

**POLITICAL PARTICIPATION OF WOMEN IN VILLAGE
COUNCIL IN MIZORAM**

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF DOCTOR OF
PHILOSOPHY**

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**POLITICAL PARTICIPATION OF WOMEN IN VILLAGE
COUNCIL IN MIZORAM**

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Submitted

In partial fulfillment of the requirements for the Degree of Doctor of Philosophy in
Public Administration of Mizoram University, Aizawl.



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This is to certify that Mrs. Lalchatuanthangi, Regd. No. MZU/Ph.D./657 of 16.05.2014 with extension date of 16.05.2021 has worked on the research titled “Political Participation of Women in Village Council in Mizoram”. This is an original research work conducted by Mrs. Lalchatuanthangi, under my supervision. She has worked methodically for her Thesis being submitted for the Degree of Doctor of Philosophy in Public Administration of the Mizoram University.

This is to further certify that the research conducted by Mrs. Lalchatuanthangi has not been submitted in support of an application of this or any other university or an institute of learning.

She is duly permitted to submit Thesis for examination.

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DECLARATION

I, Mrs. Lalchatuanthangi, hereby declare that the subject matter of this thesis is the record of work done by me, that the contents of this thesis did not form basis of the award of any previous degree to me or to do the best of my knowledge to anybody else, and that the thesis has not been submitted by me for any research degree in any other University/Institute.

This is being submitted to the Mizoram University for the degree of Doctor of Philosophy in Public Administration.

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ABBREVIATION

- UN - United Nation
- ADC - Autonomous District Council
- PLRC - Pawi-Lakher Regional Council
- LAD - Local Administration Department
- UT - Union Territory
- V.C - Village Council
- SDO - Sub- Divisional Officer
- UMFO - United Mizo Freedom Organisation
- MHT - Mizo Hmeichhe Tangrual
- MNF - Mizo National Front
- AMC - Aizawl Municipal Corporation
- MHIP - Mizo Hmeichhe Tangrual Pawl
- NGO - Non Governmental Organisation

CHAPTER 1

INTRODUCTION

Politics is inevitable in any society. It is about representation, policy, position and power with government as its area. It is derived from Greek word 'politikos' meaning of, for or relating to citizens. It is the practice and theory of influencing other people on a civic or individual level. More narrowly, it refers to achieving and exercising positions of governance that is organized control over a human community, particularly a state. Politics is exercised on a wide range of social levels, from clans and tribes of traditional societies, through modern local governments, companies and institutions up to sovereign states to the international level. Active participation in politics or political participation is necessary for good governance.

Political participation means freedom of speak out, assemble and associate, the ability to take part in the conduct of public affairs and the opportunity to register as a candidate, to campaign, to be elected and to hold office at all levels of government. Political participation of women is one of the major indicators of women's status and identity. The United Nation (UN) also support for rights of women and began with the organization's founding Charter. Among the purposes of the UN declared in Article 1 of its Charter is 'To achieve international cooperation...in promoting and encouraging respect for human rights and for fundamental freedoms for all and without distinction as to race, sex, language or religion'. Within the UN first year, the Economic and Social Council established its Commission on the status of women, as the principal global

policy-making body dedicated exclusively to gender equality and advancement of women. The UN General Assembly declared 1975 as the International Women's Year. In 19th March 2012, the UN General Assembly stressed on women's political participation in all context, including in time of peace and of conflict and at all stages of political transition, concerned that many obstacles still prevent women from participating in political life on equal terms with men, and noting in that regard that situations of political transition may provide a unique opportunity to address such obstacles. Thus, it shows that the United Nation accepted that men and women have an equal right to participate fully in all aspect of political process. In practice, however, it is often harder for women to exercise this right. In many countries, there are frequently extra barriers to women's participation, and special care is required to ensure their rights are respected in this regard. Women in government in the modern era are under-represented in most countries worldwide in contrast to men. However women are increasingly being politically elected to be heads of state and government. More than 20 countries currently have a women holding office as a head of national government, and the global participation rate of women in national level Parliament is nearly 20 percent. A number of countries are exploring measures that may increase women's participation in government at all levels, from the local to the national.

India is the largest democracy country in the world. About six lakhs villages are there in India, and also 80 percent peoples living at the village in India. It attained independence from the British in 15th August, 1947 and the Constitution of India came into force on 26th January 1950. The Constitution of India guarantees equal opportunity

for participation in politics to both men and women. Women were given this right equality with men in recognition and as a token of appreciation by the national leaders for the massive role played by them in the freedom struggle. Article 14 of the Constitution ensures equality before law and Article 15 prohibits discrimination on grounds of sex. The 73rd and 74th Constitutional Amendment in 1992 for rural and urban areas also provides a reservation of seats for empowerment of political participation for women, but this institution was not extended for the governance of Village Council. More and more women are now actively participating in the political process but only a few women hold elected positions, fewer still are so placed as to be able to influence in political thinking. There is a greater awareness among women of the power that the right of franchise has given to them, but the extent of awareness varies significantly between different groups and different religions. The level of literacy and urbanization has an impact on the awareness, but the political parties have generally been indifferent towards women and treating them more as appendices to men.

Mizoram is situated in the southern most part of North-East India. It was carved out of Assam as a Union territory on 21st January 1972. Later on, it becomes the 23rd State of India on 20th February 1987. As per the 2011 census, the total population of Mizoram is 10, 91,014 lakhs . Due to lack of infrastructure and communication, the progress of development is very slow as compare to other States of India, but at the same time, the progress in education and literacy is very significant in Mizoram. According to 2011 census, the literacy percentage of Mizoram is 91.6 percent and becomes the third highest literacy rate in India next to Kerala and Lakshadweep.

During the pre-independence period in Mizoram, each village had a traditional institution of autocratic chiefship to manage village affairs. The Chief was at the same time, the Supreme administrator, judge, protector and guardian of his village, running village administration with a Council of Elders 'Upas' were generally men of the Chief's choice, nominated or selected without the villagers opinion. After independence, a new scheme of simple and inexpensive administration for the tribesmen of certain hills districts of the then State of Assam based on the recommendation of the North-East Frontier Tribal and Excluded Areas Sub-Committee of the Constituent Assembly known as the Bardoloi Sub-Committee was incorporated in the Sixth Schedule to the Constitution of India. This provided for the Constitution of the Autonomous District Councils (ADCs) for major tribesmen and Autonomous Regional Councils for minor tribesmen other than the major tribal people within a district. As a result, the Autonomous Mizo Hill District Council for the Mizos and the Pawi-Lakher Regional Council (PLRC) for the Pawi, Lakher and Chakma tribes were set up in 1952 and 1953 respectively. Thus, these Councils, which were democratic institutions created under the Sixth Schedule to the Constitution of India, threatened the position and privileges of the Chiefs. The Mizo Hills District Council, under the Lushai Hills District (Acquisition of Chief's Right) Act, 1954 abolished the exploitative and autocratic institution of the chiefships. Both the Councils democratized the village administration by enacting the Lushai Hills District (Village Council) Act, 1953, and the Pawi-Lakher Autonomous Region (Village Council) Act, 1954 under sub-clause(e) of Clause(3) of the Sixth Schedule to the Constitution of India. Accordingly, the village administration was vested

in the democratically elected Village Council (VCs), which, in fact started functioning from August, 1954 within the respective jurisdictions of the Councils. The Village Council has very limited functions and power mostly administrative and judicial of petty nature under the Village Councils Act, 1953 and 1954. When the Mizo Hills District was elevated to the status of the Union Territory of Mizoram in accordance with the North-Eastern Areas (Re-organization) Act, 1971, the Mizo Hills District Council was abolished in 1972. The Pawi-Lakher Regional was trifurcated into three District Councils viz., the Lai District Council, the Mara District Council and the Chakma District Council under the provision of the said Act. The Lushai Hills District (Village Councils) Act, 1954 have been adapted by Government of Mizoram and the three Autonomous District Councils as well since 1972, for the administration of the village affairs in their respective areas. The provisions of the Acts can be amended by executive or administrative order of the Government of Mizoram and the Autonomous District Council. The administration of the Village Councils has been put under the Local Administration Department (LAD) and Town Planning/Housing by the Government of Mizoram. Briefly, Mizoram has two sets of Village Councils existing over which the Government of Mizoram and the District Councils extend their jurisdictions independently.

REVIEW OF LITERATURE

The Scholar had reviewed of the following literature pertaining to the political participation of women in local governance:

S.N.Singh (1994) in his book *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* dealt with the brief profile of Mizoram, historical evolution and population distribution, socio-economic profile of Mizoram, evolution of boundary and administrative divisions, political institutions (traditional and modern), political participation and perception among the Mizo's and insurgency in Mizoram.

C. Nunthara (2015), '*Local Governance in North East India*' had discussed about the working of local governance in Mizoram- functioning of Village Councils in regards to regulatory functions and developmental functions as well as the nature of urban local governance. The book suggested that in spite of constitutional mandate, devolution, transfer of powers, responsibilities and other functionaries have not achieved in a real term in many States. The book had also pointed out the reasons of the overall weakness of the process of devolution for the Local government is. Lack of political will of political parties for decentralisation, lack of public awareness and vigilance, lack of orientation of officials in giving cooperation to Local Government; bureaucracies have not learnt to work with the elected local government; decision making is not yet broad – based; rules and procedures not adequately framed.

Sampa Guha (1996) in her book *Political Participation of Women in a Changing Society* examined the nature of mobilization of women, whereby they could have been made aware and organized so that they might be able to break the shackles of constraints which they find themselves in. The author explored the attitudes and orientations of

political women towards various dimensions of participation in variegated facets of social change. She sought to discover the impact of role perception of women actors on their political performance.

C. Lalkima & Lalneihzovi (2019) edited book entitled, '*Participation of Women in Politics and Governance: Local and State in Mizoram*' had discussed about the different aspects relating to the participation of Women in politics and Governance at Local and State level. It highlighted the role played by Women in political governance right from Autonomous District Council period to the Statehood. It also highlighted the performance of Women in Mizoram State Assembly and Aizawl Municipal Corporation. The various factor which hindrances the low level of Women participation in political governance are being discussed in this book. One of the reason of low representation of Women in the political governance in Mizoram was caused by patriarchal values especially in the rural area of Mizoram. The society needs to come out from the gender biasness to enable more women participation in the political governance. Enhancing and ensuring more Women participation in political governance would make further effect for the total welfare and betterment of the people in Mizoram.

Sharada Rath and Navaneeta Rath (1999) in their book *Women in India: A Search for Identity* a compilation of selected essays focused attention on the women's search for self identity and their struggle for survival with dignity, development and empowerment. It dealt with the changing identity of women in social, political and economic arena in pre-Independence as well as post-Independence India. This books

dealt with the problems confronting women from a global perspective as well as from the Indian angle of vision. The main issues discussed here are problems facing rural and urban women, women workers, social legislation safeguarding the interests of women, their rights, the process of their socialization and political participation, their emancipation from tradition-bound subordinate status, and above all their multi-dimensional development and empowerment. The role played by women in freedom as well as socio-cultural movements in India and abroad has been dealt in their appropriate contexts.

Naroj Sinha (2000) in her book *Women in Indian Politics* attempted at analyzing the problems related to women's political participation in the Indian context. Gender and patriarchy have been used as the conceptual framework. The environmental factors such as socio-economic, political and cultural are in some way or the other, directly related to the norms of gender and patriarchy. The book contained women participation in national freedom struggle, the political scenario in India and women's role, women in decision making positions in political system, women in the election process in India.

Lalneihzovi (2016) in her book, '*State and Participatory Governance in North East India*' states the needs of participatory governance, which focuses on deepening democratic engagement through the participation of citizens in the process of governance. Participatory development articulated through grass roots planning, augmenting the capacity of the people to participate productively in economic activities, and developing the capacity of the institutions to design and implement development

programmes, augmenting infrastructure. Therefore, enhancing and enabling the local people in the participatory process and decision-making process is necessary for achieving a suitable development.

Ramesh Chaube and Kalpana Saini (2002) in their book *Status of Women in rural Societies* contained 18 papers by eminent scholars who are authorities in the field of Social Anthropology. The paper included in their book explores recent issues related to the socio-economic position of women in tribal and rural societies. The issues included health, nutrition, education, adoption, inheritance, succession, marriage, divorce and participation in Panchayati Raj.

Sangkima (2004) in his book *Essays on the History of the Mizo's* analyzed the various topics in the historical field. The erstwhile Lushai Hills District of undivided Assam, first became a Union Territory (UT) and then a full-fledged State. The book traced the origin of the Mizo's from documentary studies as well as legends and folklore. There is ample discussion on the early movement of the people and their traditional social customs. Their institutions of chieftainship and the Zawlbuk etc are all adequately covered. The advent of Christianity and the role of the then British Indian government, the details on the process of merger with India at the time of Indian Independence as well as the current problem of refugees from Myanmar and elsewhere. Education and a detailed study of women's issues find special place in the book.

S.Nagendra Ambedkar and Shilaja Nagendra (2006) in their book *Role of Women in Panchayati Raj* attempted to analyze the views and perceptions of the women

Panchayati Raj members on various issues pertaining to the Panchayati Raj Institution. It also discussed about women in political process and Panchayati Raj, election systems in Panchayati Raj for women, role of women in Panchayati Raj System and their leadership, training of women in Panchayat Raj System.

Dharam Vir and Kamlesh Mahajan (2006) in their book *Women's Movements, Politics and Awareness* discussed the problems of women and the challenges they face with their counterparts have been discussed. It analyzed the political status of women in Lok Sabha, it also highlighted arguments for and against reserved electoral seats for women in Maharashtra, it also analyzed the extent of political efficacy among urban women in India, politicization of women in India, women in socio-political life of the country as a media of social change, status of women, Law and social consciousness, women and the Indian Constitution, women in government programmes, social welfare programmes for women and children in India, women's movement in India and Women Liberation Movement.

U.B. Singh (2006) in his book *Empowerment of Women in Urban Administration* study and analyzed the strategies for empowering women in urban administration in the country. Women in different roles especially in urban sector are the focal point for discussion by all the research papers. Under the broad theoretical and policy framework the experiences in varied fields of urban sector had been highlighted.

Lalneihzovi (2006) in her book *District Administration in Mizoram: A study of the Aizawl District* dealt with the concept of public administration and how

administration has evolved from ancient times till today in India. It also focused on the profile of Aizawl district administration, its organization and function in terms of law and order, revenue, development activities such as Irrigation, Health and Family welfare, Education, Rural Development, Food and Civil Supplies, Transport and village and urban administration.

H.C.Thanhranga (2007) in his book *District Councils in the Mizo Hills* dealt with the eight (8) District Councils. It traced the constitutional history on constitution of the Sixth Schedule to the Constitution of Autonomous District Councils.

Bhola Nath Ghosh (2008) in his book *Women in Governance in Tripura* examined the role of women members of Gram Panchayats in Tripura since 1993. When their representation in Panchayats increased due to the reservation of seats as a result of the 73rd Constitutional Amendment. Analyzing their socio-economical and political background as well as their level of awareness about socio-political situation and their exposure to outside world, it investigates whether their election to Panchayat bodies has made any significant change in status of women in rural areas. It also discussed the factors that motivated women members to plunge into politics and fight panchayat elections, the study outlines the difficulties they face in performing dual roles- the management of household and social affairs. Also, it probed to what extent the women members of Gram Panchayat are now able to make decisions independently.

Jagadish K. Patnaik (2008) in his book *Mizoram Dimensions and Perspectives: Society, Economy and Polity* attempted to pull up some of the important dimensions and

perspectives on Mizoram that could provide some basis for our understanding of these hill states of the North East.

Lalneihzovi (2009) in her book *Changing Status of Women in North-Eastern States* traced the changing status of Indian women from the early Vedic period wherein women held a position of equality in almost all spheres of life, the position and situation of women during the medieval period. The book attempted to highlight that the changing status of women in the North-Eastern State of India including the socio-economic development of women, political participation of women, their role in education and participation of women in the church.

Arambam Prafullo Kumar Singh (2018) in his book, '*Urban Local Government in Mizoram*' traced and had an in-depth study about the origin of urban Local Government in Mizoram; the Aizawl Municipal Council (AMC), its powers and functions as well as the ward committee. It analyses the detail of AMC and the scope for improvement as well as the need of strengthening of the urban local body also mentioned in the book

Shobana Nelasco (2010) in his book *Status of Women in India* explained the status of different categories of Indian women. The book contains empowerment of women in India, historical status of women in India, discrimination and evils against women in India, inter-state position of women in India, status of Indian women in the world, educational status of women, status of women scientists in India, status of female aged population in India, empowerment through self-help groups, constraints and

suggestions for women empowerment, protection and women rights in India, the protection of women from domestic Violence Act, 2005.

Purnima Ojha (2011) in her article, 'Women's Issues in India: Role and Importance of Media' in the *Indian Journal of Political Science* focused on women's issues in contemporary India and role of media in addressing the issues. She also explained that the need of the Indian media to be sensitized to gender issues and now must focus on women issues in a decisive way as their role is detrimental for the women empowerment in India.

Lalneihzovi (2011) in her article, 'Decentralized Governance for Rural Development in Mizoram: Problems and Prospects' in the *Indian Journal of Public Administration* briefly discussed the importance of democratic decentralization with reference to the Panchayati Raj and 73rd Constitutional Amendment Act, 1992. A comparative study of the local units of Autonomous District Councils and Village Councils existing in Mizoram with the Panchayati Raj was also attempted. She also emphasized on the need for synergy between the positive thrusts of Village Councils, Autonomous District Councils and the 73rd Constitutional Amendment, 1992.

Rashmi Shrivasta (2011) in her article, 'Minority Representation of a Political Majority Group: Women in Indian Democratic Process' in the *Indian Journal of Political Science* dealt with the problems of women in decision making process. She also mentioned that women are strictly a very small minority group in elected bodies and consequently, in course of time, they become the silent minority, it is a universal

phenomenon, as mostly women all over the world feel loneliness, normalness and isolation in political life.

R.P. Prabhakar (2011) in his article, 'Local Government's Administrative System in India' in the *Indian Journal of Political Science* highlighted that the Indian local government past history and mainly local government's administrative system their structure and components and what is vital role and what are principles of local government, the administration structure how to be working in Indian democracy.

Vineeta Singh and Kishor Kumar (2012) in their article, 'Empowerment of Rural Women' in the *Indian Journal of Political Science* explained the concept of empowerment, and the process of empowerment. They also highlighted that the status of women in rural areas, their backwardness in political, social and economic, and also deals with the measures to empower women at different levels.

Mallikarjun I Minch (2012) in his article, 'Women and Politics' in the *Indian Journal of Political Science* dealt with the issue of women and politics in general and Indian politics in particular with perspective on reservation, political mobilization and political participation

Sudhanshu Tripathi (2013) in his article, 'Empowerment of Women: An Urgency' in the *Indian Journal of Public Administration* traced the conceptualists and reductionists views associated with the question of empowerment of women in its historical settings in India as well as in the world which may help in evolving a more empirical, realistic and therefore a more objective understanding of women's status.

Anju Beniwal (2013) in her article, 'Gender Discrimination and Empowerment of Women in India: A view' in the *Indian Journal of Political Science* discussed on various forms, challenges and solutions of women empowerment. She also dealt with the concept of gender discrimination and how this concept effects the empowerment of women in Indian context.

STATEMENT OF THE PROBLEM

Under the Sixth Schedule of the Constitution of India, the Lushai Hills District Council and the Pawi-Lakher Regional Council were inaugurated on 25th April, 1952 and 23rd April, 1953 respectively. The District Council in its meeting on 15th April, 1953 adopted the list of villages as being declared to have Village Councils which was published in the Assam Gazette on 27th May, 1953. The District Council prepared the groundwork for the introduction of modern representative democratic institutions by passing the Lushai Hills District (Village Council) Act, 1953 on the 13th July, 1953, which received the assent of the Governor of Assam on 29th November, 1953. The Village Council was officially inaugurated with great fanfare during the 22nd July to 12th August 1954 and start functioning from the 16th August 1954. The introduction of Village Council brought about significant change in the traditional village administration. It brought modern participatory political process in Mizoram and replaced the traditional political institutions. The first Village Council election was held during 21st April to 6th July, 1954. Village Council is the lower level of administration in Mizoram. According to 2011 census prepared by Directorate of Economics & Statistics

of Mizoram, the population of Mizoram is 1,091,014, out of these; there are 552,339 and 538,675 male and female respectively, men exceeding women's by only 13664. It means women occupy 49.37 percent from the population. Mizoram is divided into 8 districts, there are 26 Rural Development Blocks all over the State to demarcate lower formation of geographical and administrative area, and presently, there are 757 Village Council in Mizoram. According to the General Election of the Village Council which was held in 23rd February, 2012 in Mizoram, there were 2115 seats in the Village Council, out of this, 2092 men and only 23 women were elected as member of Village Council which shows that the participation of women in village administration seems to be marginal; there were only few candidates in the election of Village Council. Without active women's involvement in politics at the grass root level, it is difficult to have efficient administration because women holds 50 percent of the population of Mizoram, they know what is best for them and measures for their upliftment. But till today, women participation is hardly increased due to different reasons. It may be psychological factors, social factors, economics factors and so on. As there was no specific study on the field of political participation of women in Village Council, the research was an attempt for further studies.

OBJECTIVES

1. To study the Village Council enactments in Mizoram.
2. To study the socio-economic profile of the women Village Council member in Mizoram.

3. To study the political participation of women in Village Council in the State of Mizoram
4. To study the performance and roles of women leaders in Village Council.
5. To study the problems of women member in Village Council in Mizoram.

SCOPE OF THE STUDY

The study focused on the political participation of women in Village Council in Aizawl District. Since Aizawl District is one of the oldest Districts of Mizoram and the maximum numbers of Village Councils were found before the general election of Aizawl Municipal Council in November 2010. After the formation of the Aizawl Municipal Council in 2010, the number of Village Council was reduced from 166 to 91. At present, there are 91 Village Councils and 5 Rural Development Blocks within Aizawl District. The study covered a period of two decade i.e., from 1987 to 2012. The historical background for the formation of Village Council, term of office, composition of Village Council, elections to Village Council, required qualifications for the voters or electors and sources of income of the Village Council were also taken care. It also covers the Village Council Acts and amendment, powers and functions of Village Council and election machineries under the Government of Mizoram. The main trust of the study was the political participation of women and their leaderships in the Village Councils within the Aizawl District. For the sample respondents, the elected women representatives of 2009 and 2012 elections were taken into consideration in this study.

RESEARCH QUESTIONS

The proposed research attempted to answer the following research questions:-

1. Do the Village Council enactments favour women participation in Village Council?
2. Does reservation policy require for the improvement of women leadership in the Village Council in Mizoram?
3. What are the major hindrances for women in participating in the local governance of Mizoram?
4. Does the Mizo customary law favour women to participate in politics?
5. Has the traditional patriarchal mindset created a problem of women participation in politics?

METHODOLOGY

This study was based on both Primary and Secondary data collection. Primary data was collected through the use of direct interview method, structured and unstructured questionnaire technique to obtain information from the sample villages within Aizawl District. Structured and unstructured Questionnaire was obtained from all elected women representatives from 2009 and 2012 Village Council election in Aizawl District. 22 questionnaires were obtained in 2009 election from elected women representatives, out of this 16 questionnaires were received from the respondents. From 2012, all the 3 elected women representatives in the election of Village Council had

responded the questionnaire. Beside this questionnaire, Telephonic interview method was also extensively conducted to the respondents to remote areas where there were women members of Village Council within Aizawl District. Secondary data was collected from published and unpublished documents of the State Government. Books, magazines, articles and journals were also extensively used for the secondary data of the research study.

CHAPTERIZATION

Chapter I: Introduction

The First Chapter deals with the introduction, meaning of Politics, Political Participation and its scope. It also highlights the background of Political Participation of Women and its progress in worldwide, India and Mizoram. It also analyzes the Constitutional Provision of India which promotes Women in India.

Chapter II: Origin and Growth of Village Council in Mizoram

The Second Chapter deals with the origin and growth of Village Council in Mizoram. It traces from traditional institution of Chieftainship in Mizoram and highlight different kinds of Amendment which was made by the Government.

Chapter III: Socio-economic Profile of Women Representatives in Village Council in Mizoram

The Third Chapter deals with the socio-economic profile and will examine the status of women representatives in Aizawl District in Village Council in Mizoram

Chapter IV: Historical Development of Women Participation in Village Council in Mizoram

The Fourth Chapter examined the status and position of women in Mizo society, role of women in politics during Chieftainship, background of political development of women in Mizoram and traced the historical political participation of women in Village Council in Mizoram.

Chapter V: Performance and Role of Women Representatives in Village Council in Mizoram

The Fifth Chapter dealt with the performance and role of the existing women representatives in Village Council in Mizoram

Chapter VI: Problems of Political Participation of Women in Village Council in Mizoram

The Sixth Chapter examined the obstacles and problems face by women representatives in Village Council in Mizoram

Chapter VII: Conclusion

The Seventh Chapter is the final and concluding chapter that attempted to answers the research questions of the Thesis. It described the findings and suggestions of the study. The chapter concluded by elaborating the limitations of the study and scope for further study.

