquor.²² On 7 November 1985, the Mizoram Political Science Association organized a Symposium on Mizoram Excise Act and Rules at Aizawl wherein representatives of various church denominations, voluntary organizations, all political parties viz. Congress, the People's Conference, Mizo Union and the Mizo Peace Forum, participated. Eight out of ten speakers expressed the view that permits given for selling liquor should be withdrawn forthwith.²³

The Presbyterian church, which is the biggest church organisation in Mizoram also has been pressing the government for the termination of liquor permits. The Mizo Presbyterian

22. Young Mizo Association General Conference, resolution passed at Kolasib in 1985.

23. Symposium held on the Mizoram Excise Act and Rules at Aizawl on 7 November 1985, Unpublished Report.

Synod held in Aizawl between 30 November and 8 December 1985 wanted the government to terminate licences for the sale of IMFL and to use the Excise Act for total prohibition.²⁴ In Lunglei District, the Baptist Church, the biggest church organization in southern Mizoram, also urged the government to withdraw the permits for sale of liquor under Excise Act.²⁵ There was a strong opposition against the selling of liquor in Lunglei town. On 9 November 1987, a Seminar on Excise Act was organized in Lunglei by the leaders of various church organisations which strongly urged the government to stop liquor licences. Rev. H. Hrangena told on a seminar that a sample survey was conducted in Lunglei by the Baptist Church, in 1987, in which 11,481 respondents out of 11,605, believed that the sale of liquor promoted drinking and addiction that and wanted that liquor licence should be withdrawn immediately by the Government of Mizoram. Only 101, out of 11,605 respondents (less than one per cent), wanted to continue the sale of liquor in shops and 23 respondents had no opinion about it.²⁶ On 14 December 1987, a big procession against the sale of liquor was organised by the Lunglei District Church Leaders Joint Committee at Lunglei town.²⁷

24. Resolution IV General, No. 9 of the 61st Mizoram Presbyterian Synod held at Aizawl between 30 November and 8 December 1985.

25. Resolution No. VI C(6) of the 28th Zoram Baptist Church Assembly held at Lunglei on 5 October 1986.

26. Makedonia Weekly, Vol. No. XVII (30), Lunglei, 15 November 1987, p. 2.

27. Ibid., 13 December 1987, p. 1.

The Mizo Hmeichhe Insuihkawn Pawl (The Mizo Women Association) also pressed the government from time to time to stop the sale of liquor because they believed that crimes increased due to liquor addiction.

Thus, it is clear that the main idea of the legislators in passing the Act i.e. reducing drinking habits of the people did not succeed. In fact, it had the opposite effect, increasing the number of persons habituated to drinking and the number of drunken persons arrested by the Police also increased.²⁸ It was reported that more than 1.2 lakh bottles of hard liquor were consumed per month.²⁹ This is too high for a population of about 4 lakhs. Rev. Lalsawma, Executive Secretary of the Presbyterian church rightly said, "we are not against drinking. We are only worried that it is becoming a widespread malaise that is threatening to tear the social fabric apart."³⁰ Rev. Rokhuma, the present Moderator of the Mizo Synod said, "the church was of the opinion that sale of liquor promoted drinking and addiction and as such is the most destructive force in Mizoram."³¹ Due to public pressure,

28. See Table 4.3.

29. Ramesh Menon, "Liquor Policy: Tense Wait" in India Today, 30 June 1988, p. 67.

30. Quoted from by Ramesh Menon, Ibid.

31. "MNF Government asked not to issue New Liquor Vending Permits", The Assam Tribune, 30 June 1988.

the present, the Mizo National Front Government of Laldenga decided not to renew the liquor licences of retail outlets after the expiry in 30 March 1988 and all liquor shops have been closed down since 1 April 1988.³² It is difficult for Laldenga, the Chief Minister, to go against the church which has been pressing for the termination of liquor permits in Mizoram where almost all the people are Christians. The Prebyterian Church mounted its pressure on government not to relent, but instead to institute a total ban on the sale of alcohol.³³

Thus, instead of reducing the drinking habits of the people in Mizoram the Excise Act had a negative impact by increasing the number of people habituated to drinking.

The Mizoram Board of School Education Act, 1975

The British Christian missionaries who came to the Lushai Hills in the later part of the last century started the preparation of the Mizo Alphabet in 1894 and the first lower primary school was started in 1896 in Aizawl. At the first lower primary school examination which was held in 1903, 18 candidates appeared and at the first middle school examination held in 1909 at Aizawl only six students appeared.

32. Mizo Aw, 13 April 1988.

33. "Church in New Role", The Shillong Times (editorial) Shillong, 4 July 1988.

Also see The Mizo Arsi, 29 June 1988, 1 July 1988 and The Mizo Aw, 29 June 1988.

Till 1944, all the schools in the Lushai Hills were managed and funded by the missionaries. The first high school, which was established only in 1944 in Aizawl was taken over by the Government of Assam in 1950.³⁴ In 1947, the first government primary school was established. The first college in Mizoram, now known as the Pachhunga University College, was established in 1958. By 1 April 1961, all the schools except a few church schools, were under the control of the Mizo District Council. Through their desire to propagating Christianity the missionaries laid the foundations of the modern methods of teaching languages. They stressed the need to learn Mizo language and English so that the Mizos can read the Bible. They did not give stress on learning skills.

In 1972, the Directorate of Education was established in the Union Territory of Mizoram and all the educational institutions came under its control. The Mizoram Board of School Education Act, 1975, passed by the Mizoram Legislative Assembly received the assent of the Lt. Governor on 25 March 1976. By 1976, in Mizoram there were six colleges, 108 high schools, 224 middle schools, 510 lower primary schools, four teachers' training institutes, seven vocational and professional institutes. In 1976, there were 118,274 students and

34. L.N. Tluanga, "Education in Mizoram: Retrospect and Prospect" in The MBSE Journal, Aizawl, 1981, p. 12.

4,107 teachers.³⁵ Before the Constitution of the Mizoram Board of School Education in 1976, all the Schools were under the Board of Secondary Education of Assam, which conducted the High School Leaving Certificate Examinations. In November 1976, the Mizoram Board of School Education assumed control overall the schools in Mizoram. The main purpose of the Act was to regulate, supervise and control school education. The following are, inter alia, the important powers and duties of the Board:

- (i) to prescribe the courses of instruction including practice teaching, practical work for all school education from pre-primary school to high school including professional or vocational schools and teachers training institutions;
- (ii) to conduct and supervise examinations and to publish the results thereof;
- (iii) to prepare, prescribe, publish and select textbooks for recognised schools and institutions;
- (iv) to lay down conditions for the recognition of schools and to recognise high, middle, primary and pre-primary schools and training institutions;

35. Directorate of Education, Government of Mizoram, Education at a Glance, 1976-1977, Aizawl, nd., p. 8.

- (v) to prescribe necessary qualifications for teachers in recognised schools and institutions;
- (vi) to inspect the schools and institutions;³⁶
- (vii) to organise seminars and provide in-service training courses for teachers; and
- (viii) to advise the government on the organisation and development of school education.³⁷

By 1983, there were 770 primary schools, 331 middle schools, 140 high schools and 12 colleges in Mizoram.³⁸ In 1985, there were 927 primary schools with 3145 teachers, 382 middle schools with 2067 teachers, and 147 high schools with 980 teachers. The total enrolment of primary schools and middle schools increased to 1,33,010 in 1985. 95 per cent of the school going children are enrolled in the elementary schools (primary and middle). The enrolment of students in high schools increased to 12,938 in 1985.³⁹ So, within a

36. The Mizoram Board of School Education Act, 1975. See a Compilation of Acts passed by the Mizoram Legislative Assembly and Rules made by the Government of Mizoram, by the Law and Judicial Department, Government of Mizoram, Vol. II, Aizawl, 1982, Section 11, pp. 21-24.

37. Ibid.

38. Zothanzuali, A Study of the Progress of Women Education in Mizoram, A dissertation for M.A. (Education), Kohima, NEHU, Nagaland Campus, 1983, p. 208.

39. Government of Mizoram, Administration Report 1985-1986, Aizawl, nd., pp. 72-73.

short period of time, there has been a great change in the field of education in Mizoram. As Nair rightly pointed out that no other part of the country can boast of so many primary schools, middle schools and high schools in relation to the size of its population. From total illiteracy and unwritten language, Mizos have attained one of the highest literacy rates in India.⁴⁰

During a brief period of its existence the Mizoram Board has been successful in conducting centralised examinations for primary, middle and high school leaving certificate examinations as well as teachers training institutes. The Board Officers visited the examination centres to ascertain the smooth conduct of examination. After the taking over of the schools in Mizoram by the Board, new curriculum and syllabi in tune with the course prescribed by the National Council of Education Research and Training, New Delhi, in 1978.⁴¹

40. C.N.S. Nair, "Mizoram" in Illustrated Weekly of India, Annual (Bombay), 1973, pp. 182-4.

41. Academic Wing, Mizoram Board of School Education, "In Search of a relevant curriculum for Mizoram" in MBSE Journal, (Inaugural issue), Aizawl, 1981, pp.28-33.

Table 4.4: High School Leaving Certificate Examination Results (1974-1982). It was divided into two-
 (1) 1974-1977 (Under Assam Board)
 (2) 1978-1982 (Under Mizoram Board of School Education)

Year	No. of appeared	I Div	Total Passed	Pass Percentage
1974	2727	na	625	23
1975	2252	na	788	34
1976	2247	12	789	35
1977	2040	4	819	40
Old Course				
1978	2853	1	943	32.7
New Course				
1978	1975	42	882	44.7
1979	2428	27	1016	41.8
1980	3329	59	1426	42.8
1981	3740	112	1647	44.0
1982	3445	134	1736	39.1

na = not available

Source: Compiled by the author from:

1. The Records of the Government Higher Multipurpose School, Aizawl, Mizoram.
2. Education Statistics at a Glance, 1972, issued by Directorate of Education & Statistics, Aizawl, 1977, pp. 9-49.
3. Government of Mizoram, Statistical Handbook, Mizoram, Aizawl, 1974, p. 187.
4. Government of Mizoram, Statistical Handbook, Mizoram, Aizawl, 1976, p. 60.
5. The Mizoram Board of School Education, The MBSE Journal, Aizawl, 1982, p. 26.

Table 4.4 reveals that there have been better results in the High School Leaving Certificate Examinations under the Mizoram Board of School Education than in the High School Leaving Certificate Examination under Assam Board. The pass percentage in the main High School Leaving Certificate Examination has improved after school education came under the Mizoram Board of School Education. Another notable feature of the table is the qualitative improvement in the standard of students in examinations conducted by the Mizoram Board of School Education. The table shows that the number of students who got first division was much less in the examination under Assam Board compared to the number of students who passed in the first division under the Mizoram Board. There has also been a steady increase in the number of students taking High School Leaving Certificate Examinations. In 1974, only 2727 students appeared in the High School Leaving Certificate Examination, but in 1982, 4445 students appeared. The establishment of the Mizoram Board of School Education made it possible to have proper supervision, inspection and control of school education. This had some impact on the quality of education imparted. One also notices a considerable increase in the number of students going to school. So, we can say that there came about a qualitative as well as quantitative improvement in education after the creation of Mizoram Board of School Education as per the provision of the Mizoram Board of School Education Act, 1975.