CHAPTER II

ORIGIN AND GROWTH OF VLLAGE COUNCIL IN MIZORAM

The success of democratic system involves the extent of the participation of the citizens. No democratic system can flourish unless it appreciates the needs and aspirations of the community. Decentralization is inherent in the application of the democratic ideals to the administrative organization. Democratic decentralization aims at widening the area of people's participation, autonomy, and authority through dispersion of powers from the top to the bottom. It is now widely accepted that grassroots democratic institutions at the local levels are essentials for national growth and development and for effective participation of the people and they are integral and indispensable part of the democratic process. Grass root democracy based on small unit of government enables the people to feel a sense of responsibility and to inculcate the values of democracy. These institutions strengthen the roots of democracy and the strength of democratic government lies in the democratic consciousness of its people and their active participation in the affairs of the government. ¹

Before the annexation of Mizoram by the British in late 19th Century, each village was an independent unit of administration, under a chief called 'Lal' who was like a dictator. He was the hereditary chief. But it did not mean, however, that all members of the ruling clan were chiefs, rather it was only for those who were endowed with the capacity of drawing men to them under their command. A Chief's power was

¹Jagadish K. Patnaik. (2008). *Mizoram: Dimensions & Perspectives*, New Delhi: Concept Publishing Company, p. 260

measured by the number of his followers. The Chiefs, in fact, were the head of the villages, the leaders in war, owners of the village land, protectors and the guardians of the subjects. In the beginning, they enjoyed enormous power but subsequently, these were curtailed by the British after annexation. The Chiefs were the executive authority and the dispenser of the justice. The Chiefs were endowed with vast knowledge of the villagers, their lives, difficulties and problems. In hour of crisis, they used to supply essential commodities to the starving villagers.

The Chiefs administered the villages with the help of 'Upas' or elders nominated by them, settled all village disputes, distributed land for jhum cultivation, collected taxes for the Government and carried out Government orders in the villages. The Upas or the council of elders was nominated by the Chiefs at their discretion. They were like the 'Panchas' of the plain districts of some parts of India. These elders were called the "Upas" who were rich, well-informed, broad minded and experienced wise men in their respective fields. Their expertise knowledge helped Chiefs in the smooth running of the village administration. The Chiefs used to select from the persons who were the 'Thangchhuahpa' i.e. one who had done 'Khuangchawi' (selfless service) and were above petty jealousies. Besides Upas, some other officers were appointed by the Chiefs to assist them in running the village administration smoothly such as Zalen, Ramhuals, Tlangau, Thirdeng, Puithiam, Sadawt, Khawchhiar.

In Mizoram, the institution of chieftainship can be traced to Zahmuaka whose descendants are the Sailos. The Sailo chiefs establish their supremacy

throughout the Lushai Hills except in Pawi Lakher region where the Pawis and Lakhers had their own chiefs, controlling the south-eastern parts of Lushai Hills. Similarly, the Paite, Thado, Ralte, Hmar and Zahau chiefs ruled their own tribes till the advent of the British.²

Table 1: Lists of Mizo Chiefs in 1947

Name of Tribes	No. of chiefs	No. of households
Sailo	105	15,154
Lusei	25	1573
Ralte	7	819
Thado	2	713
Paite	4	904
Hmar	15	2209
Pawi	30	614
Hualngo	7	1522
Fanai	17	1293
Mara	20	1293
Others	28	2050

Source: V.V.Rao (1977), *Sociology of Mizo Politics* (in) S.M. Dubey (ed.) *North-East India*, p-217

² Singh, S.N. (1994). *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative*, New Delhi: Mittal Publications, p. 135-136

When Mizoram came under the British administration in 1890, it did not bring any drastic change in the administration of the Chiefs. The village administration under the Chief was carried on under the overall supervision of the Superintendent or the Sub-Division Officer (SDO). The Chiefs continued to carry on all internal and local administration in their respective villages with hardly any interference from either the Superintendent or SDO, unless a certain matter was specifically brought to their notice. But the annexation of the British resulted in certain changes in the liberties of the Chiefs. The Chiefs were divested of some of their autocratic powers including right to impose capital punishment, seize food stores and properties of the villagers, to tax traders doing business in their jurisdictions, right to freedom to make their sons Chiefs under their jurisdiction etc.

In 1898 the Superintendent issued order which laid down certain duties of the Chiefs. In 1937, the Government modified the powers and duties of the Chiefs and issued fresh order. The steps taken by the Government resulted in the gradual increase of the Chiefs duties and decline of their powers and positions. As Parry puts it, "British rule, therefore, has led inevitably to a diminution in the importance of the Chiefs". The British followed the policy of the internal control of the villages by their own leaders, the Chiefs. The aim was to interfere as little as possible between the Chiefs and their people and to impress upon the Chiefs their responsibilities for the maintenance of order in their villages.

After independence, the Constituent Assembly set up in a Sub-Committee, known as the North East Frontier (Assam) Tribal and Excluded Areas Committee, to recommend an institutional framework for governance of the hill areas of Assam. The Sub-Committee was headed by Gopinath Bordoloi, the Chief Minister of Assam and popularly known as the Bordoloi Committee. The Bordoloi Committee recommended that in each of the Hill District, a District Council should be formed to promote and regulate the tribal way of life according to their own genius. The recommendation were accepted and incorporated into Article 244 (2) and included the Sixth Schedule to the Constitution of India.

Under the Sixth Schedule, the Lushai Hills District Council and Pawi–Lakher Regional Council (PLRC) were inaugurated on 25th April, 1952 and 23rd April, 1953 respectively. The Lushai Hill District (Chieftainship Abolition) Act, 1952 was passed by the Assam Legislative Assembly with effect from 1st January, 1953. According to the Act, all the existing Chiefs as on 25th April, 1952 within the Lushai Hill District were to be abolished. However, the Chiefs were allowed to function according to the instructions given by the District Council until another alternative was formed. Armed with the Sixth Schedule, the District Council enacted certain legislations which abolished and reduced the special privileges enjoyed by the Chiefs. The Lushai Hills District Council enacted certain legislations which abolished and reduced the special privileges enjoyed by the Chiefs. The Lushai Hills District (Reduction of Fathang) Act, 1953 reduced the amount of Fathang (Fathang is the due payable to a Chief by villagers which amounted to six tins of paddy or Rs.2 per household per year)

from six tins to three tins of paddy if paid in kind or from rupees two to rupees one per year if paid in cash. The Lushai Hills District (Social Customs) Act, 1953 abolished the traditional dues payable to the Chief like Sa Chhiah (flesh tax), Chi Chhiah (Salt tax) and KhuaiChhiah (Bee tax) with effect from 1st June, 1953. Similarly, the PLRC passed the Pawi-Lakher Autonomous Region (Social Customs and Practices) Act, 1953 and the Pawi-Lakher Autonomous Region (Reduction of Fathang) Act, 1953 which abolished and reduced the traditional dues payable to the Chief within its jurisdiction.

The District Council in its meeting on 15th April, 1953 adopted the lists of villages as being declared to have Village Councils which was published in the Assam Gazette on 27th May, 1953. The District Council prepared the groundwork for the introduction of modern representative democratic institutions by passing the Lushai Hills District (Village Councils) Act, 1953 on the 13th July, 1953, which received the assent of the Governor of Assam on 29th November, 1953 and published in the Assam Gazette on 9th December, 1953. The first Village Council election was held during 21st April- 6th July, 1954, which was the biggest ever democratic exercise in electing the largest number of candidates through secret ballot. A high degree of political activity was noticed in the Village Council elections. Almost in every village, it was an intensely contested election and there were very few cases of political somnolence leading to candidates being returned uncontested. The PLRC also enacted the Pawi-Lakher Autonomous Region (Village Councils) Act, 1954 on 24th September, 1954. The Village Council was introduced with a belief that people would participate actively in various political processes and establish a genuine political control over them. By doing so, they

will have a voice in the all round development of the village. Most importantly, Village Council was aimed at democratizing the system of decentralizing the power structure.

The Village Councils were officially inaugurated with great fanfare during the 22nd July – 12th August 1954 and started function from the 16th August 1954. The introduction of Village Council brought about a significant change in the traditional village administration. It brought modern participatory political process in Mizoram and replaced the traditional political institutions. It gave a new orientation to politics and changed the outlook of the people. It widened the political horizon of the people by making them to look beyond their communities instead of fragmented villages or communities. The new concept of election, representation, and majority decisions slowly started creeping into these bodies. A new set of leadership having wider political perspectives and modern outlook emerged through the Village Council. The leadership of these bodies was also undergoing a slow change and newly emerging leadership started gaining influence in the institutions. Thus, the introduction of Village Council system brought about a total and far reaching change in the entire socio-political ethos of Mizoram.

The Government of Assam passed the Lushai Hills District (Acquisition of Chiefs Rights) Act, 1954, which received the assent of the President of India on 26th June, 1954 and published in the Assam Gazette on 30th June, 1954. The traditional Chiefship was abolished and the rights and interests of 259 Chiefs in Mizo Districts and 50 Chiefs in Pawi-Lakher Regional Council were acquired with effect from

1st April, 1955 and 15th April, 1956 respectively. The Chiefs were aid compensation of Rs.14 lakhs. Thus the oldest institution of traditional hereditary Chieftainship has come to an end. The following tables show the number of clan-wise Chiefs whose rights and interest was abolished. ³

Table 2: Number of clan-wise whose rights and interests abolished

Name of the clans	Number of Chiefs
Sailo	169
Pawi	27
Fanai	19
Lakher	15
Hmar	12
Hualngo	10
Zadeng	8
Ralte	7
Chawngthu	6
Thangluah	6
Zahau	6
Paihte	4
Chenkual	3

³ Patnaik, K. Jagadish, op. Cit., p. 261-265

Khiangte	3
Palian	3
Tlanglau	2
Tuikuk	2
Pachau	1
Hauhna	1
Tlau	1
Hnamte	1
Gurkha	1
Pang	1
Chakma	1
Total	309

As mention earlier, the first election to the Village Council was held from April 23 to July 7, 1954 with the polling party moving from one village to another conducting the election. In the election, the Mizo Union captured most of the interior villages while the United Mizo Freedom Organization (UMFO), another political party largely supported by the chiefs and their followers, won only few seats in the interior villages. After the election of the Village Council the date for the inauguration of the Village Council in each circle was appointed by the District Council, the Chief Executive Member – Mr. Lalsawia, Executive Members – Mr. Hrangaia and F.

Sangkunga, Mr. Thanhkira MP were appointed to inaugurate various Village Councils of different Circles where the newly elected members were to be present. According to the notification served by the Lushai Hills District Council the first sitting of the Village Council of all the villages was held on August 16, 1954, where the President and Vice President were elected. The elected President had to select a person from amongst the villages, who will act as a Secretary during the tenure of the term, on the basis of personal qualification. The Act, further provides that, of the total number of members of the Village Council one-third or nearest shall be nominated by the executive committee and the rest elected by the adult of the village in accordance with the rules made by the District Council under the Act. After completing all formalities the Village level administration which so long rest with the chiefs began to be performed by the Village Councils in Lushai Hills from 1954. Thus the villages in the Lushai Hills became a village republic where the head of the village or President was elected by the villager for a fix period. The dream of having democratically set up villages where people would become their own masters had been for the first time fulfilled in the Lushai Hills and democracy had started finding its place at the grassroots level under the District Council.

As stated under Section 3, sub-section (4) of the Lushai Hills District (Village Councils) Act, 1953, all the villages did not have Village Council. In order that a village should have a Village Council, there must be first of all a village establishment by District Council having an area demarcating its boundaries. Number of members of the Village Council shall be decided in accordance with the number of houses in the village as specified below:

- For Villages not exceeding 60 houses, there shall be 5 members;
- For villages between 61 and 100 houses, there shall be 6 members;
- For villages between 101 and 140 houses, there shall be 7 members;
- For villages between 141 and 180 houses, there shall be 8 members;
- For villages between 181 and 220 houses, there shall be 9 members;
- For villages between 221 and 260 houses, there shall be 10 members;
- For villages between 261 and above, there shall be 11 members.

However the prescribed number of Village Council members was modified in March 1970, after the system of compulsory grouping village was introduced. The change in the composition of the ratio of the Village Council membership with the number of households was revised due to the proportionate increase of village population after the introduction of grouping schemes which reads:

- For villages not exceeding 100 houses, there shall be 4 members;
- For villages not exceeding 101 houses and 200 houses, there shall be 5 members;
- For villages not exceeding 201 houses and 300 houses, there shall be 6 members;
- For villages not exceeding 301 houses and 400 houses, there shall be 7 members;
- For villages not exceeding 401 houses and 500 houses, there shall be 8 members;

- For villages not exceeding 501 houses and 600 houses, there shall be 9s members;
- For villages exceeding 600 houses, there shall be 10 members.

Again in 1991, an Amendment was made in order to change the criteria for the ratio of the number of seats in the Village Council and number of its nominated elements. It received the assent of the Governor of Mizoram on 3rd April, 1991 stating that one-fourth or nearest to its members shall be nominated and the rest shall be elected on the basis of adult franchise. The criteria for the number of members were as determined below:

- For village not exceeding 100 houses, there shall be 4 members;
- For village with more than 100 houses, but not exceeding 200 houses there shall be 5 members;
- For village with more than 200 houses, but not exceeding 300 houses there shall be 6 members;
- For village with more than 300 houses, but not exceeding 400 houses there shall be 7 members;
- For village with more than 400 houses, but not exceeding 500 houses there shall be 8 members;
- For village with more than 500 houses, but not exceeding 600 houses there shall be 9 members;

- For village with more than 600 houses, but not exceeding 900 houses there shall be 10 members;
- For village with more than 900 houses, but not exceeding 1200 houses there shall be 11 members;
- For village with more than 1200 houses, but not exceeding 1500 houses there shall be 12 members;
- For village with more than 1500 houses, but not exceeding 1800 houses there shall be 13 members;
- For village with more than 1800 houses, but not exceeding 2100 houses there shall be 14 members;
- For village with more than 2100 houses, there shall be 15 members.

Later on, in 2006 the criterion for the number of members of Village Council was again changed. Under the ordinance of the Lushai Hills District (Village Council) (Amendment) Ordinance, 2006 (Ordinance No.1 of 2006, Dated 10.2.2006) the compositions of the Village Council with the number of households are as under:

- For village not exceeding 200 houses, there shall be 3(three) members;
- For village with more than 200 houses, but not exceeding 500 houses there shall be 4(four) members;
- For village with more than 500 houses, but not exceeding 800 houses, there shall be 5(five) members;

- For village with more than 800 houses, there shall be 6(six) members.⁴

In 2014, The Lushai Hills District (Village Councils) Amendment Act was passed, this amendment change the term of the Village Council member which is from three (3) years to Five (5) years. Moreover, a seat reservation for women in the election was added in the amendment. The change in the composition of the ratio of the Village Council membership with the number of households was revised again as under:

- For Village not exceeding 200 households, there shall be 3 (three) elected members, of whom 1 (one) shall be women;
- For Village with more than 200 households, but not exceeding 500 households, there shall be 5 (five) members, of whom 1 (one) shall be women;
- For Village with more than 500 households, but not exceeding 1000 households, there shall be 7 (seven) elected members, of whom 2 (two) shall be women;
- For Village with more than 1000 households and above, there shall be 9 (nine) elected members, of whom 3 (three) shall be women.⁵

Composition of the Village Council

The composition of the Village Councils consists of all the elected members who were elected by the villagers on the basis of adult franchise; nominated members in case there are nominated members, Secretary and Tlangau or Village Crier.

⁴ Patnaik, K. Jagadish, op. Cit., p. 288-291

⁵ www.lad.mizoram.gov.in

The President and Vice President of the Village Council are elected by the member of the Village Council from amongst the elected members of the Council. The Secretary is appointed by the Government on the recommendation of the President from amongst the villagers. The appointment of Tlangau is made by the Village Council's full sitting from among the applicants through an advertisement.

The Executive

The executive body of the Village Council consists of the President, the Vice –President, and the Secretary .While the President and Vice-President were elected from among the members, Secretary is appointed and dismissed by the government on the recommendation of the President. The secretary is not a member of the Village Council. He participates in the meetings of the Village Council but does not enjoy the right to vote. The Secretary keeps all records and has taken the charge of the Village Writer and had no right to cast his vote when decisions are taken. He records the proceedings of the meetings and published notices, orders and proceedings. Similarly either the President or the Vice –President should not be eligible to hold the office of the Secretary of the Village Council. They are considered as public servants.

The President: The President is the Executive head of the Village Council and all executive functions are carried out in his name. He shall cause notices and instruction for prevention of dangers such as outbreak of fire, epidemics, etc. He shall be responsible for the compliance of all orders and notifications issued by the administrator

or the District Council. He shall cause all such orders and notifications to read by the Secretary in the meetings of the Village Council and shall examine the books kept by the Secretary from time to time as he may deem necessary. The President also act as a Treasurer of the Village Council and all local funds and development fund were taken care by him, he should see that the cash book of the Village Council is maintained properly.

The Vice –President: The Vice-President shall have position next to the President and in the absence of the President he shall perform the duties of that office and during such period the power of the President shall vested in him.

The Secretary: The Secretary of the Village Council was substitute of the Khawchhiar or Village Writer in Mizoram since October 15, 1954; they were in charge of all the responsibilities of the Village Writer during the colonial period. He shall record all the proceedings of the Village Council as well as the Village Courts and such records shall be signed by the President. He shall publish orders and notifications and records as may be necessary, such orders, notification and records shall be signed by the President. On receipt of any order, notice, or circular or letters from higher authority, the Secretary shall cause it to be served as may be directed and shall be responsible to carry such directions. He shall keep all the books and records of the Village Council and the Village Court. He also acts as a Financial Secretary of the Village Council and is expected to maintain a good record of the receipt and expenditure of the Village Council

on the advice of the President who act as a Treasurer of the Village Council. All the books and records shall be kept ready to be examined at any time by the Officers of the concerned department, or any members of the Village Council in this behalf.

The Tlangau: The Tlangau or Village Crier always holds an important position in the Mizo villages from time immemorial. The Tlangau shall bring to the notice for the public all orders and notifications the Village Council may direct to be notified. He shall summon all parties and other person required by the Village Council or the Village Court to attend its meetings. He shall notice to all members of the Village Council for all meetings of the Village Council recommended by the President. If any emergency occurs requiring the gathering of public in the interest of the village any member of the village may, without the previous approval of the President, order the Tlangau to summon all the villagers.

Qualification to be a Member of the Village Council

A member of the Village Council should be a member of the Scheduled Tribe, he must have attained the age of 25th years on the qualifying date, he must be a voter in the village where he desires to contest, he must not be a member of any other Village Council, he must be of sound mind and he must not be convicted by any court or imprisoned three years before. A person who has been employed as a government servant on regular basis cannot be elected as a member of the Village Council.

Terms of Office

The normal term of the Village Council is three years from the date of its first meeting, unless dissolved sooner. However, the life of the Village Council may be extended or shortened for the period not exceeding 18th months. Although, the term of the office of a Village Council is three years normally, if the government finds that the Village Council is too weak, inefficient and is not able to carry on the village administration, it can dissolve such Village Council and during the period of such dissolution the government can appoint its Circle Assistant or some other officers to look after the administration of the dissolved Village Council. The government, if necessary, may conduct an election of the dissolved the Village Council for the remaining period of the term. However, under the District Council whenever the Village Councils are dissolved, the Executives of the District Council in its first session have to lay down the reason for the discussion by the members in the meeting and all necessary action may be taken. But under the government of the Mizoram discussion about the Village Council were never made in the Assemblies as provision for it has been deleted when Mizoram was upgraded into a Union Territory.

It may be interesting to note that the first four general elections of the Village Council was conducted smoothly in 1954, 1957, 1960 and 1963. However with the outbreak of violence and insurgency, the 1966 Village Council election was suspended for several years. During this period all political activities were suspended, the term of the existing District Council and Village Council were extended. After the

returning of normalcy in the political situation, political leaders reactivated political parties and the District Council resumed its normal functions. The fifth Village Council election was thus held in 1971 after a lapse of eight years.

However, under the District Council wherever the Village Councils were dissolved, the Executives of the District Council in its first session have to lay down the reason for discussion by the members in the meeting and all necessary actions may be taken.

In case, the President of the Village Council wants to resign before the expiry of his term he has to give his resignation to the government with his own handwriting but resume his duties till his resignation has been accepted. The Vice-President will give his resignation to the President who will forward it to the government for acceptance. The President also has to forward the resignation of other member of the Village Council to the government, and whenever any post in the Village Council remains vacant it is the duty of the President to inform the government or an officer in-charge of it for necessary action. The government may remove the President and the Vice- President on grounds of inefficiency, corruption, loss of majority support of the members or “acting in a manner prejudicial to the interest of the state”. But the Village Council has no power to impeach President and Vice –President. If a member remains absent in ten consecutive meetings without proper information, the Village Council can dismiss him in a specially convened meeting for the purpose and communicate the decision to the Government.

Election to the Village Council

Election to Village Council is conducted by the District Council under the Autonomous District Councils and the Government of Mizoram under the state government. The administrator shall, by the notification in Gazette fix the number of seats for each constituency to form a Village Council. Every Village has got their own electoral rolls which shall include the names of all persons who are bona fide residents and entitled to vote in the election to Village Council, in accordance with clause (g) of Rules 2 of the Mizoram (Election to Village Councils) Rules, 1974 as amended. The administrator shall appoint a Registration Officers in the performance of this function. The Registration Officer shall appoint a Returning Officer, who will also function as Presiding Officer, and also Polling Officers, to conduct the election of each Village Council constituency. The Registration Officer, Assistant Registration Officers and Polling Officers are usually appointed from among the teacher of the concerned village. The Returning Officer has been empowered to appoint a substitute to a Polling Officer in case of illness or any unavailable circumstances and inform the Registration Officer accordingly. No Civil Courts shall have jurisdiction to question the legality of any action taken or any action taken or any decision given by the Returning Officer or by any other person appointment under these Rules in connection with the election. The Administration shall, by notification in the Gazette shall appoint the date or dates for such election in each constituency simultaneously or consecutive according to convenience.

Any person whose name is included in the electoral roll of the constituency who is not otherwise disqualified under section 4 of the Lushai Hills District (Village Council) Act, 1953 may offer himself or herself as a candidate for election to a Village Council and shall inform the Returning Officer, in writing of his intention to do so by a particular date to be noticed in this behalf by the Returning Officer in respective constituency on a date and time to be notified by him. The scrutiny of candidature shall be taken up by the Returning Officer in respective constituency on a date and time to be notified by him. A candidate shall furnish a security deposit of Rs.25 to the Returning Officer along with his application for his candidature which will be refunded in the event of the withdrawal of candidature or at the earliest date after the conclusion of the Election.

Election to the Village Council is conducted by symbol system. Each candidate should select a symbol out of those prescribed by the rules. They are chicken, cock, cage, lantern, hen, house, horse, axe, spade, pen, kettle, sickle, men's smoking pipe, Mizo hat, umbrella, etc. The number of election symbols is 60 in accordance with the notification served by the Local Administrative Department before the Village Council election of 2006. If more than one candidate selected same symbol, the Returning Officer shall decided by lot to whom of those the symbols shall be assigned.

As regards arrangement of voting there should be one or more polling stations for the same constituency depending upon the number of voters. One election agent of the candidate appointed in writing and submitted to the Returning

Officer shall be admissible into the Polling Booth in the case of candidate absenting himself from the Polling Station. The Returning Officer shall fix the hours of polling votes. Each voter should be given as many ballot papers as equal to the number of seats to be filled up. Each voter shall record his vote/votes by dropping only one ballot paper in each box containing the symbol assigned to the candidate of his choice. After the closing of the poll, the Presiding Officer shall, in the presence of the candidates or their agents, close the ballot boxes in safe custody until the commencement of counting of votes, which shall be as soon as possible carried out by the Returning Officer and those persons whom he had appointed to assist him in counting of votes. In case of equality of votes the Returning Officer shall decide membership between those candidates by drawing lots. The list of elected shall be published in the Gazette.

In case, election of member to constitute a Village Council cannot be held due to any reason considered unavoidable by the administration of the District Council but the circumstances demand immediate constitution of such Village Councils, the administrator may also nominate the remaining number of members who shall hold office for a period not exceeding one year from the date of the first meeting of the Council.

Powers and Functions of Village Council

The Mizo chiefs from the time immemorial had governed their villages with unwritten laws with an advice of the Upas and elders, which they think is most suitable for the villages. Later on, these unwritten laws developed into a tradition

and culture of the people occupying the Lushai Hills, N.E. Parry, the Superintendent of the Lushai Hills from 1924 to 1928 collected the custom which have been practiced by various chiefs and prepared a book which was published in 1928; the book was greatly utilized by the chiefs and elders in giving judgments to the villagers. Later on, when the Lushai Hills was placed under the Sixth Schedule of the Constitution having its own District Council, N.E. Parry's book with certain modification was developed into a Mizo Customary Law and was published in 1957. The book was legally utilized by the District Council Court and Village Council Court till recently in Mizoram.