The Mizoram Khadi and Village Industries Board Act, 1982

Mizoram is one of the most backward parts of India and industrially it is lagging behind mainly because of the lack of infrastructural facilities like transport, electricity and credit institutions. Road transport is the only means of transport in Mizoram.

The prospects of major industries and small scale industries in Mizoram are not bright due to lack of infrastructure like electric power, technical know-how, communication etc. in the rural areas. There are number of small industries having potentials like bee-keeping, oil extraction, collection of medicinal, blacksmithy, cane and bamboo works, fruit preservation, village leather works etc. These are in fact, tiny industries and they are called 'village industries' by the Khadi and Village Industries Commission, Bombay. In Mizoram there is a need to encourage the production of local clothes, 'Tualtah Puan' known as Khadi at the national level. These tiny village industries for which raw materials are available locally can be developed even without much electric power using manually operated tools and machines. Only a small amount of electric power is sufficient for the purpose. There is no doubt that the development of these industries would generate more employment, more regular income and greater local production to meet local requirements. Before the enforcement of the Khadi and Village Industries

Board Act, 1982, the Industry Department of the Government of Mizoram had been looking after all kinds of Industries from 1972 and had not paid enough attention to the development of the tiny village industries.

The Mizoram Khadi and Village Industries Board Act, 1982, was passed by the Mizoram Legislative Assembly in May 1982.⁴² As per the Act, the Board has the duty,

- (a) to encourage, organise, develop and regulate Khadi and Village Industries and to perform such functions as the government may prescribe from time to time;
- (b) to help the people by providing them with work in their homes and to give loans and other monetary help to individuals, registered co-operative societies and registered institutions;
- (c) to encourage establishment of co-operative societies for Khadi and Village Industries and handicrafts;
- (d) to conduct training centres and to train people with a view to equipping them with necessary knowledge for starting or carrying on Khadi and Village Industries;
- (e) to manufacture tools and implements required for carrying on Khadi and Village Industries and to manufacture the products of such industries;

⁴². Mizoram Khadi and Village Industries Board Act, 1982, Aizawl, Information and Publicity Wing of the Mizoram K.V.I. Board, Section 3(1), p. 4.

- (f) to arrange for the supply of raw-materials and tools and implements required for such purpose;
- (g) to sell and arrange for the sale of the products of **the said industries**;
- (h) to arrange for publicity and popularisation of finished products of Khadi and Village Industries by opening stores, shops, emporia or exhibitions and to take similar measures for the purpose;
- (i) to endeavour to educate public opinion and to impress upon the public, the advantages of patronising the products of Khadi and Village Industries;
- (j) to seek and obtain advice and guidance of experts in Khadi and Village Industries;
- (k) to undertake and encourage research work in connection with Khadi and Village Industries and to carry on such activities as are incidental and conducive to the object of the Act; and
- (l) to discharge such other duties and to perform such other functions as the government may direct for the purpose of carrying out the objects of the Act.⁴³

The main objective of the Mizoram Khadi and Village Industries Board (MKVI) is to provide for the better organisation, development and regulations of Khadi and Village

43. Ibid., Section 17, pp. 11-13.

Industries in the Union Territory of Mizoram. Though the first Mizoram Khadi and Village Industries Board, (Mizoram KVI Board) was constituted on 14 June 1985 under Section 3(1) of the Mizoram Khadi and Village Industries Board Act,⁴⁴ the Board Office could start functioning only on 1 March 1986, when a new office building was available on rent.⁴⁵ The Mizoram KVI Board has been functioning in collaboration with the Khadi and Village Industries Commission, Bombay.

Table 4.5: Mizoram KVI Board's Budget (1985-86)

Sl. No.	Name of Scheme	Grants	Loan	Total
1.	Khadi	1,08,000	86,000	1,84,000
2.	Bee Keeping	27,125	8,375	35,500
3.	Fibre Industry	28,945	13,635	42,580
4.	Village Oil	58,500	69,500	1,28,000
5.	Non-Edible Oil & Soap making	10,000	28,000	38,000
6.	P.C.P.	81,187.50	44,062.50	1,33,150
7.	Carpentry & Blacksmithy	2,61,000	2,60,000	5,21,000

44. Government of Mizoram, Order No. B. 1611/41/84-IND dated 14th June 1985.

45. Annual Report 1985-86 of Mizoram Khadi and Village Industries Board (A Government Undertaking), Aizawl, 11 March 1986, p. 4.

Table 4.5(Contd.)

Sl. No.	Name of Scheme	Grants	Loan	Total
8.	Cane & Bamboo	13,000	60,000	73,000
9.	Forest plants	7,925	15,375	23,300
10.	Marketing	7,500	32,500	40,000
Total		6,09,182.50	6,17,447.50	12,26,630

P.C.P. = Processing of Cereal and Pulses Industries.

Source: Table is compiled by the author from Annual Report 1985-86 of Mizoram Khadi Village Industries Board, Aizawl, 11 March 1986.

During 1985-86, the Mizoram KVI Board held the Board meetings 5 times. At the first meeting held at Aizawl on 18 July 1985, the Board adopted the MKVI programmes and budget for 1985-86. Out of 15 schemes proposed by the Mizoram KVI Board, the Khadi and Village Industries Commission, Bombay, had approved 10 of them.⁴⁶ But due to non-release of imprest money by the KVI Commission and lack of discretionary fund at the Board's disposal, the Board could not implement these programmes during 1985-86.

46. See Table 4.5.

Table 4.6: Achievement of the MKVI Board for the year 1986-1987

S. No.	Name of Scheme for Industries	No. of Units	No. of Units Assisted	Budget Provision (Rs.)		Distribution (Rs.)		No. of Employees	Annual Production (Rs.)
				Grant	Loan	Grant	Loan		
1.	Cotton Khadi	-	1	(Not implemented due to non-release of NMC by KVIC)					
2.	Silk Khadi	-	1	87,750.00	1,91,050.00	87,750.00	1,91,050.00	na	-
3.	Marketing	-	1	7,500.00	22,500.00	7,500.00	22,500.00	na	-
4.	Village Oil	14	9	2,41,500.00	3,25,500.00	2,41,500.00	3,25,500.00	25	2,48,500
5.	P.C.P.I.	79	48	4,50,000.00	4,28,750.00	4,50,000.00	4,28,750.00	110	12,37,800
6.	Leather	25	20	15,000.00	85,000.00	15,000.00	85,000.00	54	3,65,000
7.	Neo Soap	3	5	51,000.00	2,60,000.00	51,000.00	2,60,000.00	18	1,42,000
8.	Gur & Khansari	16	7	60,093.75	20,031.25	57,517.75	22,631.25	30	1,54,800
9.	Bee Keeping	37	41	31,500.00	8,375.00	22,125.00	8,375.00	41	1,04,550
10.	Fibre	3	6	47,475.00	1,23,635.00	47,475.00	48,635.00	25	3,33,450
11.	Carpentry	126	91	4,80,000.00	6,50,000.00	4,80,000.00	6,50,000.00	250	45,13,950
12.	Blacksmithy			5,10,000.00		5,10,000.00			
13.	Cane and Bamboo	20	21	10,000.00	1,10,000.00	10,000.00	1,10,000.00	60	6,76,850
Total		329	251	14,18,181.75	27,34,841.25	14,72,863.75	26,62,441.25	613	77,76,900

Source: Compiled from the Second Annual Report 1986-1987, Mizoram K.V.I. Board, (A Government Undertaking), Aizawl, n.d., p. 9.

Table 4.7: The number of industrial units registered under Mizoram KVI during 1986-1987.

Sl. No.	Name of Trade	Provi-sional Registra-tion	Regular Registra-tion	Total
1.	Soap	1	2	3
2.	Bee Keeping	14	23	37
3.	Village Oil	7	7	14
4.	Gur Khansari	14	2	16
5.	Cane & Bamboo	9	11	20
6.	Carpentry	35	64	99
7.	Blacksmithy	8	19	27
8.	Leather	12	13	25
9.	Cotton Khadi	1	1	2
10.	Fruit	Nil	3	3
11.	Alluminium	1	Nil	1
12.	P.C.P.I.	41	38	79
13.	Fibre	3	Nil	3
Total		146	183	329

Source: Compiled by the author from the 2nd Annual Report 1986-1987, Mizoram K.V.I. Board (A Government Undertaking), Aizawl, n.d., p. 4.

During 1986-87, the Mizoram KVI Board had taken up 12 schemes; two under the Khadi Programme and 10 under the Village Industry Programme. During this year the Board had fully spent the money allotted to it and implemented the programmes assigned to it. The achievements of the Board under different schemes are given in the table 4.6. As shown in the table, the budget provision is divided into two provisions,

grant-in-aid and loan. Grant-in-aid and loan could be given to registered units only. During 1986-87, 329 industrial units were registered under the Mizoram KVI Board. Out of this, regular registration was given to 183 units and provisional registration to 146 units. As indicated in the table 4.6, out of 329 units the Mizoram KVI Board assisted 251 units in the form of loans and grants-in-aid. The amount of loans given to individual units generally ranges from Rs. 2,000/- to Rs. 50,000/- and the grant-in-aid ranges from Rs. 400/- to Rs. 30,000/- depending upon the type of trade.⁴⁷ As per the Mizoram KVI Board Rules 1985, the Board has the power to disburse grants and subsidies to the registered industrial co-operatives, registered institutions and individuals for the purpose of the Act in accordance with and at the rates and on conditions sanctioned by the government of Mizoram or the KVI Commission, Bombay, in respect of each industry from the funds made available by the Government of the Commission.⁴⁸ The Board also has the power to disburse loans in advance to registered industrial co-operatives, registered institutions and individuals from the fund made available by the Commission to the Board under the terms and conditions

47. For details see, The List of Loanees and Grantees Village-wise 1986-1987, Compiled by Mizoram KVI Board, Aizawl, 1987, pp. 1-22.

48. The Mizoram KVI Board Rules, 1985, Aizawl, Information and Publicity Wing of the Mizoram KVI Board, n.d., Section 25(1), p. 13.

of the Government or the Commission for such loans.⁴⁹ The present rate of interest on loan is 5 per cent per annum. Till 1987, no industrial co-operative or institution was registered. Till now all the industrial units assisted by Mizoram KVI Board are only individual units. As shown in table 4.6, carpentry, blacksmithy and the processing of cereals and pulses industries (PCPI) have been more popular than other industries and the Mizoram KVI Board has also spent more funds for them. According to the second annual report of 1986-1987, of the Mizoram KVI Board, the annual production of the PCPI amounted to Rs. 12,37,800/- and the annual production of carpentry and blacksmithy amounted to Rs. 45,13,950/-. The total production of the Khadi and Village industries under Mizoram KVI amounted to Rs. 77,76,900.⁵⁰

Thus, in a brief period of two years, the village industries have made some progress in Mizoram. Table 4.6 shows that by March 1987, 613 persons got employment in the village industries which were under the control of the Mizoram KVI Board. The Mizoram KVI Board has sent 27 entrepreneurs and artisans outside Mizoram and provided training facilities for 55 entrepreneurs and artisans in Mizoram itself.⁵¹

49. Ibid., Section 25(2), p. 13.

50. See Table 4.6.

51. See Table 4.8.

Table 4.8: Names of Trades and Industries and the number of trainees under each trade or industry.