The Village Council since inception has got certain functions and responsibilities being substitute of the Village Chiefs who enjoyed enormous power and had taken up the responsibilities of legislating, executing and protecting the village and the villagers. It is the duty of the Village Council to see that the villagers have enjoyed enough liberty in every sphere of life. The powers and functions of the Village Council may be broadly divided into two groups, which are the executive and judicial functions which have been discussed below;

The Executive Powers and Functions of the Village Council

The Executive powers and functions of the Village Council may be discussed under the following:

- (i) *Distribution of Jhum land for the purpose of Shifting Cultivation:* The first important executive function of the Village Council is the distribution of Jhum land within its jurisdiction. Jhumming or Shifting Cultivation being the

most important source of livelihood for the villagers in Mizoram and administering the jhum land always play an important role in administration of the villages. The Lushai Hills District (Jhumming) Regulation, 1954 had empowered the Village Council to distribute jhum land each year to the villagers on the appointed time. The law has been adapted by the Dissolution of Mizo District Council (Miscellaneous Provision) Order, 1972 when the Mizo District Council was dissolved. The law has been again adapted by the State of Mizoram under the State of Mizoram Adaptation of Laws Order (No.2) of 1987. The Village Council has got the responsibility of reporting the place and area to be cultivated or distributed every year in the month of September, in written to the Government. The jhumland was distributed by means of lots. The privileges gives to the President, Vice-President and members of the Village Council to select the jhum site were suspended since 1958. Thus may be due to the remuneration of the members in terms of money since August 16, 1957.

Disobedience of the Village Council or Government's Order on the distribution of Jhum land is punishable with a fine of Rs.500 and failure of cultivating the selected site is punishable with a fine of Rs. 100. The Village Council there needs to be very careful while fixing the area to be cultivated each year. The Village Council was given the responsibility of preventing the outbreak of fire while burning the trees for clearing the jungles. If there is any dispute concerning the distribution of jhum land, the final decision will be made by the Government or officer in charge of it.

(ii) *Enforcement of Hnatlang or Collective Labour:* The next important function of the Village Council is the enforcement of 'Hnatlang' which means common service for the common good of the villagers which the residents of the villagers are to render whenever the need for it arises in the village. The Lushai Hills District (Village Council) Act, 1953, section 9 had empowered the Village Council to call for Hnatlang whenever the need for it was felt by the members of the Village Council. All developmental works, cleanliness or sanitation, helping out the poor and needy, etc cannot be carried out by the government alone but be carried out the collective labour under supervision of the Village Council.

The Village Council was also empowered to exempt anyone from Hnatlang but the reason for it must be carefully recorded. People above the aged of 60 years were also exempted from Hnatlang and children below the age of 15 years cannot be accepted as a representative of a household. Absentees form hnatlang without any reason thereof, are punishable with a fine of Rs.50.

(iii) *The Control of Animal and Taxation of Animal:* The third executive power and function of the Village Council is controlling of the animals within their village. The Mizo Animals (Control and Taxation) Act, 1980 (as amended in 1991) had empowered the Village Council to control and tax the animals within their jurisdiction. The task of collecting animal tax was given to the Village Council. The Village Council get 50 percent of the tax collected and another 50 percent will be given to the government as a Consolidated Fund of

Mizoram. All the people having animals should get them register and the registration fee of an animal is 50 paise and that of a young animal is 25 paise. The Village Council was to maintain the registration fee and accounts of the register that may be check by the officers in charge from time to time.

The Village Council should see that no animals in the village were a nuisance to the neighbors or villagers and every animal should have their own homes. The owner of any animals caught in the street may be fine with a sum of rupee 50 and if animal destroyed somebody's property, the owner of the animal had to compensate the victim. The Village Council has got the right to auction any animals caught, if it was not claim by the owner within a period of 7 days, subject to proper notification.

(iv) *Allotment of house sites for the Villagers:* The fourth important executive function of the Village Council is the allotment of house sites in the village for the villagers to live in. The Lushai Hills District (House Sites) Act, 1953 had empowered the Village Council to distribute land within its jurisdiction for the construction of houses for homes. But the Village Council was not authorized to distribute land for the purpose of agriculture, shops, hotels and any other forms of business.

(v) *Prevention and Control if the outbreak of fire:* The Fifth important executive functions of the Village Council is the Prevention and Control of Fire within its jurisdictions as given in the "The Mizoram (Prevention and Control of Fire in the Village Ram) Rules, 1983. The Village Council was given the responsibilities of preventing the outbreak of fire within its jurisdiction. In

accordance with the office memorandum No.B11011/19/91-F51 dated the 8th February, 2000, Aizawl; all the villagers were to set up a Village Forest Fire Prevention Committee in which the President of the Village Council was to be the appointed Chairman of the Committee. The Committee was appoint Fire Watcher for a period of two months, i.e, 15th February to 15th April which would be a voluntary work. In case there is an outbreak of fire, the villagers were expected to stop the fire on the basis of Hnatlang under the supervision of the Village Council. Moreover, the Village Council was assigned to give information or report to the Deputy Commissioner /SDO (Civil) for necessary actions.

The responsibility of the Village Council in order to prevent the outbreak of Fire is given under the Mizoram (Prevention and Control of Fire in the Village Ram) Rules, 2001.

1. The Village Council has to fix the period for clearing the jungles and cutting down tree for the purpose of Jhumming every year.
2. The Village Council should fix the date for burning down the Jhum sites and the notice should be serve three days before the fix date.
3. The Village Council should see that all preventive measures have been taken for the prevention of the outbreak of fire.
4. Subsidiary Shifting Jhum cultivation should inform the Village Council seven days before they were going to burn their subsidiary Jhum. The Village Council will then fix the date for burning down the subsidiary Jhum.

5. The Village Council will take all preventive measures for the outbreak of fire before the propose subsidiary Jhum's were burnt down.
6. *Control and Protection of Forest:* The Sixth important function of the Village Council is the control and protection of safety, supply and Protected Forest Reserve under the Mizo District (Forest) Act, 1955 (Act No. IV of 1955). There are three types of forest reserve, they are:
 - *Village safety Reserve:* This reserve have been protected to prevent the village from the outbreak of fire, to maintain the health of the villagets and to maintain the purity of springs and streams from which the villagers fetch water for domestic purposes. These reserves should not be used for any other purpose and cutting down of trees within this area is strictly prohibited.
 - *Village Supply Reserve:* These reserves have been protected so that the trees and bamboos within this area may be utilized only for domestic purposes. All the villagers are allowed to cut down trees and bamboos within the village supply reserves.
 - *Protected Forest Reserve:* This reserve area should not be utilized any other purposes unless permission has been obtained from the government.

The Village Council is given the responsibility of protecting this reserved forest and maintains the records of its boundaries.

- *Sanitation of the Village:* Chapter II of the Lushai Hills District (Village Council) Act, 1954 had clearly indicated that the Village Council is responsible for the sanitation of the village. The Village Council has been empowered to establish a

Sanitation Committee and make certain law which would regulate the functioning of the Committee. The member of the Village Council being very small in number may not be able to maintain the sanitation of the whole town or village. With the help of this committee that may be grouped into various sections, the Village Council has to carry out this important function and prevent the spread of various diseases.

In addition to the above the normal functioning of Village Council covers a variety of items. It has to handle all the developments programmes, with the help of the administrative officials, within their respective jurisdiction. The President is to report the harvest of rice of his village to the Government so that the Government will be able to take remedial measures if the harvest is very poor. In any severe incidence takes place in the village, the Village Council is responsible to inform the Government. The Village Council is to carry all the duties assigned to it by the Government. Also it is to consider the welfare of the villagers, in bringing their felt needs to the notice of the Government such as for opening of school, post office, construction of inter-village path and construction of roads and approach foot-path to jhum, etc. The Village Council is also expected to take various steps in order to prevent the spread of communicable diseases or epidemics, etc. The president also acts as a communicating link between the villagers and the government.

The Judicial Functions of the Village Council

The most important of the Village Council is the Administration of Justice in the Village. For this purpose, the Village Council is empowered to organize the Village Court constituted under the administration of Justice Rule, 1953 and the member of the Village Council Court as a bench. The Village Council Court is the lowest court if the District Council and later on the state. The Village Council has to appoint three of its members or up to half of its members to be members of the Village Court. The Village Court can give judgments only in the presence of at least three of its members. Therefore, in a Village Council where there are only three members, court judgments can be given only in the presence of all the members.

A Village Court can try suits and petty case in which both the parties belong to Schedule Tribes or Tribes resident within its jurisdiction in accordance with the customary laws of the village, but the Court should not try offences in respect of which the punishment is obligatory under Indian Penal Code. A Village Court shall try all cases in open Durbar in the presence of the complainant and the accused and their witnesses, if any, it shall decide the issue by a simple majority of votes and pronounce decision as soon as possible. Registers of all suits and cases disposed of by a Village Court shall be kept by the Court.

The Village Court, which was given the responsibility of maintaining law and order in the Village, has been empowered to try the following cases:

1. Civil cases if both the parties were tribal and the nature falling within the purview of village or tribal laws and customs.

2. Criminal cases falling within the purview of tribal laws and customs, and offences of petty nature, such as petty theft and pilfering, mischief and trespass of petty nature, simple assault and hurt, affront and affray of whatever kind, drunken or disorderly brawling, public nuisance and simple cases of wrongful restraint.
3. The Village Court can decide cases which are concern with the following:
 - (a) The Lushai Hills District (Village Council) Act, 1953 as amended from time to time;
 - (b) The Lushai Hills District (House sites) Act, 1953 and the Mizoram Land Holding and Settlement Act, 2000
 - (c) Administration of Justice Rules, 1953;
 - (d) The Lushai Hills (Jhumming) Regulation, 1954;
 - (e) The Mizo District (Forest) Act, 1955;
 - (f) The Mizoram Animal (Control and Taxation) Rules, 1982;
 - (g) The Mizoram (Prevention and Control of Village Fire in the Village Ram) Rules, 2001
4. The Village Court has got the power to fine and accused up to a sum of Rs 500 depending upon the crime he has committed. If the accused person fails to pay the amount, the Village Council has the power to confiscate his property.

5. The Village Court has the power to summon a witness but if the witness failed to appear in the Court, he can be fined a sum of Rs 100.
6. The Village Court has an enormous power of deciding cases concerning the inheritance of property in accordance with the Customary Law.

It might be important to note that those persons convicted by the Civil Court cannot be given a punishment more than a fine of Rs 500. Moreover, the person convicted by the Village Court cannot be sent to a jail and no legal practitioner is permitted to plead on behalf of his client in the Village Council Court. The Village Court has the right to send an accused person to a higher Court. An appeal against the decision or orders of the Village Council Court can be made in the subordinate District Council Court or Additional Subordinate District Council Court within a period of 60 days after the judgment has been given.

The Village Council, although it is the lowest political institution, is very important in view of the fact that it is constituted in pursuance of the provisions of valid law. Under Section 43 of the State of Mizoram Act, 1986, all laws in force during the Union Territories of Mizoram, should continue to be in force in Mizoram until altered, repealed or amended and this includes the Village Council Act by which the Village Council was constituted. The President, Vice President and members of a Village Council including the Secretary are deemed to be public servants under Section 21 of the Indian Penal Code. As such obstructing their performance of duties in

the discharge of administration of the Village will be an offence as is the case with other public servants.

Conduct of Business

The Lushai Hills District (Village Council) Act, 1953 early describes how the meeting of the Village Council has been carried out. The President presides the meeting of the Village Council, in the absence of the President, the Vice President will be in charge of the duties of the President. The President can summon the meeting of the Village Council whenever necessity arises and if or when two-thirds of the member in writing made a request to the President to call for a meeting.

The resolution in the meeting of the Village Council is taken by the majority of votes. The President at the initials stage does not cast his vote but acts as a tie breaker when there is equality of votes. The meeting of the Village Council may be conducted in the presence of non-members but no person other than a member of a Village Council shall vote nor shall speak or take part in its deliberation and any person contravening this provision shall be punishable with a fine not exceeding Rs 50. The President shall preserve order and have all powers necessary for the purpose of enforcing in his decision during the meeting. For this purpose, he may direct any member whose conduct in his opinion, is disorderly to withdraw immediately from the days meeting, if any person is ordered to withdraw for the second time from a meeting of the same session of the Council, the President may suspend the member for the remaining period. If any member fails to carry out the direction given to him, the President shall report in writing, the conduct of the member to the administrator which

may lead to suspension of the member for any period considered reasonable by the administrator.

The Secretary of the Village Council has no right to cast his vote when decisions are taken but may share his views on certain topics with the permission of the President. The Secretary shall record all the proceedings of the Village Council and such record shall be signed by the President. He shall published all orders, notification and records as may be necessary and such orders, notifications and records shall be signed by the President. All the resolution passed by the Village Council were informed to the Villagers through the Village crier or Tlangau. All decisions in the meetings of the Village Council are carried out in the name of the President who can greatly influence the decisions of the meeting through his criticism and advice. Therefore, the working of the Village Council to a large extend depends upon the personality of its President.

In 2014, certain amendment was made in the conduct of business in Village Council administration, it was amended that There shall be at least 6 (six) Village Council meetings at regular intervals in a calendar year. Resolutions made in such meetings shall be properly recorded and shall be signed both by the President and Secretary. The President shall fully relinquish Village Council charge and hand over Village Council records, documents, properties and assets including Village Council seal to the new Village Council President as the case may be. All the books and records shall be kept ready to be examined at any time by authorized officers of the State Government or any member of the Village Council. If the Village Council cannot perform its duties

due to any reasons, the Secretary shall continue its function as the Secretary of the Village Council.

Financial Resources of the Villages Council

The most important financial resources of the Village Council are as follows:

1. The Village Council was entrusted to collect Ran Chhiah or Animal Tax of which 50 percent of the tax goes to the Village Council and the other 50 percent was given to the government. This tax became the most important financial resources of the Village Council;
2. Another important financial resources of the Village Council was those fines which were collected by the Village Courts from the villagers as a penalty for the crimes they have committed or for breaking certain laws;
3. While discussing the financial resources of the Village Council, we may also mention that sometimes the Government had entrusted to the Village Council for certain development works, such as constructions and maintenance of roads, and footpaths, sanitation work etc. Therefore various development funds and local funds were given into the hands of the Village Council which were utilized according to the necessity felt by the Village Council. For this reason, people often think that the Village Council is merely a development unit. The Village Council was also often entrusted by the state government to utilize various

sanctions which were meant to uplift or help the poor and the needy under various schemes.

4. The Village Council was not given the post of a Treasurer but the President of the Village Councils act as a Treasurer, managing the financial affairs of the Council. The Secretary of the Village Council was to act as Financial Secretary of the Village Council. All the Village Council were given a cash/account book by the government in which the Financial resources and expenditure of the Village Council is to be recorded properly. These cash books may be checked by those persons appointed by the District Local Administrative Officer at any time and failure of maintaining cash book may lead to dissolution of the Village Council.

The Village Council though embodied with various powers and functions has to suffer a serious setback owing to its scarce financial resources. All developmental functions which were carried out in the name of the Village Council could not reach up to the expectations of the masses due to the paucity of funds which paved the way for the loss of confidence of the masses.⁶

⁶ Patnaik, K. Jagadish, op. Cit., p. 292-308

CHAPTER III

SOCIO-ECONOMIC PROFILE OF WOMEN REPRESENTATIVE IN VILLAGE COUNCIL IN MIZORAM

Women represent almost half of the total population in Mizoram and their participation in all the developmental activities is considered very essential. Mizo women play a vital role in the society. Women's work is of tremendous value to family, society and state, but it has always remained unnoticed. The position of women has always been changing with the changing of time; it is known that their position has also been changing for the better and in a more civilized way. The Mizo society is patriarchal in nature, as such the head of family controls and exercises powers over his family. In the early Mizos society, the fate of women seems to have determined and divided right from birth. Women's duties as good daughters, good wives and good mothers are well-defined in the Mizo patriarchal attitude towards women has not changed.

Traditionally, the father was the head of the family and he was all in all over his family affairs. His power and authority over his families was almost infinite. The father though rarely did household chores was largely involved in family decision – making. Men are considered superior to women in all spheres of life. The Mizo women were regarded to be passive and were required abstain from active participation in both religious and social activities. Household's works and duties such as drawing water,

collecting firewood, pounding rice etc were assigned exclusively to the female members in the family. They were also expected to be humble. They run households, rear children, care for the aged and sick and also perform economic and non-economic activities within families. Their contribution to the betterment of family and society is regarded as natural outcome of their caring, nurturing and self effacing nature.

In Mizo society, both boys and girls take their social identity from the father. While a son is permanent member of this unit, a daughter is view as a transient or not permanent member. A son is supposed to continue the partriline; whereas the daughter will not be continuing the line as her son will carry on his father's line. In spite of all the tireless sacrifice rendered to the family, they had no 'say' in their families and never inherited properties as property is inherited by male heirs and transmitted through them. Only son's acquire the right to property at birth. In early days, Mizo women never took part in any religious and other sacrificial rites since they were not allowed to perform any actual sacrificial part. All the ritual practices were performed only by the men folks. Thus it can be assumed that women had a very low position in the earlier Mizo society.⁷

With the advent of Christianity and modern education, the position of Mizo women had undergone tremendous changes which is far in better than in the past. However, there are still areas where women are not empowerment – Church and politics. The work of Christian Missionaries had made a significant change on the life of the mizo women. The introduction of modern technologies greatly reduces like Mizo

⁷ Harendra Sinha & B. Lalrinchani, Women in Mizo Society, Mittal Publications, New Delhi, 2013

women's hardships especially in the domestic works. Men are not only bread earner in the family as it was considered in the past. Today, large numbers of women are ground to be the main earners in many families and the whole position of woman became more dignified and respectable than before.

The educated women formed Mizo Hmeichhe Tangrual (Women Organization) on 16th July, 1946 to promote the status of women in Mizo society. Due to the step taken by this organization, the authorities allowed women to inhere properties by formal deeds of 'Will', This is still in force in Mizoram except in the three Autonomous Districts Councils of Chhimpuitui District. Besides, the Mizo women organization manages two institutions, Motherless Babies Home since 1969 and Working Women's Hostel since 1980. On 6th July, 1974, Mizoram Hmeichhe Insuihkhawm Pawl (MHIP), a Mizoram Women Federation was set up. The Mizoram Women Federation may be said to be the insurgency movement in Mizoram. It is the second largest voluntary organization with several branches in almost all the villages of Mizoram with its headquarters ar Aizawl. Its objective is to uplift the women's status in the society and rendering useful services to women, destitute children, poor and handicapped.

Mizo women now possess much higher status in the society. The literacy percentage is also quite high, highest among the North East State. Despite much of their contribution to the church and other activities, no woman has been given the status of church elder or pastor within the state except in one denomination called Baptist Church of Mizoram. In order to find out the political participation of Village Council in

Mizoram in Aizawl District, the thesis covered from 1987 to 2012 Village Council in Aizawl District. An attempt was made to associate the background variables age, marital status, number of family, number of children, occupation and education. Questionnaire had been taken from 2009 and 2012 elected women representative in Village Council in Aizawl District. Questionnaire had been given out to 22 and 3 from 2009 and 2012 elected women respectively. Out of 22 questionnaires from 2009, it was received 16 questionnaires, and from 2012, 3 questionnaires had been received.

Table 3: Age group of Respondents in 2009

Age Group	2009
20-30	Nil
30-40	Nil
40-50	Nil
50-60	9
60-70	3
70-80	4
Total	16

Table4: Age group of Respondents in 2012

Age Group	2012
20-30	Nil
30-40	Nil
40-50	Nil
50-60	3
60-70	Nil
70-80	Nil
Total	3

Source: *Field Study*

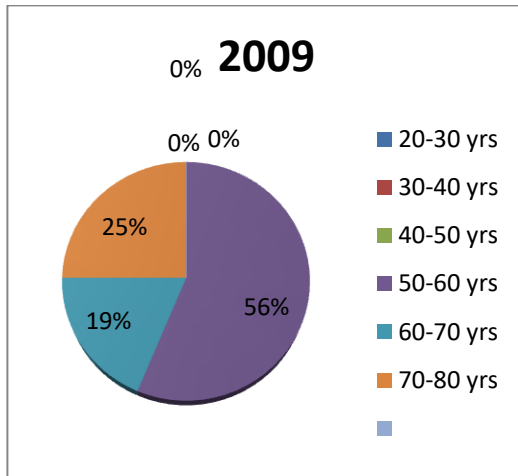


Figure: 1

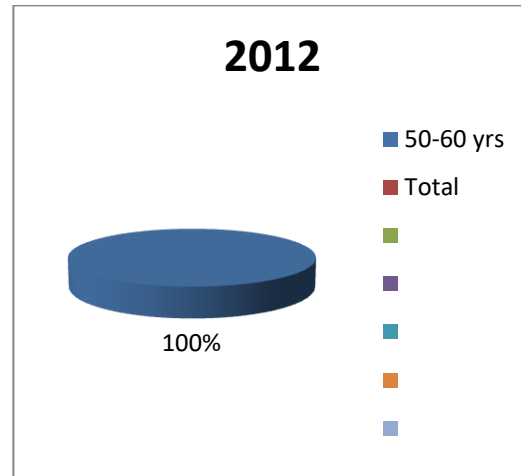


Figure: 2

From the above table, it is shown that the age of respondents (Women Village Council Member) 2009 and 2012, all of the respondents falls in the age group of 51 to 80 years. 56 percent and 100 percent falls under the age group of 50-60 years in 2009 and 2012 respectively, 19 percent from 60-70 years in 2009, 25 percent from 70-80 years in 2009. Young age group who were at the age between 20 to 40 years possess education, and middle age group belongs to 40 to 50 years took care their family and work at farms, so mostly the age between 51 to 60 years were having a time for contesting election and serve for their villagers. The table reveals that women falls between the age of 51 to 60 years have larger opportunities in their respective social environment and enjoy a respectability in the society. From political point of view, women who were experienced in life and valued contribution to their local party organization were preferred than young women who do not experience in any other political field.

Table 5: Marital Status (2009) Table 6: Marital Status (2012)

Marital Status (2009)	
Married	5
Unmarried	1
Divorce	Nil
Widow	10
Total	16

Marital Status (2012)	
Married	Nil
Unmarried	1
Divorce	1
Widow	1
Total	3

Source: Field Study

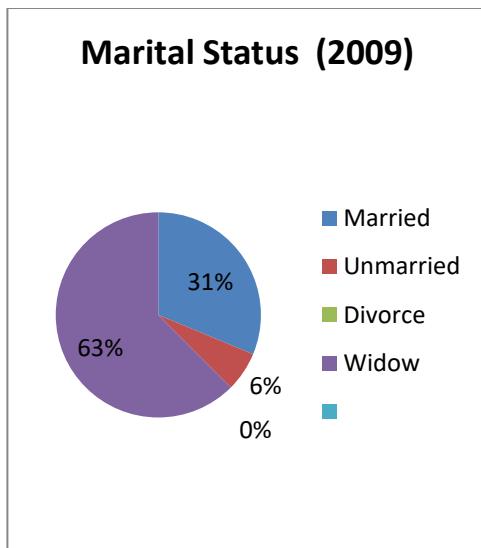


Figure: 3

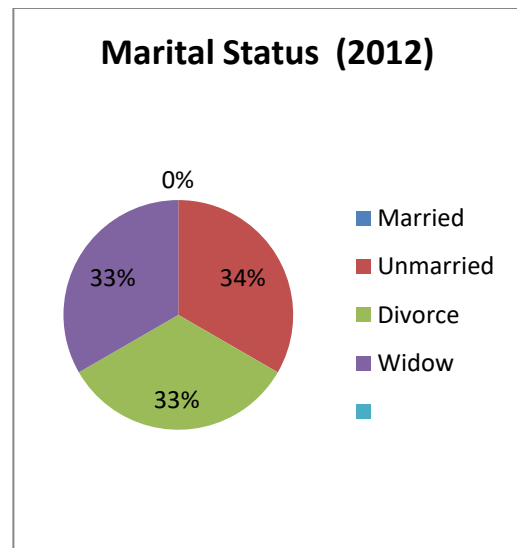


Figure: 4

As shown in Table 5 and 6, an attempt had been made to associate the background variable of marital status of the elected women in Village Council in Aizawl District,

Mizoram. The respondents were divided into four groups namely Married, Unmarried, divorce and widow. Out of 16 respondents from 2009, 63 percent were widow, 31 percent were married and 6 percent were unmarried. From 2012, 34 percent unmarried had one children, 33 percent were divorced and 33 percent widow. It shows that women participation of women in politics in Village Council were mostly unmarried and without husband, it may be noted that participation of women in politics is slightly better chance from unmarried than married in the society.

Table 7: Number of Family (2009) Table 8: Number of Family (2012)

No. of Family Member (2009)	
2-4	11
4-8	5
Above 8	Nil

No. of Family Member (2012)	
2-4	1
4-8	2
Above 8	Nil

Source: *Field Study*

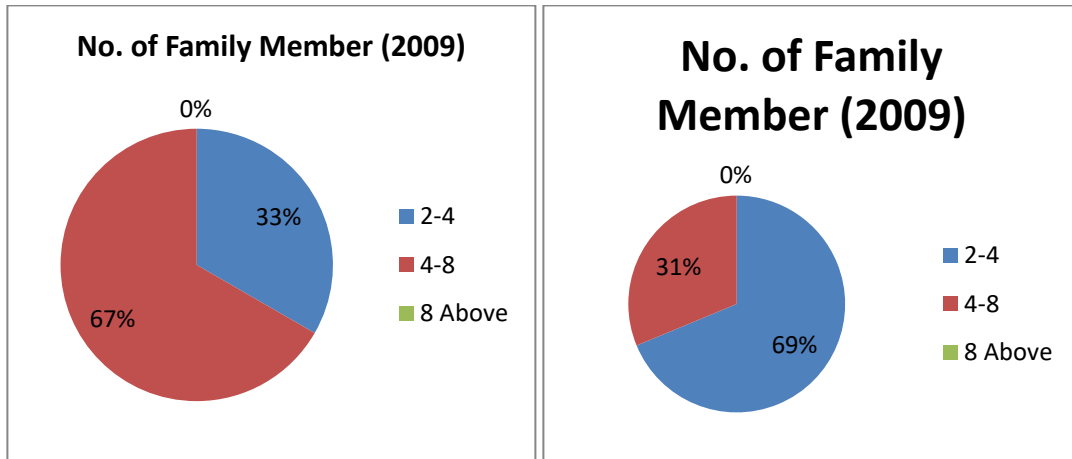


Figure: 5

Figure: 6

Table 7 and 8 indicates the number of family members from 2009 and 2012 respondents women elected representatives in Village Council in Aizawl District, Mizoram. From 2009 respondents, 69 percent falls under the 2-4 family member, 31 percent from 4-8 family members and from 2012, 34 percent falls under 2-4 family member and 66 percent falls under 4-8 family member. There were no respondents who had more above 8 family members both in 2009 and 2012. The results shows that all the respondents were normally from the background of nuclear family and after their husband expired, they joined their biological parents, this also shows in decision making, they were independent and good support of the their family to actively participate in politics.

Table 9: Number of Children (2009) Table 10: Number of Children (2012)

No. of Children (2009)	
1-2	Nil
3-4	8
4-5	Nil
5 above	8
Total	16

No. of Children (2012)	
1-2	2
3-4	1
4-5	Nil
5 above	Nil
Total	3

Source: *Field Study*

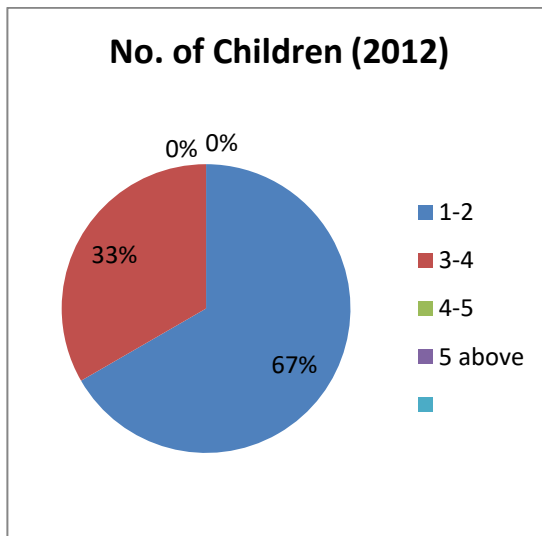


Figure: 7

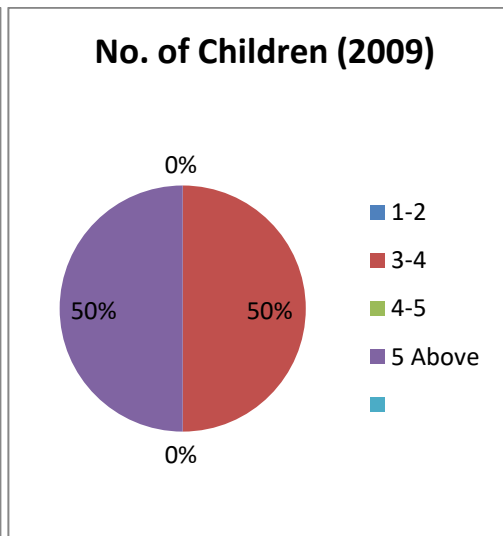


Figure: 8

The above table reveals that the number of children beared by the respondents from elected women in 2009 and 2012 in Village Council in Aizawl District, Mizoram. From 2009, 50 percent respondents had 3-4 children and 50 percent respondents more than 5 members. From, 2012, 67 percent respondents had 1-2 children and 33 percent respondents had 3 children.

Table 11:

Educational Qualification (2009)	
Primary	1
Middle	9
High School	4
Higher	2
Graduate	Nil
Post Graduate	Nil
Total	16

Table 12:

Educational Qualification (2012)	
Primary	Nil
Middle	Nil
High School	3
Higher	Nil
Graduate	Nil
Post Graduate	Nil
Total	3

Source: *Field Study*

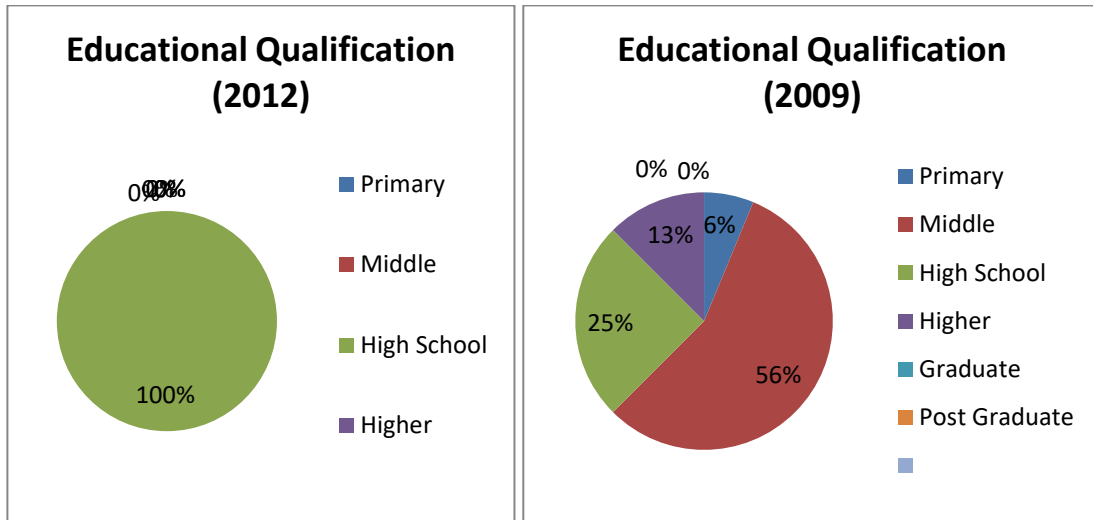


Figure: 9

Figure: 10

Table 11 and 12 indicates the educational qualification of the respondents, out of 16 respondents from 2009, 6 percent respondent pursued education only primary standard, 56 percent respondents till Middle standard, 25 percent respondents educated till High School, and only 13 percent possessed education till Higher Secondary School. From 2012, all the respondents studied till High School. The studied reveals that participation of women in Village Council was normally under who possessed education under High School standard. No graduate had been found from both the respondents in 2009 and 2012. It shows that educated women were not participating in politics.

Table 13 and 14: Occupation before election of the respondents in 2009 and 2012

Occupation before VC election (2009)	
Business	12
Housewife	4
Muster Roll	Nil
Govt. Employee	Nil
Farmer	Nil
Total	16

Occupation before VC election (2012)	
Business	3
Housewife	Nil
Muster Roll	Nil
Govt. Employee	Nil
Farmer	Nil
Total	3

Source: Field Study

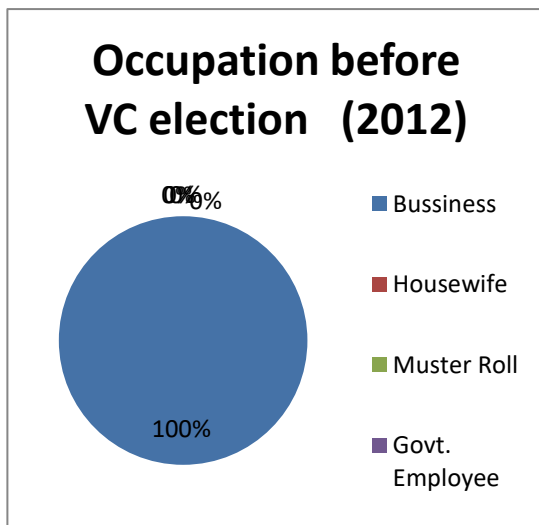


Figure: 11

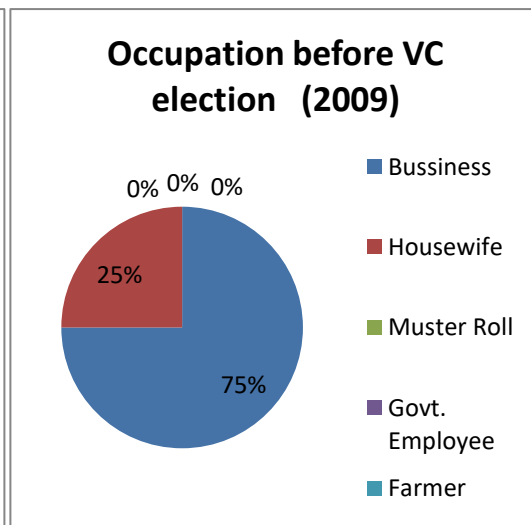


Figure: 12

Table 13 and 14 highlighted that the occupation of the respondents before contesting in the Village Council election, out of 16 respondents, 75 percent respondents replied that they engage occupation as business before they were contesting in the Village Council election, those business were mainly petty shop and moreover, those shop continue running even after they were elected till date. Only 25 percent respondents replied that they were housewife and were not engaged in any business or jobs before contesting in the election. From 2012, all the respondents replied that they were engaged in business before election.

CHAPTER IV

HISTORICAL DEVELOPMENT OF WOMEN

IN VILLAGE COUNCIL OF MIZORAM

Like most societies, the Mizo society is patriarchal whereby women are by nature inferior to men. In the past, the status and position of women in the society were not only lower, but far more precarious than their male counterparts. The same was the case of their role in the polity of early Mizo society too. In the early Mizo society, there was no political system as such. A village Chief was the supreme administrative head within the limits of his territory. His word was law. In short, the whole political process was completely dominated by male chauvinism.⁸

Before the advent of the British, the Chief appointed the council of elders to assist him. The Council of Elders were selected from reputed person among the village member. Beside this, he also appointed Tlangau (Village Crier), the Ramhuals (Advisors concerning land to be cultivated), Thirdeng (Blacksmith) and Puithiam (priest) to assist him in day to day function. All those dignitary positions were held by only male members in the village.

It was a rare case for women to become chief as chieftainship was hereditary, only the sons of the chief were allowed to succeed and inherit their father's property. As the law of succession was concerned, the youngest was usually the one who succeeded

⁸ Sangkima. (2004). *Essays on the History of the Mizos*, Guwahati, Delhi: Spectrum Publications, p-159

the chief's position. Under special circumstances where a widow or a deceased wife might rule over on behalf of the minor son until his maturity. As per the instructions passed by the Governor of Assam, conveyed under the Government of Assam Letter No. 1505-GS dated 18th August 1937, 'if the eldest son was a minor, the Superintendent could appoint his mother and the customary council as guardians provided the widow observed such customary rules which she must observe by the Lushai customs or the Superintendent might appoint for life the nearest male heir who should ordinarily be the eldest surviving brother of the deceased chief or the eldest legitimate son of such brother'. The nearest male heir who became the chief on account of the youth of the legitimate heir held the chieftainship for life and then it returned to the original time. So, women could not inherit chiefship in the traditional Mizo society. Before the advent of the British, the Mizo chiefs handed over to their chiefship to their youngest son, but the British slightly modified the heirship which the eldest son inherit their chiefship while their house and property, along with their wealth were given to the youngest son. If there were the other sons, they used to give vacant land to rule their respective chiefdom. So, we can say that Patriarchal chiefship was practiced in pre and post British regime, but under some circumstances, women also occupied the position of village chief.

MIZO FEMALE CHIEF

1. LALHLUPUII

Lahlupuii was the wife of Lalngura, chief of Sentlang. Chief Lalngura died in 1855 when his only son Vanpuilala was about 4 or 5 years of age.

Lalhlupuii then reigned as regent, her regency had lasted for more than 13 years. Her son, Vanpuilala was died in 1869 when he was at the age of 20 only. After this, Lalhlupuii had lived and regained in Hmunpui, Darlawn with 300 houses.

2. *LALTHERI*

Laltheri was Lalsavunga's daughter, she was one of the most popular women chief among the Mizo. She was the song composer, brave and wise, she composed many songs related to his commoner's lover Chalthanga. During this period, it was forbidden for a commoner to love a princess. So, Chalthanga was killed by one of the elders in her village with the approval of her father and brothers. She composed many songs related to mourning for Chalthanga, later she married another commoner Dammanga, their brothers gave them a village called Darlawng and settled thereof.

3. *DARBILHI*

Darbilhi was the daughter of Zahuata, the chief of Thingsat Village. She was married to Nochhuma (Darzo chief), her husband died in 1882. After this, she took over the throne as their children were not grown up, her reign lasted around 1889-1892 in Darzo Village.

4. *ROPUILIANI*

Ropuiliani was the most famous and prominent female chief among the Mizo during the late 19th century. After her husband, Vandula (Chief of

Denlung) in 1889, she took over the administration. She refused to acknowledge the British authority and was imprisoned in 1893. After a year, she died in January 1894.

5. *DARSUAKPUII*

Darsuakpuii was the daughter-in-law of Vandula and Ropuiliani (Their second eldest son, Hrangphunga's wife). Hrangphunga was the chief of Thiltlang, and after the death of her husband, Darsuakpuii rule over 150 houses in Thiltlang around in 1893 with a population of 750.

6. *SANGKUNGI*

Sangkungi started ruling Chalkai Village after her husband (Thansanga)'s death in around 1892 under the guidance of the grandmother-in-law, Ropuiliani.

7. *SUAKI*

The third son of Ropuiliani was Sangliana, who ruled Khawhri village under the guidance of his father Vandula. They shifted from Khawhri to Hnahthiak and settled at Phaileng, thereafter again, they shifted to Hnarchang and died there. After his death, his wife, Suaki started ruling the village of 130 houses with a population of 650.

8. *DARHNUNI*

Darhnuni was the wife of Hrangphunga and Darsuakpuii's youngest son, Thanzama. She was the daughter of Buarpui chief, Lalhleia. She was the chief of Thiltlang and she died on 24th April, 1939.

9. *SUMKUNGI*

The youngest son of Ropuiliani was Lalthuama, while Lalthuama was imprisoned, so his wife, Sumkungi had reigned the village, Lungpher.

10. *NEIHPUIETHANGI*

The Lushai chief who founded the dynasty of the Eastern Lushai clan was Vuttaia, his wife, Neihpuithangi bequeathed a part of his estate where she ruled as an independent chief. She took active part in Eastern Lushai Rising during 1893-94.

11. *PAKUNGA RANI (PAKUNGA'S WIFE)*

Pakunga was the son of famous Lushai Chief Rothangpuia, after his death, his wife ruled the Village Near the Chittagong Hill Tracts border in South Lushai Hills on behalf of her infant son.

12. BUKI (DURTLANG)

Buki, wife of chief Manga Sailo was the most powerful Lushai chief who occupied a prominent place in the annals of the female chiefs of the Mizo tribe. At the time of her marriage, she carried with her a high dowry (Man). Which Manga Sailo could not pay to his father-in-law, so he bequeathed a part of his estate to his beloved wife, while she ruled as an independent chief during the lifetime of her husband and his son Suakpuilala. She ruled over Durtlang.

13. VANHNUAITHANGI

Vanhnuaihanggi was the daughter of the Western chief Manga Sailo and chief Buki and sister of the very powerful chief Suakpuilala. She was extremely beautiful and her bride price was so high and it was difficult to meet the matching man for her. Later, she married Ngursailova and they shifted to Agartala, Sylhet and Dacca. But the husband accusing the wife in filthy languages and the wife, demanding her unpaid 'man' from an old insolvent husband, her husband was under the influence of liquor (Zu) and assaulted Vanhnuaihanggi. So, Vanhnuaihanggi went back home, after her mother's death in 1877, she took over the charge and began to rule her own estate as an independent chief as she had done before her marriage.

14. ROTHANGPUII

Rothangpuii was the daughter of Manga Sailo and Buki, who married a minister /elder (upa) of her father. She set up her own village at Mat-thlang near the village of her mother, chief Buki.

From the above, we know that most of the female chiefs hold their throne due to the death of their husbands. Female were very marginalized and chiefship for females was not their right by birth. When representatives of chiefs were elected at the Chief's Conference in 1940, no female chief was there. In 1946 and 1947, the election for representatives consisting of 20 chiefs and 20 commoners was held for the first and Second District Conference, women were not found in both elections. Later, Ms. Lalziki was included among the first person appointed by the District Conference to Advisory Sub-Committee. When the District Conference appointed a Sub-Committee to look the rules of Mizoram, only Ms. Zama was selected among the 9 persons. When the District Advisory Council was formed, Ms. Lalsangpuii and Ms. Remthangi were elected. This Council was consisting of 35 members (11 chiefs and 24 commoners). The above clearly indicated that women were marginalized in the field of politics from chiefship till the inception of District Advisory Council.⁹

⁹ <http://hdl.handle.net/10603/120472>

STATUS OF WOMEN IN MIZO CUSTOMARY LAW

The Mizo Customary Laws which have been practised by the Mizos were compiled by the then Superintendent of the Lushai Hills District, N.E. Perry (1924-1928) in 1927, after consulting 56 Mizo Chiefs. In 1928, it was published as a book called Mizo Dan. He revised in 1957 when the original Mizo Dan was renamed as Mizo Hnam Dan. From 1982, Mizo Customary Law Committee was constituted under Law Department of Mizoram to revise and modify the needful. After 22 years, this Committee submitted the final draft to the Cabinet of Mizoram which was approved it on 21st February, 2005. In spite of the various changes made, laws in regard to women like bride price, price of illegitimate child, conditions of women when divorced and inheritance, have not changed much. Mizo Customary Law reveals that patriarchy had always been practiced by the Mizos right from the beginning.

Property Rights and Inheritance

Mizo women have no right of inheritance or ownership either their parent's home or after their marriage. They have no right over their own income, over their children or over their properties. According to the Mizo Customary Law, inheritors are to be from the male siblings who reside in the ancestral home, and among them the youngest is given first preference as he is expected to look after the parents till death. In case he has left the house, he will be succeeded by the next youngest and so on. If at all there are not any such persons to do so. The daughter who looks after them will be the inheritor. If

offspring of another mother stay with the father, they can claim inheritance. But, if they stay with their mother they cannot be inheritors, as long as there are others staying with the father. In case of death of the rightful inheritor the next inheritor will be as above. If the father does not have any male offspring, then his daughter may be in the next line. Then, if the parents still living they may inherit, next will be the owner's brothers and their children, then his sisters and their children. If the owner does not have any brothers and sisters, his paternal grand parent's side may inherit and in case of shortage of male members, from the female's side (Section 180/2 of Mizo Hnam Dan 2005: 84).

In Mizo society, since lineage and inheritance are through the males, property belongs to the father and to the mother in case of death of her husband, as long as she looks after their children and grandchildren. Such a woman is considered as righteous, faithful respectful and holy worthy to be praised. Otherwise, she will not inherit anything (Section 181 of Mizo Hnam Dan 2005: 85). A young widow is not given a chance to remarry. A man distributed his property among his children and said that no one was to disturb his wife while she was alive. The wife definitely stayed in their house but the husband had already distributed all his property, as soon as she died, the property was to be distributed and so the wife had no right to neither sell nor dispose them off (Section 10213.48. 49). According to Indian Succession Act, when the husband dies, the wife is given first preference, she gets 1/3rd of the property and the rest are distributed among the children. According to the Mizo Customary Laws, if the father dies while he is married to his second wife with whom he has no children, the second wife will have guardianship if she maintains her purity. If she sleeps with another man, she will not

inherit anything (Section 102/7 of Mizo Hnam Dan 2005: 49.50). If she maintains her purity and if she and her husband's children cannot stay together, they will distribute the property but she cannot claim the youngest rightful property but only like the other children's (Section 184/5 of Mizo Hnam Dan 2005:90) husband and wife still reside in the father's house, the wife cannot inherit anything. If she has a son, then the father can give his grandson some share (Section 1846 of Mizo Hnam Dan 2005: 90). After death of both parents, in case of court case between brother and sister regarding heirship. The son is sure to win the case as in the Mizo Customary Law, males are given first preference. Magistrate Lucy Lalrinthari said that one female's husband died and they had put all their income in the father's name in the bank. The court gave her heirship certificate to the children and the mother, guardianship. The court did not allow her to take out money from the bank even for looking after the children and for other needful, she had to take prior permission of the court for withdrawal. Some parents who are educated and have a broader outlook have on their own begun to think about a share for their daughters. They divide their property among both sons and daughters.

But the majority, especially in rural areas, maintains the traditional practice. In our society, regarding inheritance, many widows without children face dreadful situations if their relatives are not good. Surprisingly, in the survey conducted, 48.9 per cent (26.37% males, 22.53% females) consider it fair that majority of the Mizo females do not inherit property, while 46.7 per cent (17.58% males, 29.12% females) do not think so, and 4.4 per cent (2.2% each males and females) say that it depends on the family."

Marriage and Divorce

Mizo women suffer prejudice even with regards to divorce, Women being purchased with a bride price of Rs. 420 to Rs. 520, can be divorced at husband's wish with no claims for anything except her own properties brought by her to the husband's house at the time of marriage, if the husband and the wife are still residing in the husband's house, as everything belongs to the husband's father including those earned by both the husband and wife (Section 75 of Mizo Hnam Dan: 35). Earlier, the bride price consisted of manpui i.e. Rs. 100 and mantang consisting of sumhmahruai (for the bride's father or brother) Rs. 20, sumfang (for the bride's father or brother) Rs. 10, pusum (for the bride's grandfather or maternal uncle) Rs. 10. Palal (for a sought father and in turn such a person has to contribute a bucket of liquor) Rs. 5, Niar (for the bride's aunty) Rs. 5 and naupuakpuan (for the bride's elder sister for carrying her when she was young) Rs. 5. In addition to this, there is a bride price called Thian man, meant for the bride's friend, to be given by the groom, but this is not binding and is not to be returned even in times of divorce. Lesser bride price can be given to the following persons: (1) Lamthlang raphthla - Widow who returned to parents' house due to death of her husband, (2) Hringkir- Married with children or miscarriage but returned to parent's house (3) Lengleh-Married without children who returned to parents' house (Article 58 of Mizo Hnam Dan). Though this is no longer practiced, it is deprecating to know that such an article is included in the Mizo Customary Laws. Since, it is like purchasing wife with money, when a daughter is married off, 'Such and such a Person sold his daughter's is often the saying. Moreover, some men would tell their wife, 'Aren't you purchased by

me with money?'. Such talks definitely portray a woman's position in the Mizo society in fact, marriage in pre-Christian days was a civil contract and marriage price played an important part. Girls were sometimes compelled to marry against their will by greedy fathers for the sake of a handsome bride price. Lovers could not marry because the boy was too poor to satisfy the high demands of the girl's family. Christianity has made Mizo marriage more than a civil contract, a solemn religious ceremony requiring a solemn marriage vow between the bride and the groom. Today, Christian parents do not compel their daughters to marry against their will for the sake of material gains. Christianity has eliminated two bad practices permitted by pre-Christian Society. (i) throwing of water, mud and rotten eggs at the bride's party when she is being conducted from her house to the groom's house. (ii) eaves dropping (mostly by young men) on the first night the bride and the groom live together. In the pre-Christian society divorce was easy and common because women had very little right if any at all. In other places, women get a share when divorced and therefore, except for their loss of husbands, they do not lose much. As per the report of the Secretary, Law and Judicial Department, Mizoram, the Governor accepted the proposal for Compulsory Registration of Marriage Act, 2007, to be enforced throughout Mizoram from April 1, 2008.

Mizo Hmeichhe Insuihkhawm Pawl (MHIP), the largest women organization in Mizoram, co-drafted the Mizo Christian Marriage Bill (Draft), 2005; the Mizo Divorce Bill (Draft) 2005 and the Mizo Inheritance and Succession Bill (Draft) 2005 and submitted them to the State Legislative Assembly. The Mizoram State Cabinet approved the Mizo Divorce Ordinance in 2008, but it became null and void as it was not legislated

by the Assembly held on December 16, 2008. The new Congress Government felt that the Ordinance did not include important provisions as it was issued in haste by the previous Mizo National Front (MNF) Government. The Mizo Divorce Ordinance will make it mandatory to give financial support to the divorced spouses. The Ordinance, which may bring about a fundamental change in the Mizo society, has been hailed by women's organizations like the MHIP which believe that it would emancipate Mizo women from the strict regulations of a traditional patriarchal society. According to the Ordinance, if any one of the couples wants a divorce, he or she must approach the law court and submit a petition. The grounds for divorce as put forward by a husband or a wife must satisfy the court in order to make any divorce legal and the husband, in accordance with his income, will now be liable to give alimony to his former wife and the amount will be fixed by the court. 'community property' unknown to the Mizo society, will also be fixed by the court as any property acquired during the marriage can now be distributed amongst the couple. The court can give the child to the father or the mother keeping in view the capacity to look after the child and the character of the mother or the father.

In Mizo society, a woman may lose her reputation if she commits adultery and she is termed as uire (adulteress). In such instances, if her husband does not forgive, she has to leave her house empty handed, with no claims of her own properties including her own children. She has to refund the bride price and can leave the house only with what she is wearing (Article 80). In the past the unfortunate husband had the right to kill his wife's lover. After the death of her husband, the woman is still considered uire, if she

sleeps with another man before performing an '*inkaihchhuah*' ceremony. '*Inkaihchhuah*' means a wife has to purify herself from her husband after three months of his death. Witnesses have to be there. If she leaves the house before 90 days, she will be considered divorcing her husband at her own will. In such cases, she has to return the bride price in full (Article 69). If such a thing happens, then her children or her husband's relatives may kick her out of the house. If her children want to continue staying with her, she may be allowed to do so, but she will not be permitted to sleep in the master bed (Section 80). On the other hand, if the husband commits adultery and if he divorces his wife, she will take out with her one-third of their earnings (only moveable property), except if they still live in a joint family and in such a situation she is entitled to take with her only her belongings (Section 79:37). According to the Mizo Customary Law, if a Mizo man marries a non- Mizo woman, Mizo Hnam Dan will be followed in everything. But if a Mizo woman marries a non-Mizo man, then she goes to the non- Mizo family (Section 74:33, 34).