Sl. No.	Name of Trade or Industry	No. of Trainees		Total
		Inside Mizoram	Outside Mizoram	
1.	Silk Khadi	10	2	12
2.	Village Oil	15	4	19
3.	Bee Keeping	10	-	10
4.	Fibre	20	-	20
5.	Lime making	-	1	1
6.	P.C.P.I.	-	5	5
7.	Leather	-	3	3
8.	Soap making	-	3	3
9.	Fruit preservation	-	3	3
10.	Handmade Paper	-	4	4
11.	Cottage Match	-	1	1
12.	Cane Craft	-	1	1
Total		55	27	82

Source: Compiled from 2nd Annual Report 1986-87, Mizoram KVI Board (A Government Undertaking), Aizawl, n.d., pp. 6-7.

In order to establish Silk Reeling and Spining Centre in the private sector, the Board has started an artisan course in co-operation with the Sericulture Department of the Government of Mizoram from December 1986. The Board in November 1986, decided to make arrangement for conducting Entrepreneur Development Programmes in Fibre extraction plants in collaboration with Entrepreneur Development Institute of India.⁵²

52. For details see, Minutes of the Meeting of the Mizoram Khadi and Village Industries Board held on 12th and 14th November 1986, at Aizawl.

People have benefited from the schemes of the Mizoram KVI Board by getting loans and grants for starting and maintaining tiny village industries, jobs are created and industrial training is imparted to the people. Thus, only within a period of two years an important beginning has been made by the Mizoram KVI Board for the industrial development of Mizoram.

However, the Board has certain difficulties. The Khadi and Village Industries Commission, Bombay, as seen earlier, has been assisting the Mizoram Khadi and Village Industries. The pattern of assistance provided by the former is too low considering the special circumstances in Mizoram. In Mizoram, the price of essential commodities are three times higher than in other States of India obviously due to the high cost of transportation. For example, one piece of second class brick costs Rs. 2.25, land value in certain locality in Aizawl is Rs. 40 per square ft., one Kg. of rice costs Rs. 5 to Rs. 8 and so on. The normal wage rate for unskilled labour is Rs. 35/- a day and that for skilled labour ranges from Rs. 50/- to Rs. 75/- a day. So the amount of assistance received from the Khadi and Village Industries Commission, Bombay, is too meagre to meet the amount needed for the usual labour charge and the price of raw materials in other parts of India.

This makes the setting up of such project in Mizoram difficult. For example, the amount permitted by the Khadi and Village Industries Commission, Bombay, as per existing pattern of capital expenditure for work shed for Khadi Cotton, Silk and Wool is Rs. 75,000/- but the actual amount required is Rs. 1,50,000/-. As for leather, maximum working capital permissible for individual entrepreneur bone crushing unit is Rs. 10,000/- but actual amount required in Mizoram is Rs. 50,000/- and so on.⁵³ Therefore, it is necessary that the rate of assistance for Mizoram provided by the Khadi and Village Industries Commission should be enhanced to suit local conditions as a special case so that the development of village industries in Mizoram may take place at a faster rate.

No special attention was paid by the Government of Mizoram to the development of Khadi and Village industries until the Act was enforced. The establishment of the Khadi and Village Industries Board itself was a welcome step. The Board brought about certain changes in the economic condition of the rural people. In fact, it laid a firm foundation for the future industrial development of Mizoram.

53. For details, see The 2nd Annual Report 1986-87, Mizoram Khadi and Village Industries Board (A Government Undertaking) Aizawl, n.d., pp. 33-34.

Mizos from the earliest time have been brewing their own liquor 'zu' and habituated to drinking it. The advent of Christianity in Mizoram brought in new values into the Mizo society. All the churches of Mizoram repeatedly tried to dissuade people from manufacturing and drinking 'zu'. This made a significant section of the people to leave their habit of brewing and drinking 'zu'. The Mizoram Excise Act was intended to reduce the number of people who drank liquor. The Act prohibited people from manufacturing and drinking 'zu'. However, it allowed the sale of Indian made foreign liquor in Mizoram because the legislature did not want to put an end to the availability of any kind of liquor at one stretch. But the sale of Indian made foreign liquor in the open market made even those people, who would not have otherwise gone for the 'zu', to buy the Indian made foreign liquor. And then, contrary to the expectation of the framers of the Act, the number of people drinking liquor shot up within a few years of the implementation of the Act. So the Mizoram Excise Act did not bring in the expected social change in the Mizo society.

The two important achievements of the Mizoram Board of School Education Act, 1975, from the point of view of social change seems to be the improvement in the quality of

education and in the increase of a number of students attending schools and passing examinations. Likewise the Mizoram Khadi and Village Industries Board Act, 1982, ushered in a welcome social change by laying a stable foundation for the future industrial development of Mizoram.

CHAPTER - VIII

CONCLUSIONS

CONCLUSIONS

Before the British came to the Lushai Hills each village was more or less self-sufficient and there was not much intercourse between one village and the other. Each village was ruled by a chief who was independent of the control of the other chiefs. The village chief was a fountain head of justice; law and order was under his control. The economic relationship was simple and the people depended mainly on jhuming for their livelihood.

The British finally annexed the Lushai Hills by punitive expeditions by 1891 and the Lushai Hills was put under the charge of a Superintendent. But the British allowed the chiefs to rule their villages in their own way and did not normally interfere with the affairs of the village. In order to protect the cultural identity of the Lushais, the Lushai Hills was put under the category of an Excluded Area as per the provisions of the Government of India Act, 1935. An Excluded Area was not represented in any legislature and was governed by the Governor as an agent of the Governor-General-in-Council and the expenditure of an Excluded Area was not subject to a vote in the Legislative Assembly. The Lushais had no elected representative in the Assam Provincial Legislature and no popular election on the basis of adult franchise was held for any representative institution in the Lushai Hills before Independence. So, the Lushais, now commonly known as the Mizos, had no opportunity to have any legislative

experience till 1951. The Mizo Union, the first political party which came into existence in 1946, demanded the setting up of a representative government in the Lushai Hills. Consequently, the Lushai Hills District Council was established in 1952 and in 1954 its name was changed to Mizo Hills District Council. In 1955 the chieftainship was abolished and Village Councils were established in its place. But the Mizo District Council under Assam did not fully satisfy the aspirations of the Mizos. The Mizo National Front which was formed in 1961 opted for a sovereign Mizoram, but the Mizo Union demanded statehood for Mizoram within the Indian Union. The Government of India met these demands half way by constituting Mizoram into a Union Territory in 1972.

The formation of the Union Territory brought a new era for Mizoram as it gave a chance to the people to govern themselves through a representative institution. The creation of a legislative organ in Mizoram could shoulder certain important responsibilities viz. (i) bringing about peace and tranquility in trouble-torn Mizoram since 1966; (ii) attaining socio-economic betterment of the people and (iii) evolving parliamentary democracy in a remote North-Eastern part of India long fettered by centuries of autocracy of the Lushai chiefs except for a brief period between 1952 and 1971 when it was under the Mizo District Council.

Though the Union Territory status did not fully satisfy the Mizos, they participated enthusiastically in the first general election to the Assembly held in April 1972. 72.75 per cent of the electorate exercised their franchise in the election. In the subsequent general elections to the Assembly held in 1978 and 1979 the participation of the people was good, being 63.96 per cent in 1978 and 68.72 per cent in 1979.

A good section of the people of Mizoram continued to be the sympathisers of the Mizo National Front. The three Councils of Ministers were in the horns of dilemma as they had to consider the influence the Mizo National Front had on the people on the one hand, and its duty to deal firmly with the violence of the Mizo National Front in order to maintain law and order on the other. The Government of India also urged the Councils of Ministers to take strong measures against the Mizo National Front. The Opposition too inside and outside the Mizoram Legislative Assembly criticized the Councils of Ministers for not maintaining law and order and at the same time branded them as anti-MNF whenever strong hand measures were taken against the Mizo National Front.

Young, energetic and highly educated Mizos were enthusiastic in contesting the elections to the Mizoram Assembly. The people also elected them in large numbers. 46.66 per cent of the members of the first Assembly, 26.67 per cent of the members of the second Assembly and 31.42 per cent

of the members of the third Assembly belonged to the age-group of 25-35 respectively. The highly educated elite were generally preferred by the Mizos to be their representatives in all the three Assemblies. Graduates and postgraduates constituted 56.66 percent, 66.33 percent and 61.99 percent, in the first, second and third Assemblies respectively. The largest group in the first and second Assemblies was the teaching community, being 30 percent in the first Assembly, 36.66 percent in the second and 25.71 percent in the third.

The parliamentary system functioned well during the period under study. By and large the members of the Assembly had conducted themselves in conformity with the rules of the house and observed parliamentary etiquette. Their attendance in the House was good. Very few unparliamentary expressions were used in the House and there was rarely any occasion of disorderly conduct.

Members of the Assemblies were vigilant in guarding their own privileges as well as the privileges of the House. Whenever these privileges were affected they were promptly brought to the notice of the House. All the people against whom privilege motions were moved in the House tendered their apologies before the Privilege Committee of the House.

Members of the three Assemblies brought to the floor of the House those issues which were of much concern to the people, viz the failure of the Government of Mizoram to supply essential commodities, the problem of law and order, lack of proper roads, difficulties in transport and communication and poor economic programme.

The members were much concerned about the development activities of the government. This is revealed by the fact that majority of questions asked by the members in all the three Assemblies related to development departments, namely, the Public Works, Education, Supply and Transport, Agriculture and Health.

The Committees of the Mizoram Legislative Assembly worked in an efficient manner. The Public Accounts Committee brought to light several irregularities in administration. They mainly related to Agriculture, Public Works, Supply and Transport, Education and Health Departments. The Committee on Estimates made several useful suggestions to the government. All the Committees worked on a non-partisan basis. The impact of the Committee would have been more had the government implemented the recommendations without much delay.

The smooth functioning of the Assembly owed much to the competence of the Speakers. All the four Speakers commanded respect from the members of various sections of the House.

Though the Speakers did not relinquish the membership of their respective parties after their election as Speakers, they maintained impartiality in conducting the business of the House.

The Lt. Governor of the Union Territory did not send even a single bill on his own initiative back to the House for its reconsideration. The Lt. Governor sent only those bills to the President of India for his assent which the former was obliged to under the Union Territories Act. There was smooth relation between the Lt. Governor and the members of the House. The Opposition never adopted obstructive tactics in the House which might disrupt the address of the Lt. Governor to the Assembly.

The relation of the Council of Ministers with the Lt. Governor was on the whole satisfactory. There were differences of opinion between the Lt. Governor and the Council of Ministers regarding the maintenance of law and order, except the lifting curfew in Aizawl in June 1979 and the military activities in Mizoram.