In the Mizo society, children belong to the father (Section 91: 41), Illegitimate children also belong to the father (Section 107:53.54). In case of divorce, an under aged child is usually with the mother. Unless the child attains three years, the father cannot forcibly take him away. If their children are above three, they are to stay with the father. In case they are with the mother, the mother cannot expect the father to give her for caretaking. The father can never shy away as far as supporting the children (Section 91:41, 42). But we hear and see many instances of such females looking after their children without the fathers caring for them. If a man has a child with a girl outside the

wedlock, he has to pay a trifle of the bastards' price of Rs. 40 (Section 107/2:53). This is very low and therefore, many men do not hesitate to beget illegitimate children. If a larger amount is to be fined, it is expected that such crime will definitely be minimized. Now CRPC 125 has compelled a man to give maintenance allowance till the child reaches 18 for boys, and 21 for girls, depending on the father's income, like Rs. 500 and even 4000 monthly. Moreover, Indian Penal Code 1860, Criminal Procedure Code 1973, the Protection of Women from Domestic Violence Act 2005, the Indecent Representation of Women (Prohibition) Act 1986, the Immoral Trafficking (Prevention) Act 1956 and the Protection of Human Rights Act 1993 protect women in many respects.

Although justice is also administered in many instances in accordance with the Mizo Customary Law and its revision has improved the status of Mizo women to a limited extent, some parts of the law as mentioned above are in favour of males alone, and in such cases justice is unequally administered. Mizo Customary Law indeed contributes to the lower status of Mizo women. Therefore, it is worthwhile to modify the existing Mizo Customary Law.¹⁰

According to the Mizo Customary Law, a wife does not have any right over the property in case of divorce, whatever might be the cause of separation or divorce and the husband can divorce his wife just by saying "Ka ma che" or "I divorce you". The new legislation provided that divorce could only be granted by the court and

¹⁰ Sinha Harendra and Lalrinchhani.B (2013)*Women in Mizo Society*.Mittal Publications:New Delhi(India). P.1-8

women could now have share in the family property. The Mizoram Legislative Assembly passed the bill ‘The Mizo Marriage, Divorce and Inheritance of Property Bill’ on 4th, November, 2014. The new legislation provides that if a man divorces his wife on ground of adultery or deprivation of his conjugal rights, she would have a share over the acquired property not exceeding 25 per cent along with her personal property brought in at the wedding.¹¹

The Bill can be followed back to its underlying phase of the presentation of The Mizo Divorce Ordinance, 2008 articulating liberal way to deal with age old existing Mizo Customary law. It targets checking the badgering of spouses by husbands and makes it obligatory for a husband to give financial help to his divorced spouse. The law has gotten the creative mind of Mizo society as at no other time, as it is relied upon to achieve a major change in the hereditary society.

The new legislation brought Mizo women which have rights over the property of the family, it improves their status in the family and the society. This Act was additionally built the bartering force of the women in the general public and furthermore in financial exchange too which will prompt the strengthening of women.

IMPACT OF CHURCH

The annexation of the Lushai Hills opened the gateway for Christians Missionary to move to Mizoram and preached the gospel. The British Missionaries in the Nineteenth

¹¹ Lalneihzovi and Thantluanga. R (2016) *State and Participatory Governance in North East India*. Mittal Publication: New Delhi (India). P. 100-101

Century spread Christianity as well as presented Roman contents along with formal instruction. The advancement and change in the situation with Mizo women can be said to have begun with the coming of the Gospel (Christianity) in 1894. Missionaries had opened schools and urged the females to go. They opened up places of worship where women could take an interest and start to lead the pack. Attitude towards females and their schooling seen changes as more females proceeded with their examinations in advanced education and continuously emancipated her attitudes. Anyway, there are a few territories where strengthening has not yielded a lot of energy. Females do not have a voice furthermore; get no portrayal in the church notwithstanding assuming a significant part in the outreaching work. In spite of the fact that the Presbyterian Church, the biggest denomination of Christianity in the state, has more than 30 women who have finished their Bachelor of Divinity and philosophical degrees but no women had been accepted as Minister. Many wind up working in the office of Presbyterian Church Synod as the Church would not appoint women as leaders.

Ordination of women as pastors and church elders have become one of the major issues facing the churches in Mizoram, especially the Presbyterian and the Baptist, the two largest and most powerful churches in the state which is predominantly Christian. The Synod Executive (SEC), the highest decision making body of Mizoram Presbyterian Church, decided to this effect after the issue of ordination of women was raised during the Presbytery, the second highest conference of the Church recently. But there was no improvement regarding the ordination of women in Presbyterian Church. The Baptist Church of Mizoram is more liberal than the Presbyterian Church, they accepted women

as Lifetime Church Eldership, the Baptist Church of Mizoram ordained their women first elder in 1908, till today there are 31 ordained 'Elders' or 'Upa' under the Baptist Church of Mizoram. For the first time in the annals of Christianity, a woman Church elder Prof.R.L.Hnuni, belonging to the Baptist denomination is poised to be ordained as pastor on 11th March, 2012. Though Christianity has been a dominant religion in Mizoram since 1894, no woman has ever adorned the coveted post of pastor in any church in the hill state before her ordination. ¹²

With regards to the Mizo society, women have a low friendly and financial status in the conventional man centric culture in spite of modernization. The previous decades have anyway, seen different advancement in the Mizo society exceptionally regarding giving lawful arrangement for women which shed some light of expectation for the women ladies who are limited by the severe man centric custom. There has been a change in perspective as Mizo women are increasingly more reformist towards raising women issues in Mizo society. The most recent couple of years saw quantities of gatherings, trainings and workshops regarding the matter of women coordinated by NGO's, Universities, the Government and women's associations and so forth.

¹² Ibit., p. 100

WOMEN IN VILLAGE COUNCIL

The village level administration which was so long undertaken by the chiefs began to be performed by the Village Councils in Mizoram from 1954 till today. The Village Council at the initial stage of its formation was looked after by the District Council. The people had rightfully accepted the Village Council as their real representative and the feeling that they are being governed by their own representatives at the village level creates great enthusiasm. The peoples have been well aware of the political changes and welcome the new system of the administration. Moreover, the people became more aware of the happenings around them and the existence of democracy at the grassroots level became an important means of educating the people in the field of politics. Besides, in the absence of traditional propriety and sanctions, the Village Council has no arbitrary power beyond those sanctioned by the Rules.

The First Term of the Village Councils under the District Council

The First General Election to the Village Council within the Lushai Hills District was held in 1954 in which the two existing political parties in the Lushai Hills, Mizo Union and United Mizo Freedom Organization (UMFO) had contested the election. In this election most of the interior villages were captured by the Mizo Union and a few Villages by the United Mizo Freedom Organization. The notification served by the District Council on 1st October, 1954 had revealed that there were 360 Village Councils in the whole District.¹³ In the first election, only two women were elected. They were

¹³ Patnaik, K. Jagadish, op. Cit., p. 309s

from the Sawleng Village Council of Aizawl District. The two women, Mrs. Kairumi and Mrs. Thliahthangpuii were from Mizo Hmeichhe Tangrual (MHT) Party. (The MHT was formed in 16th July 1946, which was the first women organisation).

The Second Term of the Village Councils under the District Council

The Second General Election to the Village Council under the District Council was held in 1957. As with the first election the Mizo Union won thumping majority and only few Councils were captured by the UMFO. The rest of the Village Council were given by the District Council notification on 10th June, 1957 had revealed that there were 384 Village Councils in the District Council. ¹⁴In the Village Councils election of 1957, there was no women Village Council member.

The Third Term of the Village Councils under the District Council

The third General Election to the Village Council was held in 1960, in which the loyalty of the UMFO had contested in the name of a new political party known as Eastern Indian Tribal Union, designed to fight for a hill state. As in the previous elections, the Mizo Union had captured most of the seats in the election too. ¹⁵ In 1960 election there are 381 Village Councils, there was no women Village Councils member

¹⁴ Ibid., p. 309-310

¹⁵ Ibid., p. 310

The fourth Term of the Village Councils under the District Council

The Fourth General Election to the Village Council under the District Council was held in 1963, more political parties have started finding their place in the hill areas of the Mizo Hills for contesting the election. The new regional political party called the Mizo National Front (MNF), which was set up by the newly educated Mizos in order to show their grievances against the State and Union Governments held an important position in this election. The Indian National Congress had also formed various Councils in this election. In the Fourth Election of the Village Council, the political situation in the Mizo Hills had experienced great changes. The Mizo Union had suffered a great set back in this Election in comparison with the previous elections.

The administration went on smoothly until the outbreak of the political uprising and unrest caused by the MNFs arm revolt in 1966. The administration in the Mizo Hills District faced a serious threat. Due to MNF launching of the armed revolt, the entire Mizo District (Mizoram) was declared Disturbed Area' under the Assam Disturbed Area Act, 1955 and the Assam and Manipur Arm Forces Special power Act.¹⁶ There are 422 Village Councils, only Mrs. Kapchhingi, MNF Party of Rahsi Veng (Lunglei District) got elected in the Fourth General Election.

¹⁶ Ibid., p. 310-311

The Fifth Term of the Village Councils under the District Council

In 1971 the last and fifth election to the Village Council under the Autonomous District Council was held which experienced great changes. The electoral roll were revised thoroughly, those villages which were used as PPV centres were only villages which were allowed to have Village Council though some of the villagers had returned back to occupy their own villages. The people were allowed to cast their vote in the grouping centres and those people who are willing to be member of Village Council were also given the opportunity of contesting in the election and be elected as a member of Village Council. The number of Village Council which was 422 in the 1963 election decreased to 158 in this Election. Out of 158 Village Councils, Mizo Union could form only 65 Village Councils though it was still the single largest political party in the District. Many political leaders had shifted their loyalty to the Indian National Congress, which formed 40 Village Councils, followed by UMPP which captured 27 Village Council¹⁷

After attaining the status of Union Territory in Mizoram, the structure of local administration did not change. The Lushai Hills District (Village Council) Act of 1953 was adapted in the area specified by the Act, under the Dissolution of the Mizo District Council (Miscellaneous Provisions) Order, 1972. The adaptation has made certain changes, such as: the term 'District Council' and 'Executive Committee' had been

¹⁷ Ibid., p-311

replaced by 'Administrator'. The newly elected three District Councils also adapted the Pawi-Lakher Autonomous Region (Village Councils) Act, in their respective areas over which the Government of Mizoram has no control. In short, there are four sets of Village Council enactment in Mizoram now, one administered by the Government of Mizoram and another by the three District Councils of Pawis, (now Lai) Lakhers(now Mara) and Chakmas. A new Department to look after the Village Councils was made by the Government of Mizoram, known as Local Administrative Department (LAD).

The First Term of the Village Council under the Union Territory of the Government of Mizoram

In 1975, the First General Election to the Village Councils under the Union Territory was held on 7th and 5th May 1975, which was conducted for the first time by the Local Administrative Department. In these Elections, there were 163 Village Councils exceeding the previous number by 5. Among the 163 Village Councils, 50 of them got 3 members, 37 of them got 4 members, 24 of them got 5 members, 37 of them got 4 members, 24 of them have got 5 members, 37 of them have got 6 members and 14 of them have got 7 members. Altogether, there were 738 elected members in the whole Village Councils which were looked after by the Government of Mizoram.¹⁸ In 1975 Elections, only one woman, Mrs. Zathuami, P.C Party, of Saron /Chhing Veng (Aizawl District) got elected.

¹⁸ Ibid., p. 312-315

The Second Term of the Village Council under the Government of Mizoram

The Second General Election to the Village Councils under the Government of Mizoram could not be conducted in 1979, owing to the tension between the underground militants and the Central Government. For the first time all the Village Councils within the two districts of Aizawl and Lunglei, looked after by the Government of Mizoram were dissolved by the Lt. Governor of the Union Territory of Mizoram, with effect from November 19, 1979. The dissolved Village Councils were placed under the charge of their respective Sub-Divisional Officers, Block Development Officers, and Administrative Officers including Circle Assistant. The termination of the members of the Village Councils before conducting fresh election was severely criticized by those political parties in opposition.

In 1982, the Second Election of the Village Councils was conducted on 15th February in Lunglei District and on 24th February in Aizawl District. In this election, there were 141 Village Councils in Aizawl District and 41 Village Councils in Lunglei District. In this election, People's Conference Party could get majority seats in 63 Village Councils and Congress (I) Party got seats in 59 villages, the rest were won by Independent and there were few councils where no single party had the majority. The People's Conference Party earned great support from the people in the Assembly as well as local politics from the beginning of its formation in 1975. It was formed under the leadership of a retired army officer popularly known as Brig. T. Sailo, who had founded

the Human Rights Committee in Mizoram, lessening the confrontational activities of the armies in Mizoram.

A remarkable incidence in the history of the Village Council was taken place in 1982. On 1st March 1982, the Central Government had granted permission to the villagers to move back and settle permanently in their original villages. They were also permitted to recognize the Village Councils which was celebrated with great joy on 11th March, 1982. After making all necessary arrangements, by-election of Village Councils to these Villages were held on 24th February, 1983. The villages which were recognised only as 'Thlawhbawk' were once again, given the right to form their own Village Council. In this election, out of 191 Village Councils People's Conference Party had formed 136 Village Councils which was more than seventy per cent of the total number of Village Councils. The Congress had captured the second largest number of the Village Councils getting seats in 30 villages and the few remaining were divided among independents and other small political parties. It may be interesting to note that the number of Village Councils having other than three seats in this election were only 5, which clearly indicated that the reoccupied villages were very thinly populated. Moreover, all the villagers did not return back to their villages after the grouping of villages. The villages which had got only three members were those villages who got only less than one hundred households and that two or more villages could form one Village Council. Therefore, it may indicates that Villages in Mizoram during this period

were very thinly populated.¹⁹ In the year 1982 election, only two women from the Aizawl District got elected, namely, Mrs. Thangliani, Vaivakawn Village and Mrs. Zathuami of Saron Village, of both the P.C. Party, there were no women in the year 1983 election.

The Third Term of the Village Council under the Government of Mizoram

The Third General Election of the Village Council under the Government of Mizoram was announced to be held on 1st and 2nd November, 1984 and its result was declared on 14th December, 1984. In this election the number of Village Councils had increased in great number because of the reorganization of the Village Councils. Altogether, 306 Village Councils could hold election in Aizawl District and 112 Village Councils in Lunglei District. In this election most of the Village Councils were captured by the Congress (I) which shows that the elections of the Village Councils were greatly influenced by the state politics. Those political parties which have got the largest number of seats in the Assembly of the Union Territory were likely to get the largest number of seats in the Village Council election. Moreover, the capabilities of the Village Council to a great extent depend upon the relation between the member of the Village Councils and those parties in power in the Assembly of which the people were very

¹⁹ Ibid., p. 315-316

much aware of.²⁰ In the year 1984, Village Council election, only 6 women were elected, 5 from Aizawl and 1 from Lunglei respectively.

The Fourth Term of the Village Council under the Government of Mizoram

The Fourth General Election of the Village Councils under the Government of Mizoram was held on 5th November, 1987. This was the first Village Council General Election since Mizoram became a full-fledged state. Elections were held for 340 Village Councils in Aizawl District and 112 Village Councils in Lunglei District. The result of this election reveals that Mizo National Front, which was re-established as a political party in 1986, won great support from the people because many new leaders joined the party finding new places because of their achievement in bringing peace in Mizoram. Later on, the Administrator of the Village Council had to conduct bye-election to 16 Village Councils on 15th July, 1988 because these Village Councils were dissolved by the Department due to failure of administration.²¹ In the year 1987, Village Council election, only 4 women got elected and that too from Aizawl District. In the year 1988 bye-election, from the 16 Village Councils, 3 women got elected.

The Fifth Term of the Village Council under the Government of Mizoram

The Fifth General Election to Village Councils under the Government of Mizoram was held on 25th October, 1990 in which there was a great tussle between

²⁰ Ibid., p. 317

²¹ Ibid., p. 317

Congress (I) and the MNF. In this election, there were 14 villages in which the results were withheld because election materials were stolen by anti-social elements. Therefore, in those 14 villages elections were again held on 30th November. The Congress (I) could get 151 Village Councils among 349 Village Councils in Aizawl District and the MNF got 110 Village Councils. There were 29 Villages where no single party had the majority to form the executive body, and the rest were divided among other political parties and independent candidates. In Lunglei District elections were held for 116 Village Councils.

During this tenure bye-elections to some of the Village Councils were held on 7th May 1992. The Department had conducted by- elections because some of the Village Councils were newly created. Some of them dissolved and some of them could not conduct election in 1990 because they were within the demand area of Hmar People Conference (HPC). The HPC had demanded the creation of their own District Council causing great disturbances in the demand areas.²² In the year 1990 election, 18 women got elected.

The Sixth Term of the Village Council under the Government of Mizoram

The Sixth General Election of the Village Councils under the Government of Mizoram was held from 1st May to 4th May, 1994 and its result was declared on 3rd June, 1994. In this, 358 Village Councils elections were held in Aizawl District and 121

²² Ibid., p. 317-318

Village Councils in Lunglei District. ²³ Increased number, that is, 23 women got elected, 18 from Aizawl District and 5 from Lunglei District.

The seventh Term of the Village Council under the Government of Mizoram

The Seventh General Election of the Village Councils under the Government of Mizoram was held in 1997 in which elections were held in 393 villages in Aizawl District and in 127 villages in Lunglei District. The election results were declared and in 127 villages in Lunglei District. The election results declared on 26th May, 1997, which showed that the Indian National Congress earned the greatest support in local politics followed by its main rival MNF. After the expiry of the term of the existing Village Councils, the first meetings of the newly elected Village Councils were held on 6th May, 1997²⁴In the year 1997, 15 women got elected.

The Eight Term of the Village Councils under the Government of Mizoram

The Eight Term of the Village Councils in Aizawl and Lunglei Districts was held on 16th December, 1999 under the Government of Mizoram. Elections were held for 504 Village Councils, 378 Village Councils in Aizawl District and 126 Village Councils in Lunglei District. Due to the elimination of the nominated seats the numbers of elected

²³ Ibid., p. 318

²⁴ Ibid., p. 318

members in great number in this election.²⁵ In the 1999, 20 women, 16 from Aizawl District and 4 from Lunglei District got elected.

The Ninth term of the Village Council under the Government of Mizoram

The Ninth Term of the Village Councils under the Government of Mizoram was held in 2002 on the 30th and 31st October. In Aizawl District elections were held in 164 villages, in Mamit District elections were held in 67 villages and in Serchhip District, elections were held in 40 villages. The election in Aizawl, Mamit and Serchhip Districts were conducted by District Local Administration Officer, LAD Aizawl. In Lunglei District, election was held in 129 villages, in Champhai Districts, election were held in 92 villages and in Kolasib District election were held in 39 villages. The elections in Lunglei, Champhai and Kolasib were conducted by the District Officers and those persons appointed for the purpose.²⁶ As per the record of 2002 Village Councils election, there are 532 Village Council and only 54 women represented from the 2339 member, 42 from Aizawl District, 2 from Mamit District, one each from Kolasib and Champhai District, 8 from Lunglei District and none from Serchhip District.

The Tenth Term of the Village Council Councils under the Government of Mizoram

The Tenth General Election of the Village Councils in Mizoram was conducted by the concerned Department on 24th and 25th February 2006. Out of 556 Village

²⁵ Ibid., p. 318

²⁶ Ibid., p. 319

Councils elections were held in 553 villages in which there were 2036 seats. The MNF Party was greatly supported by the people in this election, out of 553 Village Councils, MNF could formed 337 Village Councils which was more than 60 percent of the total Village Councils. It may be noted that out of 2036 seats, only 33 female candidates were elected.²⁷ 25 from Aizawl District which had the largest representatives in Mizoram Village Councils. Even in the by-election held on 11th April 2007 in North Tinghamun and Sakawrdai, only male were elected.

The Eleventh Term of the Village Council under the Government of Mizoram

The Eleventh Term of the Village Council under the Government of Mizoram was held on 24th February, 2009. Out of the 2071 elected candidates in 555 Village Councils, only 31 women managed to get elected, against 2040 men, which was comparatively very less. In Aizawl District, 22 women were elected, in Lunglei District 6 seats, in Serchhip, Kolasib and Mamit District 1 each and Champhai District no women were elected.

The Twelfth Term of the Village Council under the Government of Mizoram

Before the enactment of the Municipalities in Mizoram, there was no distinction between rural and urban local government. Throughout the state, there was a single system of village council irrespective of rural or urban nature of the area. After the Mizoram Municipalities Act, 2007 [As amended in 2009] was passed, a separate administration for urban areas in Mizoram, that is, the Aizawl Municipal Council

²⁷ Ibid., p. 319

(AMC) was established. The AMC was re-designated as Aizawl Municipal Corporation and the Village Council was also re-designated as 'Local Council' for the specific area of Aizawl. The Aizawl Municipal Council office started functioning from July 1, 2008

The Twelfth Election of the Village Council under Mizoram Government was held on 23rd February, 2012 in Aizawl District. As mentioned earlier above, due to the introduction of the AMC, there were 91 Village Councils in Aizawl District, only 3 women got elected in this year. In the whole of Mizoram, 17 women were elected as member of Village Councils.

The Thirteenth Term of the Village Council under the Government of Mizoram

The Thirteenth elections to the Village Council of Mizoram was a remarkable one and became a milestone in regards to political empowerment of women in patriarchal Mizo society. With the introduction of reservation of women seats, and extend the number of term from 3 to 5 years under the Lushai Hills District (Village Council) Amendment Act, 2014. The Village Council election was held on 30th April, 2015. There are 536 Village Councils all over Mizoram, the total number of members of the Village Councils was 2266, out of this 598 were the reserved seats, which were held by women. In Aizawl District, there were 105 women members under the reserved seats over 387 total number of members.

The Fourteenth election of the Village Council under the Government of Mizoram was held on 27th August 2020. Presently, in Aizawl District, there are 70 and 69 Village Councils in 2015 and 2020 respectively, the total number of members of

Village Council was 271 in 2015, out of this, there were 79 women members. In 2020, the total number of members is 305, out of this, there were 79 women members. After demarcation of Aizawl District and due to the creation of New District such as Saitual District, Hnahthial District and Khawzawl District, many of the executive body of Village Council has been changed.

From the above, women are rarely represented in the Village Councils of Mizoram. Political marginalization of women in the Village level of administration has always been prevailing in Mizoram in spite of reservation of seats for women in Village Council. Men do not paved the way for women's participation in the village administration of the State. Moreover, general masses considered women as inferior to men and do not expect them to get votes. Women also have inferiority complex and think of themselves as incapable of running the administration. Beside this, people think that politics is for men alone and not for women. In the Mizos way of life, women look after the household and if they have to constantly go out, their husband will not tolerate. They are too busy at home to go out. Right from the olden days, men and women are not considered equal. But men can do as they like in the Mizos society. We can conclude that the patriarchal values has been prevalent in Mizoram right from earlier times is responsible for the presence of lesser women in the village administration as well.

CHAPTER V

PERFORMANCE AND ROLE OF WOMEN REPRESENTATIVES

IN VILLAGE COUNCILS OF MIZORAM

The Mizo society is a male dominated society which the sociologist term as 'Patriarchal', as such the head of family controls and exercise powers of his family. In the earlier society, the head of the family though really did household chores was however involved in decision-making. Household duties were assigned exclusively to the female members in the family while all the male including young members would step outside for hunting, jhuming and other tough works. All the grown-up males were supposed to take part in raiding, hunting and so forth. Meanwhile, looking after household and children, drawing water, collecting firewood, pounding rice, etc were the duties and responsibilities of the women. Women also took up labourers work like men in cultivation work except in the toughest work of cutting down forest called '*Lo vah*'. Apart from such works, stitching and repairing of worn clothes were other duties assigned to them. Since the Mizo society favoured big family, women had to work very hard and had hardly get free time dawn to dust. Not only grown-up females but even the young girls would help their mothers as much as they could and would learn weaving and all so various household chores at early age, while the young boys would refrain from doing all these things due to their instinctive feeling that such works were the opposite sex.

In the absence of male members in a family, women would have to shoulder duties and responsibilities assigned to them. However, they could be exemptions in certain cases like village work called '*Hnatlang*'. Even though they were engaged in all kinds of household duties, they had no 'say' in their families and never inherited properties since inheritance among the Mizo is only through the male lines. Even a widow having small sons had to get one of her husband male relations to take over the estates on behalf of her minor sons for the reason that she herself was unable to keep the household together without having male assistance. A woman, as a rule, could not inherit property, but only if no other male heirs are available, she might become their heir. As mentioned earlier, when the male members kept themselves busy and hunting in carrying out raids in the adjoining village, the women apart from their daily works were also expected to do weaving and making clothes for all the members in their family or for her future husbands house in case of unmarried women. It was considered very disgraceful if a girl had not got such clothes along with certain articles at the time of marriage.