The performance of the Opposition in the Assembly was good. The omissions and commissions of the government were brought out by the Opposition in the House. Though the Opposition was numerically weak, it was very vocal in expressing the grievances of the people. But their attempts to sustain a United Front against the party in power did not succeed.

The Mizoram Excise Act, 1973, the Mizoram Board of School Education Act, 1975, and the Mizoram Khadi and Village Industries Act, 1982, were intended to bring in social change in Mizoram. The Excise Act did not succeed in its main objective of reducing the drinking habits of the people. But the Mizoram Board of School Education Act brought in an improvement in the quality of education. The Khadi and Village Industries Board Act laid a foundation for the future economic development of Mizoram.

The Mizoram Legislative Assembly right from its inception took keen interest and expressed genuine concern over the question of peace and tranquility in Mizoram. It persistently urged the Government of India and the Mizo National Front (Underground) to come to a peaceful solution at an early date so that the pace of development could be speeded up in the Union Territory.

The satisfactory working of the popularly elected House showed the Mizo National Front that the path of progress for Mizoram lay not in violence but in finding out peaceful solutions of political problems and in formulating laws in the legislature for the better management and the future prosperity of the Mizo society. The Mizo National Front's realization that violence could not pay in Mizoram and that it should abandon its idea of a separate sovereign

Mizoram were to a large extent necessitated by the large scale participation of the people in the elections held for the Legislative Assembly, the way in which the elected members of the Assembly put forward the needs and aspirations of the Mizos inside and outside the House, People's desire for peace articulated by their representatives in the House, the good laws passed for the welfare and the social uplift of the people of Mizoram and the services rendered by the popularly elected governments.

APPENDICES

APPENDIX - A

SHORT-DURATION DISCUSSION IN THE MIZORAM

LEGISLATIVE ASSEMBLY (1972-1984)

First Assembly (1972-1977)

<u>Date of Discussion</u>	<u>Topic</u>
1. 10.10.1977	The rapid increase of rats in the Southern part of Mizoram which caused widespread damage to crops.

Second Assembly (1978)

Nil

Third Assembly (1979-1984)

2. 13.3.1980	Government to take all possible efforts regarding transport of essential commodities in Mizoram.
3. 10.9.1980	Baseless rumours spread by the opposition about the possible dissolution of the Mizoram Legislative Assembly.
4. 18.3.1982	Matter regarding issue of identity cards by the Mizoram Congress I to its members.
5. 23.3.1982	Allegations of Mizoram Congress I complicity with the M.N.F. in intimidating the General public.
6. 13.9.1983	Mode of checking bogus educational certificates of government servants by the Mizoram Police.

APPENDIX - B

LIST OF MIZORAM ACTS

<u>S1</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
	<u>1972</u>	
1.	Act No. 1 of 1972	The appropriation (No. 1) Act, 1972.
	<u>1973</u>	
2.	Mizoram Act No. 1 of 1973.	The appropriation Act (No. 1) of 1973.
3.	Mizoram Act No. 2 of 1973.	The Appropriation Act (No. 2) of 1973.
4.	Mizoram Act No. 3 of 1973.	The Indian Stamp (Mizoram Amendment) Act, 1973.
5.	Mizoram Act No. 4 of 1973.	The Taxation Laws (Mizoram Amendment) and validation of surcharges Act, 1973.
6.	Mizoram Act No. 5 of 1973.	The contingency Fund of the U.T. of Mizoram (Determination of amount) Act, 1973.
7.	Mizoram Act No. 6 of 1973.	The appropriation (No.3) Act, 1973.
	<u>1974</u>	
8.	Mizoram Act No. 1 of 1974.	The Mizoram Salaries and Allowances of Ministers Union Territory of Mizoram Act, 1973.
9.	Mizoram Act No. 2 of 1974.	The Mizoram Salaries and Allowances of the Speaker and Deputy Speaker Act, 1973.
10.	Mizoram Act No. 3 of 1974.	The Mizoram Salaries and Allowances of members of the Legislative Assembly, Act, 1973.

<u>Sl. No.</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
11.	Mizoram Act No. 4 of 1974.	The Appropriation (No.1) Act, 1974.
12.	Mizoram Act No. 5 of 1974.	The Appropriation No.4, 1974.
13.	Mizoram Act No. 6 of 1974.	The Mizoram (Sales and Petroleum and Petroleum Products including Motor Spirit & Lubricants) Taxation Act, 1973.
14.	Mizoram Act No. 7 of 1974.	The Mizoram Excise Act, 1973.
15.	Mizoram Act No. 8 of 1974.	The Lushai Hills Dist. (Revenue Assessment Amendment) Regulation Bill, 1974.
16.	Mizoram Act No. 9 of 1974.	The Mizoram Urban Areas Rent Control Act, 1974.
<u>1975</u>		
17.	Mizoram Act No. 1 of 1975.	The Mizoram Trading by Non-Tribals (Regulation) Act, 1974.
18.	Mizoram Act No. 2 of 1975.	The Mizoram Legislative Assembly Proceeding (Protection of Publication) Act, 1974.
19.	Mizoram Act No. 3 of 1975.	The Mizoram Official Language Act, 1974.
20.	Mizoram Act No. 4 of 1975	The Appropriation (No. 1) Act, 1975.
21.	Mizoram Act No. 5 of 1975	The Appropriation (No. 2) Act, 1975.
22.	Mizoram Act No. 6 of 1975	The Lushai Hills District (Village Councils) (Amendment) Act, 1975.
23.	Mizoram Act No. 7 of 1975	The Mizoram Trading by Non-Tribals (Regulation) (Amendment) Act, 1975.

S1.

<u>No.</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
24.	Mizoram Act No. 8 of 1975	The Mizoram Union Territory Legislature Member's (Removal of Disqualification) Act, 1975.

1976

25.	Mizoram Act No. 1 of 1976.	The Mizoram Urban Areas Rent Control (Amendment) Act, 1975.
26.	Mizoram Act No. 2 of 1976.	The Mizoram Board of School Education Act, 1975.
27.	Mizoram Act No. 3 of 1976.	The Appropriation (No.1) Act, 1976.
28.	Mizoram Act No. 4 of 1976.	The Appropriation (No. 2) Act, 1976.
29.	Mizoram Act No. 5 of 1976.	The Mizoram District (Land and Revenue) (Amendment) Act, 1976.
30.	Mizoram Act No. 6 of 1976.	The Mizoram Roadside Land Control, 1976.

1977

31.	Mizoram Act No. 1 of 1977.	The Mizoram Urban Areas Rent Control (Amendment) Act, 1976.
32.	Mizoram Act No. 2 of 1977.	The Mizoram General Clauses Act, 1976.
33.	Mizoram Act No. 3 of 1977.	The Societies Registration (Extension to Mizoram) Act, 1976.
34.	Mizoram Act No. 4 of 1977.	The Mizoram Salaries and Allowances of the Members of the Legislative Assembly (Amendment) Act, 1976.
35.	Mizoram Act No. 5 of 1977.	The Mizoram Appropriation (No. 1) Act, 1977.

<u>Sl. No.</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
36.	Mizoram Act No. 6 of 1977.	The Mizoram Appropriation (No. 2) Act, 1977.
37.	Mizoram Act No. 7 of 1977.	The Mizoram Weights and Measures Act, 1976.
<u>1978</u>		
38.	Mizoram Act No. 1 of 1978.	The Mizoram Appropriation Act, 1978.
<u>1979</u>		
39.	Mizoram Act No. 1 of 1979.	The Mizoram Appropriation Act, 1979.
40.	Mizoram Act No. 2 of 1979.	The Appropriation Act, 1979.
41.	Mizoram Act No. 3 of 1979.	The Appropriation Act, 1979.
<u>1980</u>		
42.	Mizoram Act No. 1 of 1980.	The Lushai Hill District (Village Council) Amendment Act, 1980.
43.	Mizoram Act No. 2 of 1980.	The Mizoram Appropriation Act, 1980.
44.	Mizoram Act No. 3 of 1980.	The Mizoram Appropriation Act, 1980.
45.	Mizoram Act No. 4 of 1980.	The Mizoram Animal (Control and Taxation) Act, 1980.
<u>1981</u>		
46.	Mizoram Act No. 1 of 1981.	The Appropriation Act, 1981.
47.	Mizoram Act No. 2 of 1981.	The Mizoram Appropriation Act, 1981.
48.	Mizoram Act No. 3 of 1981.	The Mizoram Board of School Education (Amendment) Act, 1981.

<u>Sl. No.</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
49.	Mizoram Act No. 4 of 1981.	The Prisons (Extension to Mizoram) Act, 1981.
50.	Mizoram Act No. 5 of 1981.	The Mizoram Salaries & Allowances of Members of the Legislative Assembly (Amendment) Act, 1981.
<u>1982</u>		
51.	Mizoram Act No. 1 of 1982.	The Mizoram Appropriation Act, 1982.
52.	Mizoram Act No. 2 of 1982.	The Mizoram Appropriation Act, 1982.
53.	Mizoram Act No. 3 of 1982.	The Lushai Hills District Taxes (Amendment) Act, 1982.
54.	Mizoram Act No. 4 of 1982.	The Mizoram Salaries and Allowances of Members of Legislative Assembly (Amendment) Act, 1982.
55.	Mizoram Act No. 5 of 1982.	The Mizoram Salaries and Allowances of Ministers (Amendment) Act, 1982.
56.	Mizoram Act No. 6 of 1982.	The Mizoram Khadi and Village Industries Board Act, 1982.
<u>1983</u>		
57.	Mizoram Act No. 1 of 1983.	The Mizoram Appropriation Act, 1983.
58.	Mizoram Act No. 2 of 1983.	The Mizoram Appropriation Act, 1983.
59.	Mizoram Act No. 3 of 1983.	The Mizoram Appropriation Act, 1983.
60.	Mizoram Act No. 4 of 1983.	The Mizoram District Administration of Town Committee (Amendment) Act, 1983.

S1.

<u>No.</u>	<u>No. and Year of the Act</u>	<u>Name of the Act</u>
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1984

61.	Mizoram Act No. 1 of 1984.	The Mizoram Appropriation Act, 1984.
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62.	Mizoram Act No. 2 of 1984.	The Mizoram Appropriation Act, 1984.
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63.	Mizoram Act No. 3 of 1984.	The Mizoram Appropriation Act, 1984.
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APPENDIX - C

RESOLUTIONS PASSED BY THE MIZORAM LEGISLATIVE
ASSEMBLY (1972-1984)

FIRST ASSEMBLY (1972-1977)

OFFICIAL RESOLUTIONS

1972-1975

Nil

Sl. Date of
No. Passing

Title or Topic

1976

1. 29.9.76 The Mizoram Legislative Assembly places on record its appreciation and happiness at the understanding arrived at between the Government of India and Mizo National Front and sincerely hopes that the provisions of the agreement smoothly and speedily to strengthen peace and to create a favourable climate for the future talks and settlement of all problems in Mizoram.
2. 29.9.76 Suspension of the Chakma District Council as recommended by the Commission under para 16 of the Sixth Schedule to the Constitution of India.
3. 12.11.76 Whereas on the recommendation of the Commission of Enquiry constitute under para 14 of the Sixth Schedule to the Constitution of India, the Lt. Governor (Administrator) of Mizoram has satisfied that the Pawi District Council should be dissolved for acts of commissions and omissions including financial irregularities committed by the Council; and whereas no opportunity had been given to the Pawi District Council to submit its views before the Mizoram Legislative Assembly; and whereas after careful consideration of the views of the Pawi District Council the Government is of the opinion that the said District Council cannot be allowed to continue in such state of affairs, and it is proposed that the Pawi District Council should be dissolved with

effect from the date to be fixed by the Administrator and the administration of the Council be assumed by Lt. Governor through the Deputy Commissioner, Saiha or through some experienced officer.