The womenfolk in between their daily household chores would also do cleaning of cotton flowers which they gathered from the jhum fields by separating the seeds from the flowers. After dyeing the yarn according to the shades needed they would work on the spinning wheel. Working on this wheel was mostly done in the night time by the young girls of marriageable age in the light of fire burning in the hearth while entertaining visitors who had come to court them. Weaving was done mostly during the month

September to October when they were free from the Jhum's work. Collecting of fire woods was also an important task at that very time.

In the earlier days, Mizo women never took part in religious ceremonies since they were not supposed to perform actual sacrificial part. Actual religious practice was performed exclusively by men only. But, the womenfolk could not keep themselves aloof as they were expected to serve pots of rice beer (*Zu*) ready for such occasions. Though they did not do important sacrificial part, their presence was essential as attendants. As the Mizo fear to displease evil spirit which they belief had caused them illness and misfortunes, they used to worship trees, rocks and water where they belief the spirit would lives and they would offer sacrifices by killing domestic animals. The most common evil spirit which causes illness (mostly pain the stomach) to young women was called '*Khawhring*'. This case more frequently found among unmarried women than married ones. A girl who was said to have or possesses such spirits could simply be turned out of the village by a chief and she could hardly find a husband because of her bad reputation due to the stigma attached to her. All the Mizo, in those days were afraid of *Khawhring*. In order to propitiate the spirit, they would offer a little portion of food before taking meal at the Jhum.

The unmarried girls also used to take part in welcoming the men when the latter return home after raiding. The girl would then present their hand-made '*Arkeziak*' in honour of the prowess of the hunters and warriors. (*Arkeziak* was long white cotton with red and black tassel at both ends made by the girls for such occasions). After that they

would also give the raiding party '*Tuibur*' (Nicotine water) collected from a women smoking pipe which was usually carried out in a little container made of gourd. The chief's wife and other women of well-to-do folks would also give traditional necklace or beads instead of *Arkeziak*. About ten or more girls would then join the heroes, dancing in the courtyard of the chiefs. This is called '*Milulam*' which means ceremony over the heads of enemy killed in any raids or wars.

There had been certain social norms in the Mizo society that expected young girls to be polite, cautious, discipline and hard working. So they had a hard time in their day-to-day living for fear that the community would look down upon them for some mistakes or behaviour. The young girls were also expected to welcome each and every visitor she had and to treat them all alike. She was not supposed to show any undesirable manners to any boy and make no one discontented. If she behaved of unwelcoming the boys and his friends had the right to cause troubles to the girl's family by dismantling or damaging their home which the community could not accept it. And if such things happened, it was considered very disgraceful for the girl and her parents that they had to apologize for the cause. The girl's parents would then place before the angry boys a pot of rice-beer as a token of submission. After marriage, women had work hard in their husband's house because even at a petty case or at some pretext, she could be kicked out and divorced any moment by her husband or in laws. There the status of women in the society was very unsatisfactory.

In the early days, jhum cultivation was the only occupation the Mizo pursued. Among the young girls and boys the practice of '*Inlawm*' to work together by turn from ones jhum to another was very common. At the time of this, it was the duty of the girl to carry in her basket all the boys belonging such as clothes, dao, axe and wrapped rice all the way to and from the jhum. They would wash and repair the boy's clothes. In spite of their hard work at the jhum, the girls had no time to rest even at home. All the time they would engage themselves in domestics works right after coming back from the jhum. There were also much responsibilities shouldered by women specially young and unmarried girls in the community when there was bereavement and important occasions. These include drawing of water, collecting firewood, cooking, pounding and collecting rice for the bereaved's family. They would lend hands for all possible help they could give. Involvement of the girls at such times was necessary to match with and motivate the activities of the boys who rendered much work for the good and consolation of the bereaved family.

Participations of the womenfolk with the men folk too in certain festive occasions and ceremonies was also a regular feature or compulsory. Much before the starting day of certain occasions, it was the duty of the unmarried girls to collect firewood, drawing water and to pound rice for preparation of public feast during the celebration. The girls along with the boys performed '*Chai Lam*' on the second night of '*Chapchar Kut*', i.e one of the community festivals usually celebrated after the toughest work of jhum always by male members, that is, cutting the jungle or a vast stretch of land for the jhums. Even in the '*Chawng Sacrifice*' the young men and girls were invited

to '*Chawng Lam*' in the performer's house on the first night. *Chawng* is the name of a sacrifice and a three day's feast and dancing offered by an individual or a family-the first of a series of sacrifices and feasts to ensure entrance to the Lushai Paradise. The young men and maidens who performed the dance on such occasions were also given beer called '*Sumdeng Zu*' specially made for them. *Sumdeng Zu* was the local beer supplied to young men and maidens who husked rice for a "*Chawng* feast'. Though all women including the unmarried drank occasionally, they seldom took much as it was considered very disgraceful for women to get drunk like their male counterparts. It can, therefore, be said that the women in Mizo Society were not banned from their participation in all social activities and observance even in those days. Their presence or participations in such social festive occasions were rather imperative.

There were, however, certain ceremonies to be performed by womenfolk. One was '*Thlaichhiah*' i.e, a ceremony performed by a man's wife after her husband's burial to speed up the departing soul on its way to paradise. It was performed by killing a pig and a dog. After that ceremony, a wife would then performed '*Thlahual*' in her husband's house and for this she would kill and eat a fowl given to her for the purpose by her maternal uncle. Then for three lunar months she would give a portion of rice from each meal to her husband's spirit. After that, her parents would take her to their house and performed '*Thlahual*' again. That is, women could return to her husband's house only after performing '*Thlahual*' at her parents' house. This ceremony was regarded very important in the past as it was performed in order to purify and separate the women from her husband's spirit. In case, a woman had not performed '*Thlahual*' even in her

parent's house and had intercourse with other man, while she was living in her husband's house, she was liable to be dealt with in the same way as if she had committed adultery in her husband's life time and would forfeit the whole of her price and dowry. If the woman had performed '*Thlahual*' in her parent's house and then had connection with another man while still living in her husband's house, she would be said '*Uire*' or adulteress but would not forfeit her price and belongings and would only be liable to lesser penalties.

According to the Mizo custom, a woman, on being divorced could take back only her personal properties and other belongings called '*Thuam*' which she brought at the time of marriage. She had no right to touch her other articles acquired at the husband's house. In case of adultery she would not be allowed to take back even her personal properties while her husband had the right to do anything to her properties. The bride price paid by the husband had also to be refunded. Meanwhile in the case of having sexual relation with other woman by her husband, there was nothing a woman could do against her unfaithful husband.

The young men in the traditional society had a dormitory or a big house called '*Zawlbuk*' where they received training to become courage, humble, selfless and disciplined so that they could become useful members in the society. The young girls, on the other hand, never had such kind of dormitory to get training for their future life since no woman was allowed to enter into *Zawlbuk*. Thus, the only place where they received training is at home. They learnt weaving and all other household works through their

mothers. In the earlier days, girls were expected to get married off after puberty. Those who managed household chores very well or hard workers and had much skill in the art of weaving were regarded as the most wanted girls in the marriage market. Marriage among the early Mizo was usually settled after elaborate negotiation. But in certain cases, the boys and girls selected their spouses by mutual consent or say having love affair and ultimately asked their parents to start negotiations. After the bride-price and other terms and conditions were settled marriage was only finalised.

As mentioned in the previous Chapter, the village administration was carried out by the Village Council, this Chapter analyzed the performance and role of elected women representatives in Village Council in Aizawl District, Mizoram. Questionnaires and interviews were administered and collected from 2009 and 2012 of the elected women representatives to represent the universe. In 2012 due to the formation of Aizawl Municipal Council (now Corporation), the number of Village Council members in Aizawl District was reduced because many areas were fallen under the AMC. Many of the previous Village Council's names were also changed into Local Councils. So, questionnaires were prepared from 2009 elections which could represent the other year elected women and 2012 represented after the formation of the AMC.

POSITION HELD BY WOMEN IN VILLAGE COUNCILS

Table: 15

Position in Village Council (2009)	
President	7
Vice President	4
Secretary	Nil
Treasurer	3
Members	2
Total	16

Table: 16

Position in Village Council (2012)	
President	1
Vice President	Nil
Secretary	Nil
Treasurer	2
Members	Nil
Total	3

Source: *Field Study*

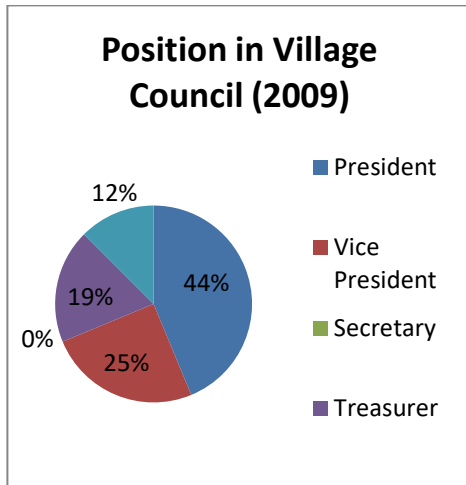


Figure: 13

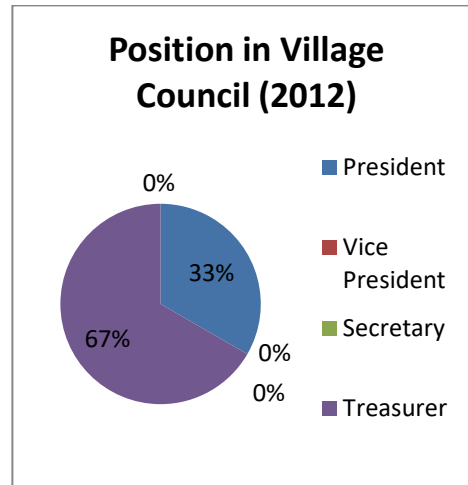


Figure: 14

During 2009, out of 16 respondents, 44 percent respondents held the position as President in Village Council, 25 percent respondents acted as the Vice President, 19 percent respondents acted as Treasurer and 13 percent respondents were normal member. In 2012, out of 3 respondents, 33 percent respondent acted as the President and remaining 67 percent members held the position of the Treasurer. This shows that most of the elected women were actively participated and their role and performance were much important as most of them were acted as the President, who was in charge of all the responsibilities of the working of Village Council. Respondents replied that when financial matter was concerned, they used to visit Government offices for the development works of their own village.

MOTIVATORS FOR CONTESTING IN VILLAGE COUNCIL ELECTION

Table:17

Motivators (2009)	
Family members	4
Party worker	9
None	3
Others	Nil
Total	16

Table: 18

Motivators (2012)	
Family members	Nil
Party worker	2
None	1
Others	Nil
Total	3

Source: Field survey.

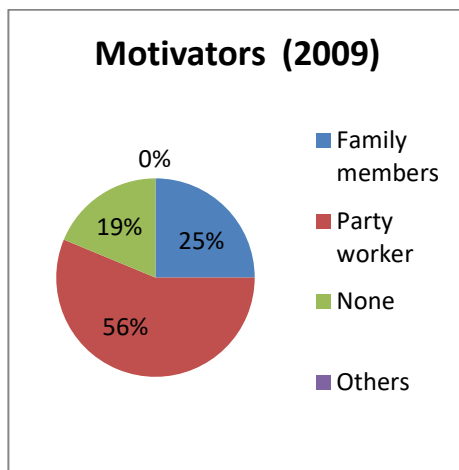


Figure: 15

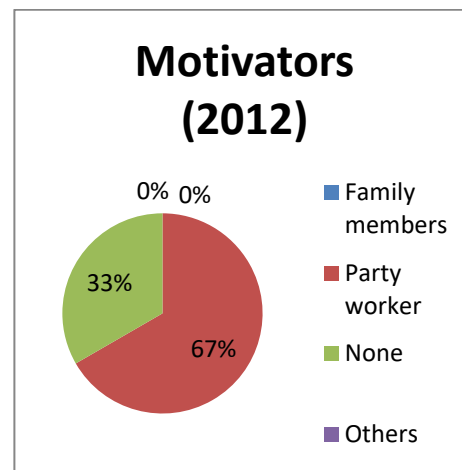


Figure: 16

Table 15 and 16 show respondents' motivators while contesting in the Village Council elections, out of 16 respondents in 2009, 56 percent respondents had replied that

they were motivated by party workers for contesting in the election; 25 percent respondents replied that they were supported and motivated by their family; and the remaining 19 percent respondents replied that they did not have a separate motivator, they just familiar themselves in politics. From 2012 elections, out of 3 respondents, 67 percent were motivated by political party workers for contesting in the election and 33 percent respondent were not having a separate motivator.

FINANCIAL SUPPORT DURING VILLAGE COUNCIL ELECTION

Table: 19

Financial Support (2009)	
Self	11
Family members	3
Friends	Nil
Party	2
Other	Nil
Total	16

Table: 20

Financial Support (2012)	
Self	1
Family members	Nil
Friends	Nil
Party	2
Other	Nil
Total	3

Source: Field Survey

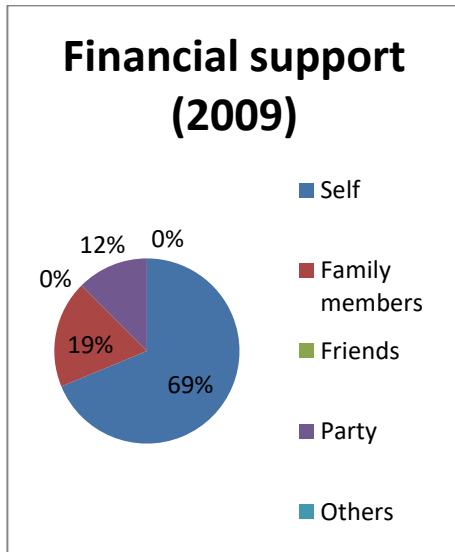


Figure: 17

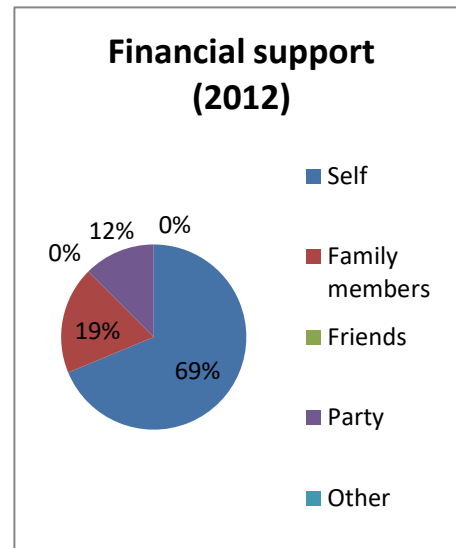


Figure: 18

From the above tables, the financial supporter during the times of elections in 2009 and 2012 could be highlighted. In 2009, out of 16 respondents, 19 percent had answered that they received financial support from their family member; 12 percent of them replied that they were supported by their political party; while the remaining 69 percent replied that no one supported financially, but they just used their own money for all the expenditure during the time election. From 2012, 67 percent respondents had replied that they were supported by their political party in which they were affiliated, and 33 percent respondents replied that they were self supported financially. Most of the elected women were having their own business like small petitions and earned from their farm, it shows that they were independent financially. Moreover, they had said that there was not much expenditure during the elections in Village Council and the main

expenditure was only their taxi fare for campaigning. Briefly, money involvement was not much during the Village Council election.

After studying all the respondents' responds, it was concluded that elected women actively participated in Village Councils. As 50 percent of them were holding the position of the President and this could really help them to take concrete decisions for developmental works of their jurisdictions. As a result, they could open schools, construct drainage and community buildings during their tenures. In other words, they could actively involve and participate in developmental works and other village administration. Visiting of the government offices for seeking financial assistance from the Government were mainly made by the elected women, as they had better toleration and patience as they just work for the society and development of their village without having any expectation for personal gain. The women who contested in the election during this period were normally, who were financially independent and most of them were not contested in the election for financial benefits. This shows that these elected women were having interest in politics not for financial gains or others. But, we know that women were very much marginalized in politics although there had been increasing participation of women in the village administration, as compared to men. They were hardly visible even in the existing of political parties in Mizoram. So, elected women played significant role during their tenure, if more participation of women had been found, there would be more effective village administration in Mizoram.

CHAPTER VI

PROBLEMS OF POLITICAL PARTICIPATION OF WOMEN IN VILLAGE COUNCIL IN AIZAWL DISTRICT, MIZORAM

The process of political participation is termed as cornerstone of any democratic system, as it is only a political means through which democracy actually comes into existence, and it is only a democratic constitution which provides political rights to the men and women to actively participate in government and politics of their state. Moreover, political rights are exercised by those men and women whom the state permits to share in the legal expression and administration of its sovereign power. In popular perception, political participation means to take part in the political affairs of the state and influence the policy of the government through exercising franchise, contesting election and getting elected as members of the elective bodies, holding public offices, giving petition, criticising the government's policies and resisting such laws and authority having demoralising and degenerating effects on the people. In other words, political participation is regarded as the principal means by which consent is granted or withdrawn in a democracy, and rulers are made accountable to the ruled. Thus, political participation is regarded as the life belt of genuine representative government, serving important for both the citizen and the political system. It also refers to shaping and reshaping of power authority of influence.

But, only to participate in the electoral politics is very narrow, conventional definition of politics because it leaves vast areas of socio-political endeavour where

power struggle is even more of a reality than is a legislature, where two political contenders of the same ideological persuasion, might be fighting, more for personal gains. Hence, the concept of powers has become central to the study of politics. The political process is the shaping, dissolution and exercise of power. Robson also says, 'It is with power in society that politics is primarily concerned- its nature, basis, scope and result.' It centres on the struggle to gain, or to resist that exercise. Lasswell sums up by saying: 'what men seek in the political negotiations is power'.²⁸

The position of women in Mizo society has always been changing with the changing of time. It is also known that it has also been changing for better and in a more civilized way. Though, it is easy to simply say that the women of today comparing with the women of earlier Mizo society have much higher status and position in the society and are treated almost equally with men. But in reality, women faced different kinds of problem especially on the issue of politics and church administration.

In the light of the powers and duties of the Village Councils, an attempt was made to analyse the extent and nature of problems faced by the sample women leaders of Village Councils. Problems in getting supports from families, nominations, elections, functioning, meetings, discussions and presenting views on certain matters in the meeting of Village Councils had been examined. In broad, an attempt was made to examine whether elected women of Village Council had faced or experienced problems including discrimination at the time of elections within the focused study. As women

²⁸ Lalneihzovi. (2007). *Women's Development in India: Problems and Prospects*, Mittal Publications, New Delhi. P-57-58

face different kinds of discrimination in every society, but the extent of this varied from society to society. If discrimination against women became very wide in any given society, it would not be possible to promote gender equality. In the absence of or wide range of gender equality, development pace affect greatly. Therefore, this chapter mainly covered problems of political participation of women in Village Council in Aizawl District of Mizoram. This could represent the whole state of Mizoram in regard to problem of women in the State.

With regard to the problems of political participation in Village Council in Aizawl District, Mizoram, questionnaires had been prepared and administered to the sample elected women representatives to find out their problems especially during the elections of 2009 and 2012 of Village Councils. After collecting the information the data had been sorted out as given under the following table:

Discrimination during Election

Table: 21

Number of Discrimination during election (2009)	
Yes	2
No	14
Total	16

Table: 22

Number of Discrimination during election (2012)	
Yes	Nil
No	3
Total	3

Source: Field Survey

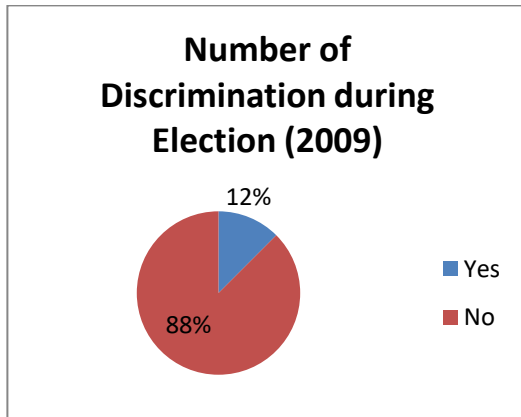


Figure: 19

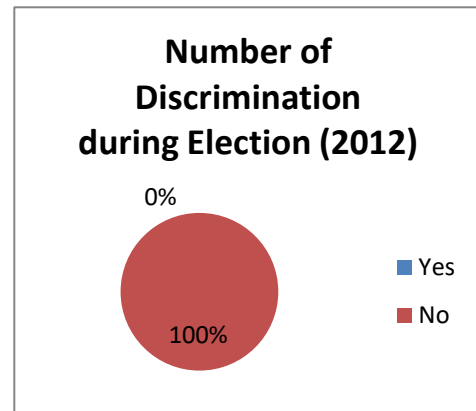


Figure: 20

The above tables show the level of discrimination of women during the Elections of 2009 and 2012. From 2009, out of 16 respondents, 12 percent had replied that they were facing discrimination. The type of discrimination was numerous especially during the time of election from even their women folks. Lack of supports, criticizing on many grounds and pointing out their mistakes, weaknesses, even attacking their personal life and past history were among many. As women, to contest in the elections, they were considered as incapable to be elected in the Village Council. After election, two respondents stated that they faced problem from the male members due to their position in Village Council. They had said that when they held important positions, their male member could not tolerate and criticized them for being not capable enough to hold higher position except ordinary Village Council members. But, they could get the highest votes and as a result, the position of President had to be fallen on them. While the remaining 88 percent respondents from 2012 Election had replied that they did not face any kind of discrimination during the elections. This result shows that awareness

which had been given by the women groups especially, Panchayat Mahila Shakti Abhiyan (PMSA), a Core Committee set up by the Government of Mizoram in 2008 to make political empowerment movement for women in Mizoram and other women organisation were very helpful for them.

Number of Discrimination at the time of Meeting

Table: 23

Number of Discrimination at Meeting (2009)	
Yes	Nil
No	16
Total	16

Table: 24

Number of Discrimination at Meeting (2012)	
Yes	Nil
No	3
Total	3

Source: Field Survey

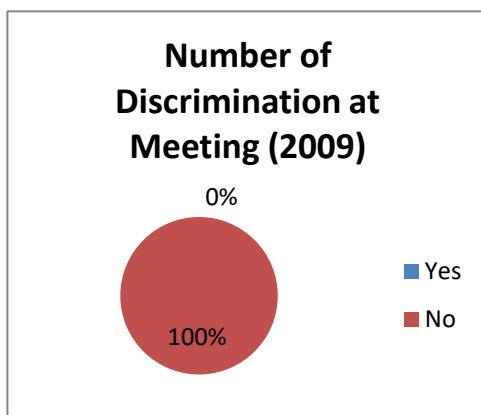


Figure: 21

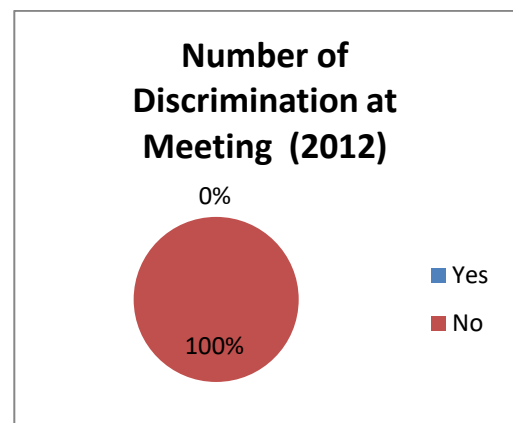


Figure: 22

The above tables show whether the elected women representatives had faced problems in the Village Council meetings. As shown in the tables and figures above, all of them declared that they did not have problems and discrimination during Village Council meetings. That meant, every member of the sample member could have equal voting right for any decision. In other words, there was no rubber stamp impression involved in the meetings or any influence from the family members.

Problems as a Member of Women in Village Council

Table: 25

Problem as a Member of Women in Village Council (2009)	
Yes	6
No	10
Total	16

Table: 26

Problem as a Member of Women in Village Council (2012)	
Yes	Nil
No	3
Total	3

Source: Field Survey

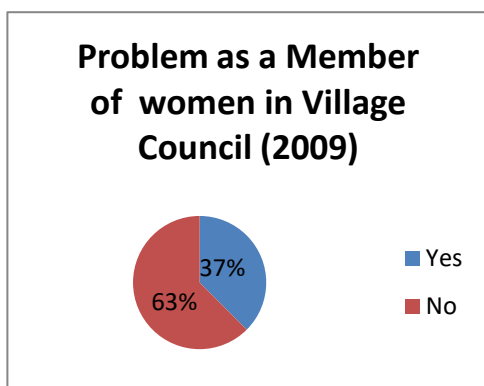


Figure: 23

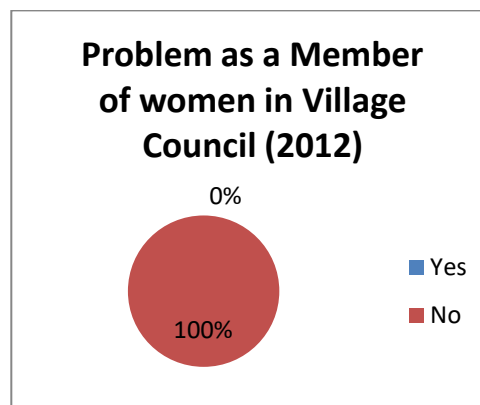


Figure: 24

Table 25 and table 26 indicated the problems of women in Village Council as a member in the area of the study. As shown in the above tables and figures, almost all of them stated that they did not face any problem as a member of Village Council. But, being women, there were numerous problems faced by the elected women representatives from outside Village Council office. As mentioned in the previous chapter, half of the sample respondents held the position of President. When they became Presidents of the Village Council, the opposition party criticised their performance without any proper evidence but as women leaders by saying that women do not fit enough to exercise powers and functions, that is the leadership role. This kind of criticism could really discourage them. Due to this, one of the women Village Councils' Presidents tendered her resignation from the president leadership before the expiry of her tenure. In brief, from 2009, only 37 percent respondents replied that they had faced problem as a member of women in Village Council and the remaining 63

percent respondents and from 2012 respondents, they said that they did not face any serious problem in the carry out of their assigned duties.