1977

Nil

PRIVATE MEMBER'S RESOLUTIONS

1972

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
1.	1.11.1972	This Assembly is of the opinion that wild life sanctuary be made in the area of Dampa, Chhawrpial and Pathlawilunglen.

1973

2.	20.3.1973	This Assembly recommends that Government of Mizoram constitutes a Commission to consider and recommend to Government how and where new villages may be located.
3.	20.3.1973	This Assembly is of the opinion that the Government of Mizoram do take steps to establish a Hydel Project in Mizoram within the next financial year.
4.	28.9.1973	This Assembly is of the opinion that the Government of Mizoram do take steps early to move the Government of India for installation of a Micro Wave Tele-Communication System connecting the capital of Mizoram with other parts of the country.
5.	28.9.1973	This Assembly is of the opinion that the Government of Mizoram do take steps to change the name of Demagri into Tlabung in the Lunglei District.

1974

- 2.4.1974 This Assembly recommends that the Government of Mizoram do take steps to move Government of India to upgrade the present sub-office Post & Telegraph Department at Lunglei Head Office, Post and Telegraph Department immediately.
- 26.9.1975 This Assembly is of the opinion that the Government of Mizoram do take steps to move the Government of India to establish and maintain University College in the Capital Mizoram as provided in Section 5(14) of the North-Eastern Hill University Act, 1973, in the interest of the Public.
- 26.9.1975 This Assembly is of opinion that Mizoram flower garden should be established at vicinity of Lengpui Grouping Centre or at any other suitable places.

1976 - 1977

Nil

SECOND ASSEMBLY (1978)

Nil

THIRD ASSEMBLY (1979-1984)

Official Resolutions

1979

Sl. No. Date of Passing

Title

1. 17.8.79 This House resolves that Peace Centre should be established within Mizoram with the object of bringin about durable and lasting peace in Mizoram. The House further resolves that the peace centre be manned by no-political leaders and Social Workers and that one of the renowned social workers of all India fame be approached to take the initiative to render his services in this endeavour.

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
2.	23.8.76	This house condemns the author and abettors of the notice "Non-Mizos to Quit Mizoram" served on the non-Mizos, the killings and other violence surreptitious activities connected therewith, disruption of administration as a consequence, resulting in untold hardship and miseries to peace loving citizens. The House also condemns in unequivocal terms the violence let loose on innocent and loyal Mizos in around Silchar as a consequence of the unfortunate murder of Shri R.C. Choudhury and of the seven civilians killed by the outlawed Mizo National Front. The House appeals to the author and abettors to withdraw the said notice.
		<u>1980</u>
		<u>Nil</u>
		<u>1981</u>
1.	19.3.81	Whereas the Government of India has after considering the recommendation of the Committee of recruitment policy and selection method set up by the UPSC under the chairmanship of Dr. D.S. Kothari which examined the system of recruitment to the All India Central Service decided on the inclusion of the compulsory paper on one of the Indian Languages listed in the Eight Schedule to the Constitution of India and also the option to the candidates to answer the various papers other than the paper of English language in any one of such languages. And whereas this House is of the view that - 1. Such a decision would adversely affect the interest of the candidates whose mother tongue is not included in the Eight Schedule to the Constitution of India and move particularly the members of the Scheduled Tribe hailing from the North-Eastern States and Union Territory such as Mizoram;

Sl. No. Date of Passing

Title

2. Such a decision denied the fundamental right to equality enshrined in the Constitution;

3. Such a decision may militate against All India character of such services and may even affect National Integrity, and

4. On practical consideration, it seems that the decision is not necessary as even in the present system the candidates are required to pass examination in language of these States to which they are allotted at the Academy and subsequently in this State which is serving the purpose adequately. Now, therefore, this House do hereby resolve that the Government of India are to be considered the decision immediately and corresponding the arrangement which was allowed before the decision to introduce compulsory paper on languages and medium of answer in the All India Services Examination.

1982

1. 19.3.82

Whereas under the customary law applicable to the Mizo society, the penalty for sexual offences leading to birth of illegitimate children which affect not only such mothers and such children but also their relationship with different members in the family and affects family life which is the basic foundation on which the well being of a society is built upon;

And, whereas the well being of a society depends on the moral sense of the society;

And, whereas such practices are also alien to the religious belief of the Mizo society.

And, whereas there is now a great amount of public opinion against such indulgence in illegitimate relationship in the Mizo society.

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
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Now, therefore, this House is of the opinion that the Government should take all the necessary steps, administrative as well as legal to put an end to such undesirable practices in the society. The steps taken by the government to give effect to this resolution, be presented to the House for its consideration and adoption before enforcement.

1983

- | | | |
|----|---------|--|
| 1. | 23.3.83 | Whereas in exercise of the power conferred by sub-paragraph (2) of paragraph 16 of the Sixth Schedule to the Constitution of India, the Lt. Governor (Administrator) of the Union Territory of Mizoram has by order issued vide Notification No. DCA/E-176/82/178 dated 9th February 1983 or exercisable by the Lakher District Council with effect from 10th February 1983. |
|----|---------|--|

And whereas under sub-paragraph (3) of the said paragraph 16 the order requires the approval of the Legislative Assembly for its constituency after the expiration of 30 days from the date on which the Legislative Assembly first sit after the issue of the said order.

Now, therefore, it is hereby resolved that this Legislative Assembly do approve the said order of the Lt. Governor issued in the said Notification dated 9th February 1980.

- | | | |
|----|---------|---|
| 2. | 12.9.83 | Whereas the jurisdiction of the Gauhati High Court extends to the Union Territory of Mizoram; |
|----|---------|---|

And whereas in view of the distance and lack of proper communication of facilities, the people of Mizoram find it difficult to pursue cases in the High Court at Gauhati,

And whereas the salutary effect of cases being decided by the High Court is more or less denied to the people of Mizoram,

Sl. No. Date of
 Passing

Title

This House resolves to request the Government of India to take early action for establishing Circuit Bench of the Gauhati High Court at Aizawl.

1984

Nil

Private Members' Resolutions

1979

1. 24.8.79 This Assembly is of the opinion that Village Councils be constituted in deserving Thlawhbawks for a smooth administration.
2. 24.8.79 This House decries the incident of the killings of Mizos in Silchar in June, 1979 and conveys its sympathies to the bereaved families.
3. 24.8.79 This Assembly recommends that the Government of Mizoram should make a provision for the giving of grants to students, bonafide resident of Mizoram, for pursuing higher studies, like research for Ph.D. etc. in any recognised institution of higher education in the country as is being given by the various other states.
4. 24.8.79 This Assembly is of the opinion that construction of Mizoram House be taken up in Shillong and to facilitates moral and territorial integration of Mizo ethnic group and also to give facilities to Mizo people when the road between Aizawl and Churachandpur via. Tipaimukh is completed this House resolves that Zoram House be constructed at Churachanpur.
5. 24.8.79 This House resolves that large scale Agriculture Project be undertaken by the Government of Mizoram in Chamdur Valley in Chhimituipui District or in any other suitable places.

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
		<u>1980</u>
1.	29.2.80	This Assembly is of the opinion that a separate service to be known as Mizoram Police Service be created in Mizoram.
2.	29.2.80	This Assembly recommends that the Community Hall now under construction on the site of the Aizawl Theatre Hall be called after Vana Pa, one of the most honoured heroes among Mizos and henceforth be named Vana Pa Hall.
3.	29.2.80	This Assembly is of the opinion that Phaitlang Ram be taken up by Agriculture Department under Integrated Rural Development Scheme for permanent cultivation from 1980-81 financial year.
4.	29.2.80	This Assembly resolves that Construction of Regional Institute for Physically Handicap be taken up with immediate effect at Kulikawn, Aizawl, on the site acquired for the purpose of convalescence home by the Government of Mizoram.
5.	29.2.80	This Assembly recommends that more fund be made available for meeting the requirements of youths, for example, recreational Hall, purchase of musical instruments, petromax etc. so that their leisure may be utilised for creative indoor and outdoor activities for the gifted youths to improve their talents further.
6.	29.2.80	This House resolves that - (i) in respect of auction or tenders which are settled at the lowest bid the auction or tender may be settled on a scheduled tribe 12 per above the lowest bid, (ii) in the case of auctions or tenders settled on the highest bid the auction or tender may be settled on scheduled tribes at 12 percent below the highest bid, (iii) existing concession by which the scheduled tribes are required to deposit 50 percent of the prescribed correct money be continued.

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
7.	26.3.80	This Assembly is of the opinion that in view of scarcity of water in Mizoram during dry season and a conspicuous absence of storage facilities, loan for construction of private water reservoirs be given by the government.
8.	12.9.80	This Assembly resolves that the Mizoram Legislative Assembly be given more powers in the matter of executive and financial control.
9.	12.9.80	This Assembly is of the opinion that Public Works Department, Building Division, be opened at Lunglei in Lunglei District.

1981

1.	6.3.81	This Assembly is of the opinion that the Assam Children Act, 1970, and suppression of Immoral Traffic in Women and Girls Act, 1956, be enforced as early as practicable in Mizoram.
2.	6.3.81	This Assembly resolves that the Government of Mizoram should, in the interest of the public service, move the Government of India for early creation of a separate Telegraph Division for Mizoram.
3.	13.3.81	This Assembly is of the opinion that the 1st Assam Rifles be shifted out of the Aizawl Town proper and that the area thus vacated be used for (a) Sanjay Gandhi Memorial Sports Complex and (b) other public purpose.
4.	13.3.81	This House notes with grave concern the deteriorating condition of Pachhunga University College since it was handed over to the North Eastern Hill University. Therefore, this House is of the opinion that North Eastern Hill University authority be urged to make satisfactory progress in the college.

- | <u>Sl. No.</u> | <u>Date of Passing</u> | <u>Title</u> |
|----------------|------------------------|---|
| 5. | 17.3.81 | This Assembly resolves that the rules for occupations/accommodations of the Mizoram Houses/Circuit Houses, Rest Houses, Inspection Bungalows and Tourist Lodges under Mizoram Government be examined with due regards to the existing order of procedure of the State. |
| 6. | 25.9.81 | This Assembly is of the opinion that the government should take effective steps for the prevention of publication of obscene literature in the Mizo languages as such publications are against the best interest of the Mizo community. |
| 7. | 25.9.81 | <p>Whereas population in the town areas is increasing rapidly; and whereas many families have been on the look out for building or hire as they have neither lands nor houses in the towns,</p> <p>And whereas many individuals have been holding permits for agriculture land within the town areas but not looking after them for the purpose for which the permits were granted; now, therefore, this House resolves that no permits for landholding for agriculture purpose within the town areas be granted in future.</p> <p>This House further resolves that permit for agriculture land issued to individuals within the town areas but not utilised for the purpose for which they are granted be cancelled and allotted as house sites to landless persons.</p> |
| 8. | 25.9.81 | This Assembly is of the opinion that certain areas of land be allotted for graveyards in all the protected areas in Mizoram. |
| 9. | 25.9.81 | This Assembly is of the opinion that in view of the day-to-day decrease in monetary value, the rate of compensation in respect of lands, houses, crops etc., which was fixed some years ago becomes incompatible with the present monetary value. This House, therefore, resolves that the existing rate of compensation in respect of lands, houses, crops etc. be revised immediately. |

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
10.	25.9.81	This Assembly is of the opinion that the District Industries Centres in Mizoram be reorganized and established in all India pattern as is done in other States.
11.	25.9.81	This Assembly is of the opinion that Fire Control Rules be framed based on the Village Council Act, 1953, by the Government of Mizoram for protection of Jhum land from devastation by fire.
12.	25.9.81	This Assembly is of the opinion that Khualbuk (Rest House) be constructed at Aizawl, Lunglei and Saiha purely for the benefit of visitors from rural areas.
13.	25.9.81	This Assembly is of the opinion that the Government of Mizoram should take steps urgently to establish more police outposts in Mizoram especially along the State as well as International Border.

1982

14.	22.10.82	This House resolves that sitting MPs and MLAs of Mizoram be entitled VIP Suit/Air Conditioned Accommodation in Mizoram Houses/Circuit Houses.
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1983

15.	9.9.83	This Assembly resolves that construction of Champhai-Mimbung Road be speeded up by the P.W.D. of the Government of Mizoram during the Financial Year.
16.	9.9.83	This Assembly is of the opinion that for the expeditious and more effective measures, the work of detection and deportation of the unauthorised foreigners from Mizoram be entrusted to Mizoram Police (MAP/MRP) and Mizoram Home Guards in addition to Army and Border Security Forces.

<u>Sl. No.</u>	<u>Date of Passing</u>	<u>Title</u>
17.	9.9.83	Mizoram Police Outposts be opened along the International Border at short intervals.
18.	9.9.83	This Assembly resolves that a new Hall be constructed by the Government of Mizoram at Lunglei and be named as Saikuti Hall.
19.	9.9.83	This Assembly is of the opinion that it is a high time to increase the remuneration and facilities of the Village Councils, and therefore, resolves that remunerations of the Village Council Members, Secretaries and Thangaus be enhanced.
<u>1984</u>		
20.	16.3.84	This Assembly is of the opinion that cost of water connection to the residence of hon'ble members of the Assembly and the water charges thereto and also cost of electric connection to the residence of the hon'ble members of the Assembly and the power consumption bills be born by the State Government with effect from 1979.
21.	16.3.84	This Assembly is of the opinion that Micro Hyderl Project on Serlui (Tlabung point) be taken up by Government of Mizoram.
22.	16.3.84	This Assembly is of the opinion that the road from Saitual to Phaileng be made truckable and the work of construction be taken up by the BRTF or Public Works Department whichever is suitable.
23.	16.3.84	This Assembly is of the opinion that road construction work of the following roads be taken up by P.W.D.: (1) Lungtian to Vartek to Darzo ferry road, (2) Vawmbuk to Archhuang, to Phaltlang, to Sangau road, (3) Lungpher to Tuipui Ferry road, and Sangau to Muallianpui road.

APPENDIX - D

COUNCIL OF MINISTERS' LETTER TO
MORARJI DESAI, PRIME MINISTER
OF INDIA

To

Shri Morarji Desai
Prime Minister of India
Government of India
New Delhi

Shri H.M. Patel
Union Minister of Home Affairs
Government of India
New Delhi

Sub: Functioning of Council of Ministers

Dear Sirs,

At the time of the incidence at Saitual on 13th June, 1979 viz. the brutal killing of Mr. R.C. Chowdhury, it was believed to be a case of the execution of the notice "Non Mizo Quit Mizoram". When the retaliatory act of killing, looting and arson was perpetrated on the small Mizo community on the 15th June 1979 by the anti-social elements in Silchar; it became a communal issue i.e. Bengalis and Mizos.

When the news of killing, looting and arson reached Aizawl, thousands of young people became infuriated and proceeded towards Silchar. On their return to Aizawl certain amount of looting and burning of properties of some Bengalis was done. It was apparent that they organised it in such a way that they did not cause any loss of human life. The main intention appeared to be "to take out some properties from a building outside and burn them."

In order to prevent people from collecting in large numbers and thereby creating disturbances and also to prevent looting and arson, a 24-hour curfew was clamped down in Aizawl town from 16th June, 1979. The curfew was strictly enforced. It became very effective in that people no longer collect in large numbers. However, sporadic looting of some shops vacated by the inmates (Bengalis) has taken place at night and once in day light. In their efforts to restore law and order and

maintain peace, the law enforcing agencies viz. the Deputy Commissioner, his staff, IGP, and his police force have done well. The Ministers and some MLAs also actively and effectively cooperated in this respect.

On 23rd June 1979 at 9 A.M. the overall situation was reviewed by the Lieutenant Governor and the Council of Ministers at Raj Niwas. The Council of Ministers apprised the Lt. Governor of the following points. Curfew has been imposed continuously for eight days. It is time to relax curfew. It should be imposed only from dusk to dawn. The reasons are:-

- (a) Several hundred persons in Aizawl town living on daily manual labour/wages have no purchasing power and are facing starvation.
- (b) Many others, though having purchasing power, do not have essential food items in their houses and have to buy them from Fair Price Shops and other shops because there is no more grain of food in their houses.
- (c) Patients who have to go to hospital or who have been discharged from Hospital are being hampered.
- (d) Many sick people want to buy medicines.
- (e) All Government offices have remained closed completely for eight days and must start functioning again. The official life of a State Capital cannot remain closed indefinitely.
- (f) There are several organisations/individuals among the public in Aizawl who are keen to cooperate with the authorities in bringing back normalcy of life in Aizawl. It is simple common sense that the police force alone cannot bring about normalcy in this particular situation in Aizawl without the cooperation of the public. Since the public are not allowed to come out of their houses, cooperation from the public is thus prevented by this curfew. In other words, only the police force CRP/BSF are trying to restore law and order. They will not succeed unless and until the law abiding citizens of the community are involved.
- (g) While it is a fact that, sizeable number of the Underground of Laldenga's faction of the MNF have infiltrated into Aizawl town with a view presumably to execute the notice "Quit Mizoram", yet indefinite curfew is not the solution. During the worst period of insurgency during the years 1966-1971 curfew was clamped down in Aizawl town only at night.

- (h) In the present situation, any extension of curfew in the day time will only worsen the situation. Several people who have been eager to cooperate in diffusing the tense situation in Aizawl four or five days ago have now adopted a different attitude that of anger against the continuous curfew.
- (i) During the years 1966-1975, as much as 70% approximately were pro MNF movement. In the last 3 years the overwhelming majority of the Mizo population are for peace and no longer support the extension of MNF violent activities. Therefore in the present situation a large section of the public can be expected to cooperate meaningfully with the authorities in maintaining law and order.
- (j) Even purely from humanity point of view, curfew had to be relaxed. There are several hundreds now having no grain of food in their houses. Hungry people can become very desperate.

In the context of the above considerations, the Council of Ministers strongly urge thus:

- (a) This very day i.e. Saturday, the 23rd June, 1979, in the afternoon, curfew should be relaxed for at least 2 to 3 hours to enable the hungry people to buy food from Fair Price Shops.
- (b) Curfew should be relaxed the next day i.e. Sunday to enable the public to go to churches.
- (c) Curfew should be imposed only at night from the 24th onwards. The Lt. Governor appeared to be in agreement on the above issues.

The Lt. Governor said he would like to hear the views of the Chief Secretary, IGP, and the Deputy Commissioner and accordingly fixed a meeting at 1230 hours.

At 1230 hours of the same day i.e. 23rd June, 1979, the meeting took place. The Chief Minister and the Finance Minister were present besides the Chief Secretary, IGP, and Deputy Commissioner. The advice tendered by the officials, viz. IGP and Deputy Commissioner was that there should be no relaxation even on the following day i.e. Sunday, and no relaxation until another review. The Lt. Governor submitted to the advice of the officials and ignored the advice of his Council of Ministers. There are the following inferences out of the whole issues as under:-

- (a) The question of humanity has been lost sight of altogether in denying relaxation of curfew on Saturday afternoon to enable the hungry people to buy rice.
- (b) The sentiments of the Christian population of Aizawl who have always been able to attend churches on Sunday during the worst period of insurgency in the last many years have been trampled upon. For the first time in the last many years, the Christian population of Aizawl have not been permitted to attend the church service on Sunday the 24th June, 1979.
- (c) The Lt. Governor placed more reliance on the advice of the officials rather than the Council of Ministers which further means he has no faith and trust in the Council of Ministers.
- (d) Ministers have far wider and closer contact with the public and are better qualified to interpret the minds of the people than the officials who tend to look at things purely from bureaucratic angle.

Imposition or lifting of curfew over a large population (over forty thousand) over State Capital is a serious matter which cannot be left in the hands of a young IAS Officer. This is a matter to be reviewed and decided upon by the Lt. Governor and his Council of Ministers. In the event, the whole issue was settled by a young IAS officer, i.e. the Deputy Commissioner.

We would point out that, strong armed measures adopted by the Security Forces in the form of unprecedented atrocities and tortures committed on the civil population and the grouping operations resulting in miseries and sufferings have not succeeded in bringing about the end of disturbances and insurgency in Mizoram which had been going on for over ten years. In other words, these strong armed measures have not met with success. They had only caused deeper alienation of the Mizo public. The problem is basically human. It is a battle of the heart of the people. The answer lies in an imaginative effort. The way to the hearts of the Mizo people lies in thorough understanding of their mentality and psychology, genuine sympathy and the building up of mutual trust. This dictum is true of the past many years in Mizoram. It is also true of the present day situation. The hearts of many people, otherwise law abiding and peaceful, have been hardened by this inhuman treatment over the population of Aizawl town. No right thinking people object to curfew for three or four days. What ought to happen is - curfew after some days is lifted and relaxation

made in the day time and if unfortunately some incidence takes place, then curfew is reimposed even in a day time. One has to take chance in all these matters. In a situation like the one obtaining today in Mizoram incidences will occur and we have to take other measures to face them. Occurrence of incidence will not be stopped by curfew alone.

The main issue is that the Lt. Governor has reposed no trust or faith in his Council of Ministers. The officials have no real regard nor respect for the Ministers because they know that the final say is with the Lt. Governor and that they can always go to him. In this situation, we, the Council of Ministers need the advice of the Prime Minister and the Home Minister of India as to how we are to function. On our side, we have faith and trust in the Prime Minister and Home Minister of India.