Level of Supported at Family in Involving Politics

Table: 27

Number of Supported Family Member from 2009	
Yes	16
No	Nil
Total	16

Table: 28

Number of Supported Family Member from 2012	
Yes	3
No	Nil
Total	3

Source: *Field Survey*

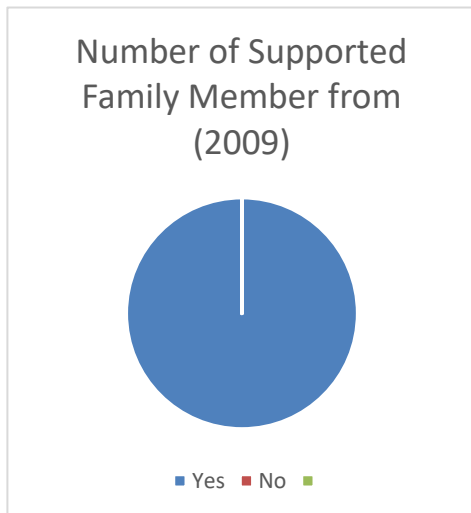


Figure: 25

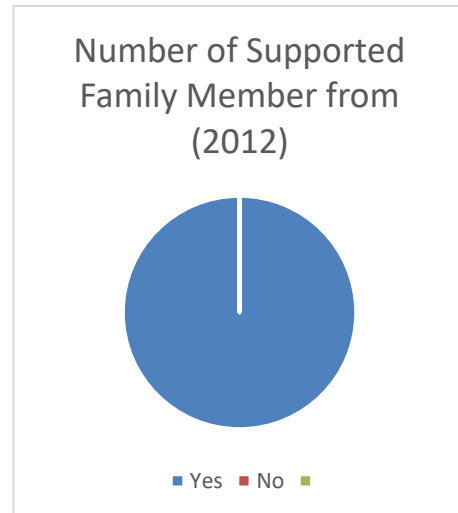


Figure: 26

The above tables show that all the respondents were actively supported by their family, as mentioned earlier, the elected women were not the sole bread earner, but they were financially independent, due to this, their family supported them and never faced problem in their working as a member of Village Council. For attending meetings and for taking action, all replied that it was not required to seek permission from their family to voice in their official business.

Respondent’s view on Participation of Women in Politics

Table: 29

Level of Respondants’ view on Participation of Women in Politics(2009)	
Yes	11
No	5
Total	16

Table: 30

Level of Respondants’ view on Participation of Women in Politics (2012)	
Yes	Nil
No	3
Total	3

Source: *Field Survey*

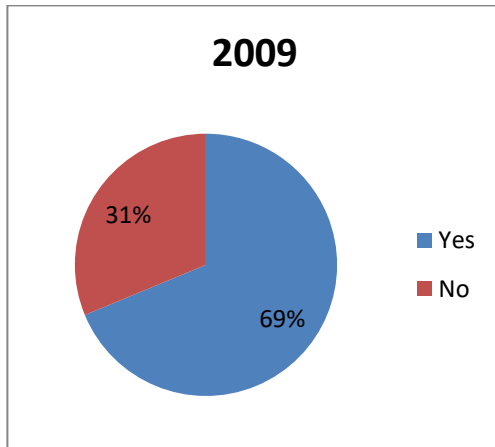


Figure: 27

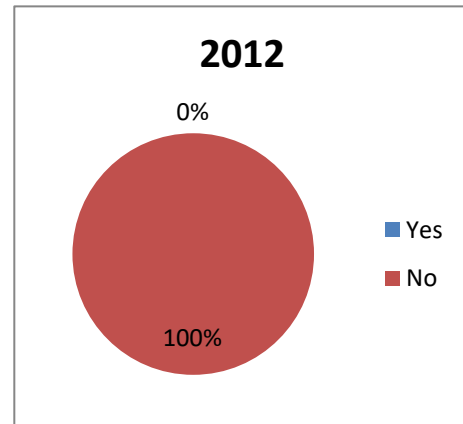


Figure: 28

Table: 29 and table: 30 highlight the view of participation of women in politics in Mizoram. From 2009, out of 16 respondents, 69 percent respondents said that the position of women in politics was good, but the remaining 31 percent respondents said that the position of women in politics was not satisfactory. While all the respondents from 2012 replied that more participation of women in politics was needed for bringing over all development of society. They felt that due to the patriarchal mindset, women were not in a position to take active part in politics as the political arena is only for men. This kind of attitude became one of the main hindrances of political empowerment of women. They also suggested that seat reservation could be instrumental greatly for empowering of women in politics (now reservation has been given to women). They also responded that at the time of electing or appointing party leaders, women were hardly to be found, they suggested that giving more opportunities for women as a party leader in different political units.

Number of Respondents who wanted to Continue in the Election

Table: 31

(2009)	
Yes	6
No	10
Total	16

Table : 32

(2012)	
Yes	Nil
No	3
Total	3

Source: Field Survey

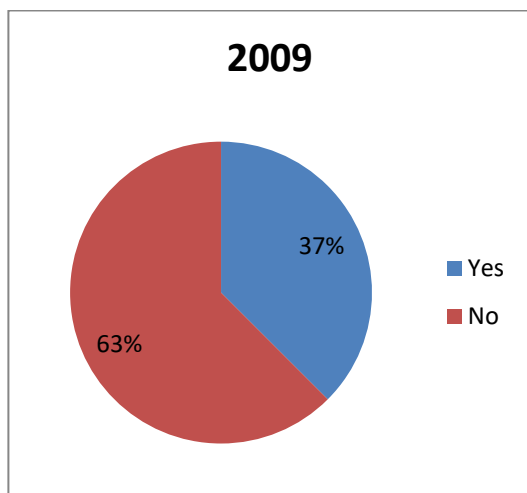


Figure: 29

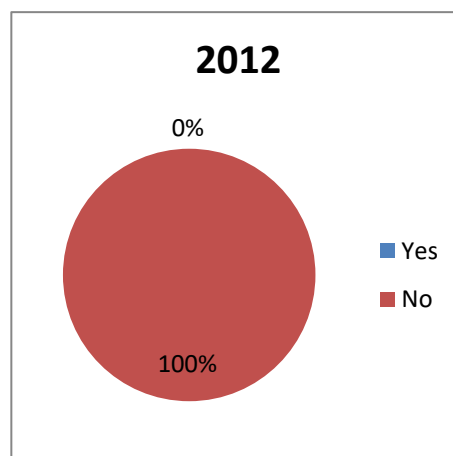


Figure: 30

From 2009 respondents, out of 16, only 37 percent women wanted to continue in the election of the Village Council, the remaining 63 percent response that they declared not to contest in the next election. From 2012, all the respondents said they will not contest again in the next election. This shows women were not well aware of politics

and never look up-gradation of their political career also. The main reason for not wanting to continue their political career was mainly lack of political interest. There can be so many other factors responsible for not having interest in continuing their involvement in politics. The remuneration of the Village Council member is too meagre and some of them wanted to continue their private business for economic gains without involving in Village Council's responsibilities. Some of them had answered as due to party politics, they did not want to remain in political party. The work load and manifold duties as elected representative could really take their time, but they had to continue supporting their families made them to back off from politics.

CHAPTER VII

CONCLUSION

The final chapter is comprised of four parts namely, answer to research questions, finding and suggestions for improvement. The concluding chapter presents the research questions which was based on the questionnaire responded by the sample taken from the elected women in Village Council in Aizawl District, Mizoram .

PART- 1: Answer to Research Questions

In order to highlight and elaborate the objectives of the study, an attempt may be made to answer the following questions-

Research Question 1: Do the Village Council enactments favour women participation in Village Council?

Participation of politics in Village Council was very low, certain kinds of Act and Amendment was made for the powers and functions and composition of Village Council members but was never found for the development or upliftment of women in politics in Village Council before 2014. But in 2014, The Lushai Hills District (Village Councils) Amendment Act was passed, this amendment change the term of the Village Council member which is from three (3) years to Five (5) years. Moreover, a seat reservation for women in the election was added in the amendment, this enactments were made for the upliftment and The change in the composition of the ratio of the Village Council membership with the number of households was revised for Village not

exceeding 200 households, there shall be 3 (three) elected members, of whom 1 (one) shall be women, for Village with more than 200 households, but not exceeding 500 households, there shall be 5 (five) members, of whom 1 (one) shall be women, for Village with more than 500 households, but not exceeding 1000 households, there shall be 7 (seven) elected members, of whom 2 (two) shall be women, for Village with more than 1000 households and above, there shall be 9 (nine) elected members, of whom 3 (three) shall be women. Now 33 percent reservation has been given to women which shows that this latest amendment favours participation of women in politics in Village Council.

Research Question 2: Does reservation policy require for the improvement of women leadership in the Village Council in Mizoram?

In the first election of the Village Council in 1954, only two women were elected, no woman was elected in the second and third election in 1957 and 1960 respectively. In the fourth election in 1963, only one woman got elected. In 1971 the last and fifth election to the Village Council under the Autonomous District Council was held, no woman was found as a member of Village Council. In In 1975 elections, only one woman, and Mrs. Zathuami, P.C Party, of Saron /Chhinga Veng (Aizawl District) got elected. The Second General Election to the Village Councils under the Government of Mizoram could not be conducted in 1979. In 1982, the second election of the Village Councils was conducted on 15th February in Lunglei District and on 24th February in Aizawl District. In the year 1982 election, only two women from the Aizawl District got

elected, namely, Mrs. Thangliani, Vaivakawn Village and Mrs. Zathuami of Saron Village, of both the P.C. Party, there were no women in the year 1983 election. In the year 1984, Village Council election, only 6 women were elected, 5 and 1 from Aizawl and Lunglei respectively.

In the year 1987, Village Council election, only 4 women got elected and that too from Aizawl District. In the year 1988 bye election, from the 16 Village Councils, 3 women got elected. In the year 1990 election, 18 women got elected. 23 women got elected, 18 from Aizawl District and 5 from Lunglei District in 1994 election. In the year 1997, 15 women got elected. In the 1999 Village Council election, 20 women, 16 from Aizawl District and 4 from Lunglei District got elected. As per the record of 2002 Village Councils election, there are 532 Village Council and only 54 women represent from the 2339 member, 42 from Aizawl District, 2 from Mamit District, one each from Kolasib and Champhai District, 8 from Lunglei District and none from Serchhip District. Only 33 female candidates were elected, 25 from Aizawl District in the 2006 Village Council election. In 2009 Village Council election, only 31 women managed to get elected, against 2040 men, which is comparatively very less. In Aizawl District, 22 women were elected, in Lunglei District 6 seats, in Serchhip, Kolasib and Mamit District 1 each and Champhai District no women were elected. The Twelfth election of the Village Council in under Mizoram Government was held on 23rd February, 2012 in Aizawl District, due to the introduction of the AMC, there are 91 Village Councils in Aizawl District, only 3 women got elected in this year. In the whole of Mizoram, 17 women were elected as member of Village Councils. The scope of the study was

political participation of women in politics since 1987 till 2012, during this period; no separate reservation has been given to women in politics in Village Council. So women were hardly participating in politics due to the patriarchal society.

The Thirteenth elections to the Village Council of Mizoram in 2015 was a remarkable moment and milestone in regards to political empowerment of women in patriarchal Mizo society with the introduction of reservation of women seats, and extend the number of term from 3 to 5 years under the Lushai Hills District (Village Council) Amendment Act, 2014 as mention before. There are 536 Village Council all over Mizoram, the total number of members of the Village Councils was 2266, out of this 598 were the reserved seats which was hold by the women. In Aizawl District there are 105 women member under the reserved seats over 387 total number of member. In 2020 which was the latest election of the Village Council in Mizoram, the total number of member is 305 in Aizawl District, out of this, there are 79 women member.

Thus, while examining the pre and post reservation of seats for woman in Village Council election, it clearly showed that without reservation of seats, there was very less chance for women to enter into politics, now with the reservation of seats, the number of elected woman has been gradually increasing. This shows that reservation policy is required for the improvement of women leadership in the Village Council in Mizoram.

Research Question 3: What are the major hindrances for women in participating in the local governance of Mizoram ?

The major problems faced by women in participating in the local governance of Mizoram were mostly due to the dominant of the male dominant society, women were not expected to be involved in politics. In our traditional social perception, politics is not suitable for women and considered for men only. As such, women participate to a lesser degree than men in all political activities. Household chores and children care were generally considered the women's work; women have less available time for outside the home concerns. Lack of social support structures render all public pursuits beyond women's reach, in Mizo society even the woman itself do not support female candidates in the election. Generally political parties do not favour nomination of women candidates because of their ability not to male mobilise substantial resources, over burden of household responsibility and attitudes are also the most discouraging factors for women not to participate in politics. But most of the elected representatives from pre reservation period were strong women who were financially independent, single mother, mostly widow. But they were very less woman who came out to contest in the election and won in the election due to the barriers of society.

Research Question 4: Does the Mizo customary law favour women to participate in politics?

Mizo women had no right of inheritance or ownership either their parent's home or after their marriage. They had no right over their own income, over their children or over their properties. According to the Mizo Customary Law, inheritors are to be from the male siblings who reside in the ancestral home, and among them the youngest is

given first preference as he is expected to look after the parents till death. In case he has left the house, he will be succeeded by the next youngest and so on. If at all there are not any such persons to do so. The daughter who looks after them will be the inheritor.

According to the Mizo Customary Law, a wife does not have any right over the property in case of divorce, whatever might be the cause of separation or divorce and the husband can divorce his wife just by saying "Ka ma che" or "I divorce you". The new legislation provided that divorce could only be granted by the court and women could now have share in the family property. The Mizoram Assembly passed the bill The Mizo Marriage, Divorce and Inheritance of Property Bill on 4th, November, 2014. The new legislation provides that if a man divorces his wife on ground of adultery or deprivation of his conjugal rights, she would have a share over the acquired property not exceeding 25 per cent along with her personal property.

The Bill can be followed back to its underlying phase of the presentation of The Mizo Divorce Ordinance, 2008 articulating liberal way to deal with age old existing Mizo Customary law. It targets checking the badgering of spouses by husbands and makes it obligatory for a husband to give financial help to his divorced spouse. The law has gotten the creative mind of Mizo society as at no other time, as it is relied upon to achieve a major change in the hereditary society.

The new legislation brought Mizo women which have rights over the property of the family, it improves their status in the family and the society. The new Act was

additionally built the bartering force of the women in the general public and furthermore in financial exchange too which will prompt the strengthening of women.

Research Question 5: Has the traditional patriarchal mindset created a problem of women participation in politics?

The traditional patriarchal mindsets create a problem of women participation in politics, the father is the head of the family and he is all in all over his family affairs. His power and authority over his families is almost infinite. The father though rarely did household chores was largely involved in family decision – making. Men are considered superior to women in all spheres of life. The Mizo women were regarded to be passive and were required abstain from active participation in both religious and social activities. Household's works and duties such as drawing water, collecting firewood, pounding rice etc were assigned exclusively to the female members in the family. They were also expected to be humble. They run households, rear children, care for the aged and sick and also perform economic and non-economic activities within families. So, with this all barrier women have no time to participate in politics.

During the election of 2009 and 2012, from 2009, out of 16 respondents, 12 percent replied that they were facing a discrimination and they faced numerous problems during at the time of election, from women among themselves, lack of support was there, they were criticize on many grounds and try to find their error even in their personal life, and as a women, to contest in the election they were considered as incapable to be elected in the Village Council, after election, two respondents states that

they faced problem on the male member due to their position in Village Council, they said if they hold an important position, their male member mates were criticized that they were not capable enough to be the higher status , but they got the highest votes, so they have to be hold as a position of President. while the remaining 88 percent respondents and respondents from 2012 replied that they do not faced any kind of discrimination during the election. This results shows that awareness which have been given by the MHIP and other women organization was helpful for them.

PART II: FINDINGS

The findings of the study may be elaborated under the following points:

1. Questionnaire had been given out to 22 and 3 from 2009 and 2012 elected women respectively. Out of 22 questionnaires from 2009, 16 questionnaires were received, and from 2012, 3 questionnaires were received. All of the respondents falls between the age group of 51 to 80 years. 56 percent and 100 percent falls under the age group of 50-60 years in 2009 and 2012 respectively, 19 percent from 60-70 years in 2009, 25 percent from 70-80 years in 2009. Young age group who were at the age between 20 to 40 years possessed education, and middle age group belonged to 40 to 50 years took care of their family and work at farms, so mostly the age between 51 to 60 years were having a time for contesting election and served for their villagers. The study revealt that women

fallen between the age of 51 to 60 years had larger opportunities in their respective social environment and enjoyed a respectability in the society. From political point of view, women who were experienced in life and valued contribution to their local party organization were preferred than young women who do not experience in any other political field.

2. An attempt was made to associate the background variable of marital status of the elected women in Village Council in Aizawl District, Mizoram. The respondents were divided into four groups namely Married, Unmarried, divorce and widow. Out of 16 respondents from 2009, 63 percent were widow, 31 percent were married and 6 percent was married. From 2012, 34 percent unmarried who had one children, 33 percent divorce and 33 percent widow. It shows that women participation of women in politics in Village Council were mostly unmarried and without husband. It was noted that the chance of participation of women in politics was slightly better from unmarried than married in the society.
3. From 2009 respondents, 69 percent were fallen under the 2-4 family member, 31 percent from 4-8 family members and from 2012, 33 percent were fallen under 2-4 family member and 67 percent were fallen under 4-8 family member. There were no respondents who had more above 8 family members both in 2009 and 2012. The results shows that all the respondents were normally from the background of nuclear family and after their husband expired, they joined their

biological parents, they were independent and good support of the their family to actively participate in politics.

4. Out of 16 respondents from 2009, 6 percent respondent pursued education only primary standard, 56 percent respondents till Middle standard, 25 percent respondents educated till High School, and only 13 percent possessed education till Higher Secondary School. From 2012, all the respondents studied till High School. The studied reveals that participation of women in Village Council was normally under who possessed education under High School standard. No graduate had been found from both the respondents in 2009 and 2012. It shows that educated women were not participating in politics.
5. Out of 16 respondents from 2009, 75 percent respondents replied that they engage occupation as business before they were contesting in the Village Council election, those business were mainly petty shop and moreover, those shop were continue running even after they were elected till date. Only 25 percent respondents replied that they are housewife and were not engaged in any business or jobs before contesting in the election. From 2012, all the respondents replied that they engaged in business before election.
6. From 2009 election, out of 16 respondents, 44 percent held the position as President in Village Council, 25 percent respondents act as the Vice President, 19 percent respondents act as Treasurer and 12 percent of respondents were normal member. In 2012, out of 3 respondents, 33 percent respondents acted as the President and remaining 66 percent

held the position of the Treasurer. This shows that most of the elected women were actively participating and their role and performance was much important as most of them were acted as the President who was in charge of all the responsibilities of the working of Village Council. Respondents replied that especially when financial matters was concerned, they used to visit Government office for the development of their own village.

7. Out of 16 respondents in 2009, 56 percent respondents replied that they were motivated by party workers for contesting in the election, 25 percent respondents replied that they were supported and motivated by their family and the remaining 19 percent respondents replied that they did not have a separate motivator, they just familiar themselves on politics. From 2012 election, out of 3 respondents, 66 percent were motivated by political party workers for contesting in the election and 33 percent respondent were not having a separate motivator.
8. From 2009, out of 16 respondents, 19 percent answered that they received financial support from their family member, 12 percent of them replied that they are supported by their political party, while the remaining 69 percent replied that no one support financially, they just used their own money of all the expenditure during at the time election. From 2012, 66 percent respondents replied that they were supported by their political party in which they affiliated, and 33 percent respondent's reply that she

was self supported financially. Most of the elected women were having their own business like small petitions and earned from their farm, it shows that they were independent financially, they also said that there was not much expenditure during the election in Village Council, the main expenditure were only their taxi fare for campaigning, so money involvement was not much on the Village Council election.

9. The study found out that elected women faced a discrimination at the time of election, it also found that lack of support from their female member in the society, they were criticized and tried to find their error even in their personal life. Even after election, they were faced problem from the male members of the VC, most elected women held the position of the President, the male counterparts member were criticized on the grounds of incapable of women to be in their position.
10. The study also found that elected women were supported by their family. as mentioned earlier, the elected women were not the sole bread earner, but they were financially independent, due to this, their family support and never have faced problem in their working as a member of Village Council. At the times of meeting and for taking action for developmental activities, all replied that they was no need to seek the previous permission of their family
11. From 2009 respondents, out of 16, only 37 percent women wanted to continue in the election of the Village Council, the remaining 63 percent responds that they did not want to contest in the next election. From 2012, all the respondents said

they would not contest again in the next election. This shows women were not well aware of politics and did not look for up gradation of their political career . The main reason they did not want to continue their political career was lack of political interest, some of them wanted continue their business, some of them did not want to be involved in politics and some responded that they wanted to decline as they needed to support their children.

PART III: SUGGESTIONS

The suggestions for the study may be point as under:

1. Attraction of educated women enter into politics is necessary in Mizoram as most of the women who enter in politics at the local level were not highly educated women, if educated women were actively take part in the local administration, it will brings more efficiency in the working lo local government. To this, encouraging women's network, spread the awareness about the importance of political participation for both men and women, and collaboration among women's NGO that specialise on the issue of women's representation and participation by creating a platform for exchanging good practical examples is necessary.
2. It is suggested to change the present attitudes and values in society regarding to the roles and rights of the women, equal participation of men and women in politics will enlighten to development in all social, economic and political processes.

3. It is also suggested there should be an intensive training programmes for women for build up their self confidence and enable them to rise up to leadership and enter into politics without afraid from the society barrier.
4. Political parties should give more rooms for women and suggest to appoint more women to party leader which will result for more participation of women in local governance.
5. Panchayati Raj Institution should replace Village Council in order to encourage women participation more at the village level administration. The Village Council has incorporated a system of seats reservation for women, yet it does not meet national requirement in some cases and in Panchayati Raj there is seat rotation for women in accordance to wards/territorial constituencies which the Village Council lack.

APPENDIX-I

Ph. D RESEARCH

ON

POLITICAL PARTICIPATION OF WOMEN IN VILLAGE COUNCIL IN

MIZORAM

Questionnaire for Women Elected Representatives in Village Council in Mizoram

1. This questionnaire is administered purely for academic purpose having to connection whosoever with the women elected representatives in Village Council in Mizoram.
2. There is no means to identify the respondent. As a result, the respondent is encouraged to answer freely on the basis of one's true opinions and experiences.

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TANHRIL

1. Age:
2. Marital Status
 - (a) Married
 - (b) Unmarried
 - (c) Widow
 - (d) Divorce
3. Number of Family Member
 - (a) 2-4
 - (b) 4-8
 - (c) Above 8
4. Number of Children
 - (a) 1-2
 - (b) 3-4
 - (c) 4-5
 - (d) Above 5
5. Educational Qualification
 - (a) Primary
 - (b) Middle
 - (c) High School

- (d) Higher Secondary School
 - (e) Graduate
 - (f) Post Graduate
6. Occupation before contesting in the election
- (a) Business
 - (b) House wife
 - (c) Muster Roll
 - (d) Government Employee
 - (e) Farmer
7. Do you participate in the previous election of the Village Council?
- (a) Yes
 - (b) No
8. Do you actively participate in politics?
- (a) Yes
 - (b) No
9. Who is your mentor or motivator to contest in the VC election?
- (a) Family
 - (b) Party Worker
 - (c) No one
 - (d) Others
10. Who gives you financial support during at the time of election campaign?
- (a) Self

(b) Family member

(c) Friends

(d) Party

(e) Others

11. Do you face any discrimination during at the time of election of VC?

(a) Yes

(b) No

12. What is the reason you are elected as VC?

(a) Support of the People

(b) Support of the Party

(c) Others

13. What was the position you hold during at the time of your tenure?

(a) President

(b) Vice President

(c) Secretary

(d) Treasurer

(e) Others

14. What kind of work do you engage during the term you are elected?

(a) Attend meeting

(b) Visiting Government Office

(c) Visiting Village people

(d) Others

15. Do you make any suggestion at the time of meeting of the Village Council?
- (a) Yes
 - (b) (b) No
16. Do the male member support you any suggestion or proposal you made in the Village Council election?
- (a) Yes
 - (b) No
17. Do you face problem as a women as a member of the Village Council?
- (a) Yes
 - (b) No
18. Do you have any problem as a member of the Village Council?
- (a) Yes
 - (b) No
19. Do you think women are actively participating in politics in local governance?
- (a) Yes
 - (b) No
20. As a member of Village Council, do you face any problem from your family?
- (a) Yes
 - (b) No
21. What is the reason why women is participate less in politics?
- (a) Unsupported from Family
 - (b) Unacceptable from Society

(c) Unfavour from Political Party

22. Do you need to take the prior permission to attend the meeting of the Village Council?

(a) Yes

(b) No

23. Do you think political party gives more room for women in politics?

(a) Yes

(b) No

24. Do you think it is good to participate of women in politics in local governance?

(a) Yes

(b) No

25. Are you going to contest in the next election?

(a) Yes

(b) No

APPENDIX-II

THE LUSHAI HILLS DISTRICT (VILLAGE COUNCILS)

ACTS, 1953

(As adapted and amended up to date)

No. TAD/R/61/52-In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Lushai Hills District Council, which received the assent of the Governor of Assam, is hereby published for general information.