Yours faithfully,

Sd/- Brig. T. Sailo
Chief Minister
Government of Mizoram, Aizawl
Mizoram

Sd/- Lalhmingthanga
Minister i/c Finance, PWD and etc.
Government of Mizoram, Aizawl
Mizoram

Sd/- Zairemthanga
Minister i/c Supply & Transport etc.
Government of Mizoram, Aizawl
Mizoram

Sd/- P.B. Rosanga
Minister i/c Development, Agri, etc.
Government of Mizoram, Aizawl
Mizoram

Sd/- F. Malsawma
Minister i/c Education, Industry etc.
Government of Mizoram, Aizawl
Mizoram

Dated Aizawl
the 26th June 1979.

APPENDIX - E

(i) NAMES OF THE MEMBERS OF THE FIRST MIZORAM
LEGISLATIVE ASSEMBLY
(1972-1977)

ELECTED MEMBERS

<u>Sl. No.</u>	<u>Name of Constituency</u>	<u>Name of the Member</u>
1.	Tuipang	Hiphei
2.	Sangau	Sangchhum
3.	Saiha	Saplana
4.	Chawngte	Satya Prio Dewan
5.	Demagiri	Hari Kristo Chakma
6.	Buarpui	P.B. Nokhuma
7.	Lunglei	K. L. Rochama
8.	South Vanlaiphai	Saitlawma
9.	Hnahthial	L.P. Thangzika
10.	North Vanlaiphai	R. Dotinaia
11.	Khawbung	F. Hrangvela
12.	Champhai	Lahlira
13.	Khawzawl	Vanlathruaia
14.	Ratu	Sangkhuma
15.	Suangpuilawn	H. Thansanga
16.	Saitual	Khawtinkhuma
17.	Tlungvel	Hrangaia
18.	Khawhai	J. Thanghuama
19.	Lungpho	C. Lalruata
20.	Serchhip	Vaivenga
21.	Phuldungsei	Lalkunga
22.	Sateek	R. Zoliana
23.	Aizawl South	Lalsangzualla
24.	Aizawl Central	Lalrinliana
25.	Aizawl North	R. Thangliana
26.	Kawnpui	Ch. Saprawnga
27.	Kolasib	Ch. Chhunga
28.	Sairang	Ngurdawla
29.	Mamit	C. Chawngkunga
30.	Rengdil	Zalawma

Nominated Members

1. Kapoor Chand Thakuri
2. (Miss) Saptawani
3. Lalhmingthanga

Total number of members, elected and nominated: 33.

(ii) NAMES OF THE MEMBERS OF THE SECOND MIZORAM
LEGISLATIVE ASSEMBLY
(1978)

Sl.No.	Name of Constituency	Name of the Member
1.	Tuipang	Hiphei
2.	Sangau	K. Sangchum
3.	Saiha	R. T. Zachono
4.	Chawngte	Kristo Mohan
5.	Demagiri	Hari Kristo Chakma
6.	Bualpui	K. Lalsanga
7.	Lunglei	Lalhmingthanga
8.	Tawipui	H. Khatum
9.	Hnahthail	R. Romawia
10.	North Vanlaiphai	J.H. Rothuama
11.	Khawbung	J. Kapthianga
12.	Champhai	Lalthanhawla
13.	Khawhai	Vanlalhruaia
14.	Saitual	K.M. Biaksailova
15.	Ngopa	P.B. Rosanga
16.	Suangpuilewn	F. Malsawma
17.	Ratu	J. Thankunga
18.	Kawnpui	K. Chawngliana
19.	Kolasib	Chawngkunga
20.	Kawrthah	C. Vulluaia
21.	Sairang	Tlangchhunga
22.	Phuldungsei	P. Lalupa
23.	Sateek	Lalthenzauva
24.	Serchhip	Thanmawii
25.	Tlungvel	C.L. Ruala
26.	Lungpho	K. Biakchungnunga
27.	Aizawl North	Thenphunga Sailo
28.	Aizawl East	Thangridema
29.	Aizawl West	Zairemthanga
30.	Aizawl South	Sainghaka

(iii) NAMES OF THE MEMBERS OF THE THIRD
MIZORAM LEGISLATIVE ASSEMBLY
(1979-1984)

Sl.No.	Name of Constituency	Name of M.L.A.
1.	Tuipang	Hiphei
2.	Sangau	H. Rammawi
3.	Saiha	S. Vadyu
4.	Chawngte	Sneha Kumar
5.	Demagiri	H.K. Chakma
6.	Buarpoi	K. Lalsanga
7.	Lunglei	Lalhmingshanga
8.	Tawipui	B. Lalchungnunga
9.	Hnahthial	Ellis Saidenga
10.	N. Vanlaiphai	1) F. Ngurchhina 2) Lalnghenga
11.	Khawbung	Joe Ngurdawla
12.	Champhai	Lal Thanhawla
13.	Khawhai	1) J.H. Rothuama 2) J.H. Lianchungnunga
14.	Saitual	L. Piandenga
15.	Ngopa	P.B. Rosanga
16.	Suangpuilawn	F. Malsawma
17.	Ratu	J. Thankunga
18.	Kawnpui	Dr. Kenneth Chawngliana
19.	Kolasib	C. Chawngkunga
20.	Kawrthah	Saikapthianga
21.	Sairang	C. Vulluasia
22.	Phuldungsei	1) P. Lalupa 2) R. Zadinga 3) Liansuama
23.	Sateek	1) Lalthanzauva 2) C. Pahlira
24.	Serchhip	Bualhranga
25.	Lungpho	K. Biakchungnunga
26.	Tlungvel	C.L. Ruala
27.	Aizawl North	Brig. Thenphunga Sailo
28.	Aizawl East	L. Thanmawii
29.	Aizawl West	Zairemthanga
30.	Aizawl South	Sainghaka
31.	Nominated	K. Thansiami
32.	Nominated	Biakchhunga
33.	Nominated	V. Lalnunzira

APPENDIX - F

(1) MEMBERS OF COUNCIL OF MINISTERS

(AS ON 1-1-1976)

<u>Sl.No.</u>	<u>Names of Ministers</u>	<u>Names of the Departments assigned</u>
1.	Pu Ch. Chhunga Chief Minister	1. Political 2. Home 3. Appointment 4. General Administration 5. Information, Public Relation and Tourism
2.	Pu J. Lalsangzuala Minister	1. Supply & Transport 2. Law and Judicial 3. Secretariat Administration 4. Parliamentary Affairs (under Political Department) 5. Co-operation
3.	Pu Ch. Saprawnga Minister	1. Planning 2. Agriculture & Animal Husbandry 3. Soil Conservation (under Forests & Soil Conservation Department) 4. Community Development
4.	Pu H. Thansanga Minister	1. Education 2. Public Works Department 3. P.H.E. 4. Power and Electricity
5.	Pu R. Thangliana Minister	1. Finance 2. Revenue
6.	Pu P.B. Nikhuma Deputy Minister	1. Medical & Family Planning 2. Local Administration
7.	Pu Zalawma Deputy Minister	1. Forests (under Forests & Soil Conservation Department) 2. Industries 3. Labour & Employment.

(ii) MEMBERS OF COUNCIL OF MINISTERS (1978)

Sl. No.	Name of Ministers	Names of Department assigned
1.	Brig. T. Sailo	Political, Home, Appointment, General Administration Departments, Secretariat Administration Department, Law, Health, Public Relation Department.
2.	Lalhmingthanga	Finance, Revenue, P.W.D. and Power
3.	Zairemthanga	Supply and Transport, Town Planning, Labour and Parliamentary Affairs.
4.	P.B. Rosanga	Agriculture, Soil Conservation, Animal Husbandry and Veterinary, Forest, Planning and Community Development.
5.	F. Malsawma	Education, Social Welfare, Industries and Co-operation.

(iii) MEMBERS OF COUNCIL OF MINISTERS

1980

Sl.No.	Names of Ministers	Names of the Department assigned
1.	Brig. Thenphunga Sailo AVSM (Rtd) Chief Minister	1. Home Department 2. Political Department 3. General Administration Department 4. Secretariat Administration Department 5. Appointment Department 6. Law, Judicial and District Council Affairs Department. 7. Planning Department 8. Information, Public Relation and Tourism Department.
2.	Shri Lalhmingthanga Minister	1. Finance Department 2. Revenue, Excise, Taxation Departments 3. Public Works Department 4. Power & Electricity Depart- ment.
3.	Shri Zairemthanga Minister	1. Supply and Transport Dept. 2. Local Administration, Town Planning and Housing Deptt. 3. Labour and Employment Department 4. Parliamentary Affairs (as part of Political) Department.
4.	Shri B.P. Rosanga Minister	1. Agriculture and Soil Conser- vation Department 2. Forest Department 3. Animal Husbandry and Veteri- nary Department 4. Health and Family Welfare Department 5. Community Development Depart- ment (as part of Community & Cooperation Department).
5.	Shri F. Malsawma Minister	1. Education and Social Welfare Department 2. Industries Department 3. Co-operation Department (as part of Community & Coopera- tion Department).

APPENDIX - G

NAMES OF THE CHIEF COMMISSIONER/LT. GOVERNOR
OF MIZORAM AND PERIOD OF HOLDING THE OFFICE

Sl. No.	Name	Designation	Period
1.	S. J. Das	Chief Commissioner	21.1.72 - 23.4.72
2.	S.P. Mukherji	Lt. Governor	24.4.72 - 12.6.74
3.	S.K. Chibber	Lt. Governor	13.6.74 - 26.9.77
4.	N.P. Mathur	Lt. Governor	27.9.77 - 15.4.81
5.	S.N. Kohli	Lt. Governor	16.4.81 - 9.8.83
6.	H.S. Dubei	Lt. Governor	10.8.83 - 9.12.86
7.	Hiteswar Saikia	Lt. Governor	10.12.86-19.2.87

APPENDIX - H

NAMES OF SPEAKERS AND DEPUTY SPEAKERS AND PERIOD
OF HOLDING OFFICE

Speaker

<u>Sl.No.</u>	<u>Name</u>	<u>Period</u>
1.	H. Thansang	10.5.72 - 17.10.75
2.	Vaivenga	7.11.75 - 20.6.78
3.	Thangridema	21.6.78 - 24.5.79
4.	Dr. Kenneth Chawngliana	20.5.79 - 8.5.84

Deputy Speaker

<u>Sl.No.</u>	<u>Name</u>	<u>Period</u>
1.	Hiphei	12.5.72 - 10.5.77
2.	C. Chawngkunga	21.6.78 - 10.11.78
3.	C. Chawngkunga	25.5.79 - 29.11.83
4.	Biakchhunga	5.12.84 - 8.5.84

APPENDIX - I

POLITICAL PARTIES OF MIZORAM

A. National Parties

- 1) Congress (1961)
- 2) Socialist Party of India (1971)
- 3) Janata (1977)
- 4) Communist Party of India (1979)

B. Major Regional Parties

- 1) Mizo Union (1946)
- 2) United Mizo Freedom Organisation (1947)
- 3) Mizo National Front (1961)
- 4) People's Conference (1975)

C. Minor Regional Parties

- 1) Mizo Integration Party (1971)
- 2) Mizo National Union (1971)
- 3) Mizo Labour Party (1972)
- 4) Mizo People's Party (1974)
- 5) Mizo Democratic Front (1976)
- 6) Mizo Convention (1982)
- 7) Mizo Peace Forum (1984)

D. Factional Parties

- 1) Mizo Union Council (1947)
- 2) Mizo Union Right Wing (1956)
- 3) People's Conference (B) (1978)

E. Communal Parties

- 1) Tribal Union (Pawi and Lakher combined) (1948)
- 2) Mara Freedom Party (only Lakher or Mara) (1963)
- 3) Chin National Union (only Pawi) (1963)
- 4) Paite National Council (only Paite) (1962)
- 5) Chin National Front (only Pawi) (1965)
- 6) United Pang People's Party (Pang and Kin tribes) (1974)

F. Party Alliances

- 1) Eastern Indian Tribal Union (1957)
 - 2) All Party Hills Leaders' Conference (1961)
 - 3) United Mizo Parliamentary Party (1970)
 - 4) Mizo Integration Council (1973)
 - 5) Steering Committee (1979)
-

CHRONOLOGY OF IMPORTANT POLITICAL EVENTS

- 1891 British Annexation of Lushai Hills.
- 1935 Young Lushai Association formed.
- 1946 (9 April) Mizo Union Party formed.
- " (September) First Mizo Union Assembly held.
- 1947 (March) First Split in the Mizo Union.
- " (April) Advisory Sub-Committee of the Constituent Assembly visited Aizawl; A.Z. Phizo (Naga leader) visited Mizoram.
- " (July) United Mizo Freedom Organisation formed. Hmeichhe Tangrual Pawl formed.
- 1948 (December) Mizo Union Civil Disobedient Demonstrations.
- 1952 (February) District Council given to the Mizos; First General Elections (M.P., M.L.A., D.C.) held.
- " (March) Mizo Union MLAs joined Assam Congress Parliamentary Party.
- " (April) Prime Minister Nehru visited Aizawl.
- 1954 (April) Lushai Hills changed to Mizo Hills.
- 1955 (April) Chieftainship abolished.
- 1957 (February) Second General Elections (M.P., MLA, D.C.) held.
- " (October) United Mizo Freedom Organisation and Mizo Union (Right Wing) merged into Eastern India Tribal Union.
- 1959 Bamboo flowered, Mizo National Famine Front formed.
- 1960 Third Village Council Election held.

- 1961 Assamese Official Language Bill passed,
All Party Hill Leaders' Conference formed,
Mizo District Congress formed.
- " (October) Mizo National Front formed.
- 1962 (February) Third General Elections held .
- " (October) Mass resignation of Tribal MLAs from their
membership of the Assam Assembly.
- 1963 Fourth Village Council Elections, MLA
bye-election held.
- 1964 MLA bye-election held as a result of
R. Thanhlira's resignation.
- " (April) MNF leaders met Home Minister, G.L. Nanda.
- 1965 (April) Saprawnga resigned from Chief Executive
Membership of Mizo District Council to
demonstrate his disapproval of the party's
threat of direct action against the
Government of Assam.
- " (October) MNF Delegates met Prime Minister Lal
Bahadur Shastri and submitted a Memorandum
for Free and Sovereign Mizoram.
- 1966 (January) MNF leaders interviewed Tarlok Singh,
Member of Planning Commission.
- " (February) MNF leaders met Vishnu Sahay, Governor of
Assam and also appeared before Pataskar
Commission.
- " (1st March) MNF declared Independence of Mizoram.
- " (2nd & 3rd
March) Parliamentary Debates on calling attention
motion on trouble in Mizoram.
- 1967 (February) Grouping of villages started, MP and MLA
Election held.
- 1971 (March) Fifth Village Council Election held.
- " (September) Mizo Union General Assembly divided over
the issue of Union Territory or State.

- 1972 (21 January) Prime Minister Indira Gandhi inaugurated a Union Territory of Mizoram.
- 1972 (18 April) First General Election to Mizoram Assembly held.
- " (29 April) First Mizoram Legislative Assembly constituted.
- " (3 May) First Council of Ministers led by Ch. Chhunga sworn in.
- " (10 May) First meeting of the Mizoram Legislative Assembly held.
- " (16 September) Socialist Party and Mizo Labour Party merged with the Congress.
- 1974 (12 January) Mizo Union Special Assembly held in Aizawl and decided to merge with the Congress.
- " (23 January) Mizo Union merged with the Congress.
- " (10 March) Lieutenant Governor, S.P. Mukherji wounded by MNF snipers.
- " (June) Brig. Thenphunga Sailo formed Human Rights Committee of Mizoram.
- 1975 (January) Inspector General of Police, G.H. Arya and one DIG and one SP killed by MNF.
- " (16 April) People's Conference Party formed under the leadership of Brig. T. Sailo.
- 1976 (April) Mizo Democratic Front formed.
- " (May) Six leaders of the Mizo Democratic Front arrested under Maintenance of Internal Security Act.
- " (June) Seven leaders of People's Conference including Brig. T. Sailo arrested under Maintenance of Internal Security Act.

- 1977 (February) Prime Minister Indira Gandhi visited Aizawl.
- " (March) People's Conference won the Lok Sabha Election in Mizoram.
- " (9 May) Ministry led by Ch. Chhunga resigned¹ (Its term of Office expired).
- " (11 May) Mizoram was put under President's rule.
- 1978 (17 and 20 May) Second General Election to Mizoram Legislative Assembly held.
- " (2 June) A new Ministry led by Brig. T. Sailo assumed office.
- " (21 June) Second Mizoram Assembly constituted.
- " (13 October) Ruling People's Conference Party split, nine members of P.C. Party withdrew support from Brig. T. Sailo Ministry.
- " (11 November) The Mizoram Assembly dissolved, put Mizoram under President's rule.
- 1979 (24 & 27 April) Third General Election (Mid-term) to Mizoram Assembly held and People's Conference again swept the election.
- " (25 May) Third Mizoram Assembly constituted.
- " (June) P.W.D., S.D.O., R.C. Choudhury killed by MNF, Communal Riot took place both in Silchar and Aizawl between Mizo and non-Mizos.
- " (August) Joint Meeting of all opposition party held and Steering Committee (a political alliance) formed.
- 1980 (January) Steering Committee candidate defeated ruling party's candidate in the mid-term Lok Sabha election in Mizoram.
- " (July) Central Government and Laldenga announced suspension of operation.
- " (November) Congress withdrew from Steering Committee.

- 1981 (March) Laldenga visited MNF Headquarters via Aizawl after 15 years of absence from Aizawl and 9 years of absence from MNF Headquarters.
- " (August) Four People's Conference 'B' MLAs resigned in support of Laldenga in his negotiations with the Government of India.
- 1982 (April) People's Conference 'B', Janata Mizo Democratic Front dissolved their respective parties and formed Mizo Convention. Laldenga left India for London as the talks for political solution of Mizoram were called off by the Central Government, MNF declared unlawful by Central Government.
- " (17 September) People's Conference submitted Memorandum to the Prime Minister and asked the Central Government to confer statehood for Mizoram.
- 1984 (25 April) Fourth General Election to Mizoram Legislative Assembly held.
- " (3 May) Congress I Ministry led by Lalthanhawla assumed office.
- 1986 (30 June) Memorandum of Settlement (A Historic Mizo Accord) signed by the Government of India and Laldenga, MNF President, and 20 years old insurgency in Mizoram ended.
- " (9 July) Prime Minister Rajiv Gandhi visited Aizawl. MNF Underground started coming overground.
- 1987 (16 February) General Election to the First Mizoram State Legislative Assembly of 40 members held. MNF won victory.
- " (20 February) Laldenga sworn in as Chief Minister. Prime Minister Rajiv Gandhi inaugurated the Statehood of Mizoram which became India's 23rd State.
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APPENDIX - K

(i) BASIC FACTS ABOUT MIZORAM

1. Population (1981): 493,757 Rural: 75.33%.
2. Area: 21,081 sq.km. Density of Pop. 23 per km².
3. Sex ratio: 919 females to 1000 males.
4. Literacy: 59.88% Male: 64.46%, Female 54.91%.
5. Percentage of urban pop. to the total pop. 24.67.
6. Percentage of Scheduled Castes: 0.03.
7. Percentage of Scheduled Tribes: 93.55.
8. No. of occupied residential houses: 81,341.
9. No. of inhabited villages: 721.
10. No. of towns: 6.
11. Location: 20.20° to 24.27°(N) and 92.20° to 93.29°(E).
12. Altitude of towns: Aizawl 3,715ft, Lunglei 4,008ft.,
Saiha 4,020ft., Champhai 5,504ft.
13. No. of (i) Districts - 3, (ii) Sub-Division - 9,
(iii) C.D. Blocks - 20.
14. Villages electrified as on 1.6.81: 37.
15. Per capita energy consumption: 11 units.
16. No. of Government Employees: 18,058.
17. No. of (i) Hospitals - 4, (ii) Beds - 720,
(iii) Doctors - 67.
18. No. of Educational Institutions: 1,081 including
University - 1 (NEHU Campus), Colleges - 12.
19. No. of Teachers - 4,158, and students - 1,30,497.
20. Total length of road blacktopped: (i) PWD 101,75 kms.
(ii) BRTF 1,136,32 kms.

Sources: 1. Census of India (1981) Mizoram, Gen. Pop.
Table p. 1-2.

2. Statistical Handbook Mizoram, 1981, pp. 10-2.

(ii) SIX MAJOR RELIGIONS IN MIZORAM

Category	1971	1981	% of increase
1. Population of Mizoram	332,390	493,757	48.55
2. Christians	286,141(86.08)	413,840(83.81)	44.63
3. Buddhists	22,647(6.81)	40,429(8.19)	78.52
4. Hindus	21,229(6.39)	25,245(7.14)	66.02
5. Muslims	1,882(0.57)	2,205(0.45)	17.16
6. Sikhs	427(0.13)	421(0.09)	- 1.41
7. Jains	3()	11()	266.67

Source: Census of India 1981, Series - 31, Mizoram (paper 1 of 1985), Household population by religion of household, Director of Census Operations, Mizoram, p. vii.

Notes: 'Buddhists' are mainly Chakma Speaking people, and 'Muslims' are mainly Bengali speaking people coming to Mizoram from Cachar District and Karimganj area of Assam.

(iii) DACADAL VARIATION IN MIZORAM

POPULATION SINCE 1901

Year	Persons	Decade Variation	Percentage Decade Variation
1901	82,434	-	-
1911	91,204	+ 8,770	+ 10.64
1921	98,406	+ 7,202	+ 7.90
1931	1,24,404	+ 25,998	+ 26.42
1941	1,52,786	+ 28,382	+ 22.81
1951	1,96,202	+ 43,416	+ 28.42
1961	2,66,063	+ 69,861	+ 35.61
1971	3,32,390	+ 66,327	+ 24.93
1981	4,93,757	+ 161,367	+ 48.55

Source: Census of India 1981, Series 31-Mizoram, Part IIA
General Population Tables, p. 26.

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