LUSHAI HILLS ACT NO. OF 1953

The Lushai Hills District (Village Councils) Act, 1953

(Passed by the Lushai Hills District Council)

(Received the assent of the Governor of Assam on the 19th November, 1953)

(Published in the Assam Gazette, dated the 9th December, 1953)

An Act

to provide for the establishment of Village Councils, etc. and for other matters relating to village administration.

***Preamble :** Whereas it is expedient to provide for the establishment of Village Councils and their powers, and for other matters relating to Village administration, including village police and public health and sanitation.*

And Whereas by clauses (e) and (f) of sub - paragraph (1) of paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council for an Autonomous District is empowered to make laws with respect to the establishment of village or town committees or councils and their powers and any other matter relating to village or town administration, including village or town police and public health and sanitation.

Now, therefore, the District Council of the Lushai Hills District (hereafter referred to as ‘the District Council’) in exercise of the powers conferred on to as aforesaid and of all other powers enabling it in that behalf, is pleased to enact and it is hereby enacted as follows :

Preliminary

1. Short title, extent and commencement -

- (1) This Act may be called the Lushai Hills District (Village Councils) Act, 1953.
- (2) It extends to the (State of Mizoram) except the areas under the jurisdiction of the Pawi - Lakher Regional Council (as it existed immediately before the 2nd day of April, 1972).
- (3) It shall come into force at once.

2. Definition - In this Act, except here it is expressly otherwise provided or the context otherwise requires :

- (1) 'District' means the [Aizawl and Lunglei districts in the (State of Mizoram)]
- (2) 'Deputy Commissioner' means the Deputy Commissioners of the (Aizawl and Lunglei District)
- (3) ('Executive Committee' is constructed as the Government of Mizoram)
- (4) 'Hnatlang' means a common service for the common good of the villagers which the residents of the village are to render.
- (5) 'Leipui' means as subsidiary shifting jhum cultivation
- (6) 'Mizoram Buhchhun' means the surtax imposed (***) under the Lushai Hills District (Revenue Assessment) Regulation, 1953.
- (7) 'Mizo' means a member of any Lushai (Mizo) tribe ;
- (8) 'Scheduled tribe or tribes' means such tribe or tribes [specified in Part XVII - Mizoram of the schedule to the Constitution (Schedule Tribes) Order, 1950]1
- (9) 'Tlangau' means a village crier,
- (10) 'Tuikhur' means any place wherein water supply is obtained;
- (11) ['Village Council' means a Village Council constituted under section 3 of this Act.]2
- (12) ('Voter' means a person who fulfills the qualifications enumerated in Rule of the Assam Autonomous Districts (Constitution of District councils) Rules, 1951 as in force immediately before the 29th day of April, 1972;)3
- (13) 'Adult' means a person belonging to a scheduled Tribe who is not less than twenty one years of age on such date as may be fixed in that behalf by the (Government;)1

(14) ('District Fund' is constructed as the Consolidated Fund of the State of Mizoram;)¹

(15) 'Ngawidawh' means construction of a trap or device by which fishes in the river are trapped and collected in a container ;

(16) 'Khamkhuai' means a species of honey - producing bee;

(17) 'Khawper' means a sub-village or hamlet ;

(18) 'Thlawhbawk' means a temporary sub-village created for the sole purpose of jhumming in a certain area for a specified period.

(19) 'Run' means a customary fine imposed by a Village council for refusal to contribute in the Village Hnatlang;

[(20) 'Village' means an area declared as such by the (Government of Mizoram)⁵];⁴

1. Constructed as per sub-paragraph (4) of paragraph 8 of the Dissolution of the Mizo District Council (Miscellaneous Provisions) Order, 1972 and as per the state of Mizoram Act, 1986 (34 of 1986).

2. Amended by the Lushai Hills District (Village Councils) Amendment) Act, 1986.

3. Substituted by the Dissolution of the Mizo District Council (Miscellaneous Provisions) Order, 1972.

4. Inserted by the Lushai Hills District (Village Councils) Amendment) Act, 1986.

5. Substituted by the State of Mizoram Adaptation of Laws Order (No. 2) of 1987.

Establishment of Village Council

3. **Constitution of Village Council** - [(1) There shall be a Village Council Comprising one or more villages as the (State Government)² may by notification in the Mizoram Gazette, decide to be composed in the manner here in after provided in section (2)]

“Provided that a village once notified as a constituent of a Village Council is liable to be denotified at any time if the Village becomes vacant as a result of mass migration of the villagers or if a situation arises demanding such action for a reasonable ground of administrative, developmental or security reasons as the Government may decide.”

[(2)] Number of Members of Village Council - A Village Council shall be composed of members according to the number of houses it contains as specified below :

- “(i) For Village not exceeding 200 houses, there shall be 3 (three) members;
- (ii) For Village with more than 200 houses, but not exceeding 500 houses, there shall be 4 (four) members;
- (iii) For Village with more than 500 houses, but not exceeding 800 houses, there shall be 5 (five) members;
- (iv) For Village with more than 800 houses, there shall be 6 (six) members.

(As amended in 2006, see page 31)

[(3)] “(3) The Total number of members as determined under sub-section (2) shall be elected by adult suffrage in accordance with Election to Village Councils Rules made by the Government under this Act :

Provided that where an election to a Village Council cannot be held and the situation demands immediate constitution of such a Village Council, the Government may appoint persons not more than the total membership to hold office of the Village Council

for the particular Village as specified in sub-section (2) to sit and act as elected members of the Village Council for a period not exceeding one year from the date of the first meeting of the Village Council.”

[(4)] The Government may abolish a Village Council if in its opinion the number of the households of the village has become too small to have Village Council of its own or if in its opinion, there is an exigency to amalgamate two or more Village Councils on the ground of administrative convenience, in such a situation the village shall be comprised of the nearest village having a Village Council under sub-section (1) or as arranged by the Government].

[(5)] The (State Government) shall decide as to how many members shall constitute a village council subject to the provisions of sub-section (2).

[(6)] For the purposes of this section the (State Government) shall publish in the Mizoram Gazette a list of village or villages].

4. **Qualification of Members** – A person shall be disqualified for being elected as and for being a member of the Village Council if :

- (a) he is not a member of a Scheduled tribe;
- (b) he has not attained the age of 25 years;
- (c) he is not a Voter where he seeks election;
- (d) he is a member of any other Village Council;
- (e) he is of unsound mind and stands so declared by a competent Court of Authority;

(f) Whether before or after the commencement of this Act he has been convicted of an offence under the Lushai Hills Autonomous District (Administration of justice) Rules, 1953 or under other Law for the time being in force in India, unless a period of three years has elapsed since his conviction, and if imprisoned since his release from prison.

5. Duration of Village Council – Every Village council, unless sooner dissolved under the provision of section 25 of this Act shall continue for three years from the date appointed for its first meeting.

[Provided that the (State Government) may, by order, extent or shorten the life of a Village Council for such period or periods not exceeding eighteen months in the aggregate]

6. Tenure of membership –

“(1) All members of a Village Council shall hold office during the life of the Council :
Provided that in the case of a fresh election due to dissolution of a Village Council under section 25, the members so elected shall hold office during the remaining term of the Village Council.

(2) A member elected to fill a casual vacancy shall hold office for the remaining term of office of the member whose seat falls vacant.”

(3) If a member absents himself continuously in ten consecutive meetings of a Village Council without permission of the Village council, the village council may in a meeting

specially convene for the purpose, declare his seat vacant after giving him an opportunity for a hearing and in such case the Village council shall communicate the decision to the (State Government).

Executive – There shall be a President, Vice-President and a Secretary in each village Council and the Executive functions of the Council shall be vested in these three.

[(1) The President and the Vice - President of the Village Council shall be elected by the members of the village Council from among themselves by a majority of votes).

(2) There shall be a Secretary of the village council who may be appointed or dismissed by the (State Government) on the advice of the President of the Village Council.

(3) The Secretary shall not be a member of the Village Council Neither the President nor the Vice-President of the Village Council (here in after called “the President” or “the Vice-President”) shall be eligible to hold office of the Secretary of the Village Council.

(4) The President may at any time by writing under his hand, submit his resignation to the (State Government) and until the (State Government) accepts the resignation he shall continue to work as such.

[(5) The Vice-President may at any time in writing under his hand, submit his resignation to the President who shall without delay, forward to the (State Government) or to an officer authorised by it in this behalf, for acceptance, and until the resignation is accepted, he shall continue to function as such. Any resignation shall be normally accepted. When the resignation is accepted the members of the Village council shall elect another member as Vice-President)].

(6) Any Member other than the President and the Vice-President may at any time in writing under his hand submit his resignation to the President, or to the Vice-President in the absence of the President, he shall without delay forward it to the State Government or to an officer authorised by it in this behalf for acceptance and until the resignation is accepted he shall continue to function as such. Any resignation shall be normally accepted.

(7) If at any time, for any reason there is vacancy of a seat in the Village council, it shall be reported forthwith to the State Government by the President or the Vice-President, as the case may be.

(8) If for any reason the office of the President becomes vacant, the State Government shall cause the vacancy to be filled as soon as possible. In the meantime the duties of the Office (of the President) shall be performed by the Vice-President.

(8-A) Members of the Village Councils including the Presidents and the Vice-Presidents shall be entitled to receive such remuneration and privileges as may from time to time be determined by the (State Government).

[(9) The President, the Vice-President, the Member and the Secretary of a Village Council shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code].

[(10) The Government may remove the President or the Vice-President of a Village Council if in his opinion the President was the case may be the Vice-President has lost support of the majority of members but refuses to tender resignation or is too inefficient

or too corrupt to carry on the village administration or acting in a manner prejudicial to the interest of the State].

8. Function of Village Council – (1) The Village Council or any officer of the (State Government) authorised by the (State Government) shall allot a particular region within the boundaries of each Village for jhums each particular year, and the distribution of the jhum - plots shall be done in accordance with the laws framed by the (State Government) [under paragraph 3 (1) (d) of the Sixth Schedule to the Constitution of India].

(2) The Village Council shall have powers to enforce ‘Hnatlang’ in the interest of the public whenever occasion so demands.

Provided that no discrimination shall be made on grounds of religion or caste or class or any of them.

(3) Any person who does not comply with the order of ‘Hnatlang’ shall be liable to ‘Run’ either in kind or in cash which may (be fixed by the government, by order, from time to time not exceeding {Rs. 50 per hnatlâng day} unless he has been exempted from hnatlâng under section 9 (1) or has obtained commutation under Section 9 (3).

9. Regulation of Hnatlâng –

(1) Each Council shall have power to exempt any person or persons from Hnatlang at its own discretion. The reason for exemption shall be recorded in writing. No person who is 60 years or above shall be compelled to do any Hnatlâng.

(2) Any person below 15 years shall not be allowed to represent in the Hnatlâng.

(3) Every person shall have the option of commuting his obligation to render service under hnatlang on payment of cash compensation in lieu of it at a rate to be fixed by the Village Council not exceeding (Rs 25/-) per hnatlâng day.

10. Collection of Taxes –

(1) The (State Government) or any Officer authorised by it in this behalf, shall either appoint tax collectors or allot the work of collection of taxes to suitable persons, specifying their duties and any other matters connected with the collection of taxes.

(2) Collection of Taxes shall be done strictly in accordance with rules or under the instructions and directions given by the (State Government) authorised be [it] in that behalf.

SANITATION

11. Sanitation Committee -

Each Village Council shall be responsible for the sanitation of the Village. A Sanitation Committee shall be appointed by the Village Council if necessary.

Conduct of Business

12. President and the meetings of the Village Council – The President of the Village Council shall preside over all the meetings of the said Council. He shall summon the

meetings of the village Council whenever necessity arises and if or when two - thirds of the members in writing request him to summon a meeting.

13. Voting in the Meeting of the Village council -

(1) All proposals and questions shall be decided in this meeting by a majority of votes.

(2) The President of the Council or any person acting in his behalf shall not vote in the first instance but shall have and shall exercise a casting vote in the case of in an equality of votes.

(3) No person other than a Member of the Village council shall vote nor shall speak or take part in its deliberation and any person contravening this provision shall be punishable with a fine not exceeding Rs. 50/- by the Village Court in such deliberation, if the Village council so requires, but shall have no vote).

14. Preservation of order in Meeting of Village Council -

The President shall preserve order and have all powers necessary for the purpose of enforcing his decision during the meeting as follows -

(1) He may direct any Member whose conduct is, in his opinion disorderly to withdraw immediately from the day's meeting. The Member ordered in this manner shall comply with the order at once.

(2) If any member is ordered to withdraw for a second time from a meeting of the same session of the council, the President may suspend the member for the remaining

period of the same session.

(3) If any member fails to carry out the direction given to him under sub-section (1) or sub-section (2) the President shall report, in writing, the conduct of the member to the (State Government). On receipt of such report, the (State Govt.) may if deems fit necessary, suspend the member for any period considered reasonable by the (State Government).

15. Village Council Fund – There shall be formed for every Village Council a fund to be called “Village Council Fund”. Any collection authorised by law other than District revenue and taxes made in a village for the good of the people shall be paid into the said Fund. The President shall be the treasurer of the fund and list of the collections shall be kept by the secretary. This account shall be open for inspection by any subscriber to the collection.

[Provided that Village Council may appoint a Treasurer from amongst the members who shall keep developmental grants and other fund exclusive of a collection authorised by law, and maintain the accounts thereof which will be liable to inspection by the Village council in sitting and by an official authorised to do so by the Government].

16. Responsibility of President for compliance of order, etc.

(1) The President shall cause notices and instructions for prevention of dangers such as outbreak of fire, epidemic etc. in the village to be proclaimed by engaging the “Tlangau” and whenever notices orders circulars or letters are received for redistribution

from the (State Government)²⁶ to pass on to other villages he shall forthwith cause it to be send through the Secretary.

(2) The President shall be responsible for the compliance of all orders and notification issued (by the Deputy Commisioner)²⁷

(3) The President shall cause all such orders and notifications to be read out by the Secretary in the meeting of the Village Council, and if it is necessary to be brought to the knowlegde of Public, it shall be given over to the Secretary for publication either by Tlangau or by a notice of Public.

(4) The President shall examine the books kept by the Secretary from time to time as he may deem necessary.

17. **Vice President** – The Vice President shall have position next to the President and in the absence of President he shall perform the duties of that office and during such period the power of the The President shall be vested in him.

18. **Secretary** – The Secretary shall be the Village writer and shall be responsible for the duties as enumerated below:-

(a) He shall record all the proceedings of the Village Council as well as the Village Court and such record shall be signed by the President. He shall published all orders, notification and records as may be necessary and such orders, notifications and record shall be signed by the President.

(b) On receipt of any orders, notices, circular or letter from the State Government or

from the Deputy Commissioner and his Assistants for service or for onward transmission to other villages, the Secretary shall cause it to be served or transmitted to any other Village Council as may be directed, and he shall be responsible to carry out such direction.

(c) He shall keep all the books and records of the Council and of the Village Court. He shall send all such books and records to the (State Government) as may required by it, with his own signature and of the President.

(d) All the books and records shall be kept ready to be examined at any time by the officers of the (State Government) or any Members of the Village Council appointed in this behalf.

19. **Remuneration of the Secretary** – The Secretary shall be paid such remuneration as may be fixed by the (State Government).

20. **Officers** –

(1) The (State Government) may appoint a District Local Administration Officer in each District to which this Act extends.

(2) The (State Government) may divide each District to which this Act extends into two or more circles and appoint a Circle Officer for each circle.

(3) The (State Government) may also appoint one or more Circle Assistants, as it may deem necessary for each circle and define their jurisdiction.

(4) The duties of the District Local Administrative Officer, Circle Officer and Circle Assistant shall be to inspect the villages within their respective jurisdiction and to give instructions to the Village councils in their office work and other allied matters and they shall be responsible in their respective jurisdiction for the proper functioning of the Village Councils in general.

(5) The Circle Officers shall submit monthly reports to the Deputy Commissioner through the District Local Administration Officer on their respective circles touching any important subject, point or occurrence, for which they can obtain necessary reports from their Circle Assistants].

21. **Seat of Village Council** – A Village Council shall not shift the seat of a Village to new site (Khawthar) without the previous approval of the (State Government).

22. **Tlângau -**

(1) Normally there shall be only one Tlângau for each Village Council. If for any reason more than one Tlângau is found necessary, prior approval of the (State Government) shall be obtained for such appointment.

(2) To appoint Tlângau for a Village Council advertisement to this effect shall be made fixing a date for selection. The Village Council in its full sitting shall make the appointment of Tlângau from amongst the applicants. The Village Council may dismiss the Tlângau but such cases shall be reported to the (State Government).

(3) The duties of Tlangau shall be as follow :-

- (i) He shall bring to the notice of the public all orders and notification as the Village Council may direct to be notified.
 - (ii) He shall summon all parties and other persons required by the village council or Village Court to attend its meetings.
 - (iii) The Secretary of the Village Council may also direct the Tlângau to bring to the notice of the public any other matter not necessarily connected with the affairs of the Village Council or any officer of the (State Government) on duty.
 - (iv) If any emergency occurs requiring the gathering of the public in the interest of the village, any Member of the village may, without the previous approval of the President, order the Tlângau to summon all the villagers.
 - (v) The Tlângau shall carry notice to all Members of the Village council for all meetings of the Village Council summoned by the President.
- (4) Remuneration of Tlângau :-
- (a) The Tlângau shall be exempted from -
 - (i) All Hnatlâng enforced by the Village Council under Sub-section (2) of section 8.
 - (ii) Zoram chhiah.
 - (b) The Tlângau shall be entitled to receive such other remuneration and privileges as may from time to time be determined by the (State Government)]

23. Power to make rules –

- (1) Subject to the previous approval of the (Governor) the (State Government) may

make rules for carrying out any of the provisions of this Act.

(2) In Particular and without prejudice to the foregoing powers such rules may prescribe -

(a) Control, preservation and use of timbers and other forest products except of the reserved forests, ordinarily utilised for building purposes such as canes, sungrass, siallu, thilthek, laisawral etc.

(b) Maintenance preservation and improvement of good water supply.

(c) Control of stray animals within its jurisdiction and at night within the Village Ram.

(d) Prevention and control of fire within the Village and the Village Ram.

(e) Ngawidawh.

(f) Sanitation and cleanliness of the village.

(g) Extraction of Khâmkhuai.

Town Committee

24. Formation of Town committee -

The (State Government) shall cause the formation of Town committee, where such Committee are considered desirable and convenient in accordance with law made by the (State Government) for the purpose.

25. (1) The (State Government) may by public notification order the dissolution of a Village Council, if in its opinion, the Village council is too inefficient or is not able to carry on the village administration or is acting in the manner prejudicial to the interest of

the State or for any other reasons considered sufficient for such dissolution and issue orders for holding a fresh election of the Village Council Copies of all such orders shall also be sent to the Deputy commissioner of the District.

(2) The (State Government) may for such dissolution issue order appointing any person or persons to assume charges of the Village Administration and also to Act as a Village Court for the remaining period of the term (or for the period ending with the date of first meeting of the Village council after the fresh election).

Provided that if the (State Government) consider it necessary so to do for the interest of general public it may issue order for holding a fresh election of the Village council at any time before the expiry of the remaining period.

(3) So long as the Village council acts as the Village Court under the law the Village Council so dissolved shall cease forthwith to perform the functions of the Village court.

SUB-VILLAGE OR THLAWHBAWK

(1) The Government may, by order, set up at any suitable place a sub-Village or a Thlawhbawk and permit any person or persons to settle in such a place for temporary settlement, with such terms and conditions as it may lay down in the order for such settlement.

(2) No person shall establish any sub-Village or a Thlawhbawk, other than the sub-Village or Thlawhbawk set up by the Government under sub-section (1).

(3) If the Government is of the opinion that a situation has arisen demanding a

stoppage or closing of any sub-Village or Thlawhbawk or any sort of settlement at any place, including any sub-Village or Thlawhbawk already opened under sub-section (1) it may, by order, evict the occupants of such sub-village, Thlawhbawk or settlement after service of a notice on such person or persons individually to vacate the place within a period of three months from the date such notice is served upon such person or persons, as the case may be.

(4) In the event of a site of a sub-Village or a Thlawhbawk becoming vacant as a result of mass migration of the occupants from the place, the Government may, by order, declare such place as vacant and deserted. Thereafter nobody shall make any sort of settlement in that place without getting fresh permission from the Government for such settlement and the Government may, by order, evict any person making settlement in a deserted or vacant place so declared under this sub-section after service on such person or persons individually of a notice to vacate the place within a period of one month as may be specified in the order.

(5) If any person fails to comply with the vacation order given under sub-section (3) or sub-section (4) of this section after expiry of the time specified in the order, the Government or any officer authorised in its behalf may impose a fine which may extend to one hundred rupees per day to each family for the unauthorised occupation so long as the occupation continues.

(6) In the event of prolonged unauthorised occupation beyond six months in the case of sub-section (3) and three months in the case of sub-section (4) of this section, the Government may resort to physical eviction of the defaulting occupants from the place.

(7) The order of the Government passed under sub-section (5) and sub-section (5) above shall be deemed to be a decree of a competent civil court for the purpose of evicting unauthorised occupant from the area to which this section applies.”

**THE MIZORAM (ELECTION TO VILLAGE COUNCILS) RULES, 1974 AS
AMENDED**

Preliminary

1. Short title, extent and commencement :

(1) These Rules may be called the Mizoram (Election to Village Councils) Rules, 1974

(2) They extended to the whole of the State Mizoram excluding the District Council areas of Pawi-Lakher and Chakma in Chhimtuipui District.

(3) They shall come into force at once.

2. Definition : In these Rules except where it is expressly provided otherwise, or the context otherwise requires :-

(a) ‘The State Election Commissioner’ means The State Election Commissioner appointed by the Governor under Article 243 of the Constitution of India;

(b) ‘Constituency’ means so much of the area as is included within the jurisdiction of a Village Council.

(c) ‘Court’ means the Courts, except the Village Court constituted under the provision of the Lusahi Hills Autonomous District (Administration of Justice) Rules, 1953 as adapted and amended by the North–Eastern Areas (Re-Organisation) (Mizoram)

Adaptation of Laws Order, 1972:

(d) 'District' means the Aizawl District and Lunglei District, Champhai District, Mamit District, Kolasib District and Serchhip District in Mizoram;

(e) 'Election' means an election to fill a seats in the Village Councils;

(f) 'Elector' in relation to a constituency means a person whose name is for the time being entered in the Electoral Roll.

(g) 'Electoral Roll' means the electoral roll of a constituency of the V/C of the V/C of Mizoram as modified and amended by the Govt. of Mizoram, which shall include the names of all person who are bonafied residents and entitled to vote in the election to Village Councils;

(h) 'Gazette' means the Mizoram Gazette;

(i) 'Presiding Officer' means the Officer appointed for conducting the Village Council election in a polling station.

(j) 'Electoral Registration Officer and District Election Officer' means the electoral registration officer of a constituency and includes an Asst. Electoral Registration Officer and Asst. District Election Officer thereof who may be appointed by The State Election Commissioner;

(k) 'Returning Officer' means any Officer appointed for conducting the Village Council election to a constituency;

(l) 'Village' means a village or villages declared to form a Village Council.

(m) 'Voter' means a person whose name is for the time being entered in the electoral roll prepared under sub-rule (4) of Rule 3.

(n) 'State Government' means Government of Mizoram.

(o) 'Election Tribunal' means Election Tribunal appointed by the State Government.

3. Holding of General Election :-

(1) Elections to the Village Councils shall be held under the provisions of these rules.

(2) The State Election Commissioner shall, by notification in the Official Gazette fix the number of seats for each constituency to form a Village Council as per provision of sub-section (2) of section 3 of the Lushai Hills District (Village Councils) Act, 1953.

(3) There shall be an electoral roll for every constituency.

(4) Qualification for Voters : (incorporated by the Mizoram) (Election to Village Councils) (Fourth Ammendment) Rules, 2005, Notification No.L.A.D./V.C.-86/97(A),dated 18th Nov., 2004.

Every person who is

a) a citizen of India, an originally residing in a constituency less than 180 days during the qualifying period;

b) not below the age of 18 years on the qualifying date;

c) Not of unsound mind does not stand so declared by a competent court, or such other authority as the Government of Mizoram may appoint in this behalf;

d) belonging to a scheduled tribe whose affairs are triable by the Village Council Court under Rule 14 of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953; and

e) for the time being not disqualified from voting under the provisions of any law

relating to corrupt or illegal practices and other offences in connection with the elections; Shall be entitled to be entered as a voter in the electoral roll

f) Provided that permanently resident Gorkhas and their direct descendants, as notified under Govt. of Mizoram Home Department's Notification No. F. 22015/85/94-HM-Vol-II-dated 17th May, 2001, who are otherwise eligible to be voter shall be qualified to be entered as voters in the Electoral Roll;

(5) For the purpose of sub-rule (4), the qualifying date and the qualifying period shall be the first day of January of the year in which the electoral roll is prepared, and the year immediately preceding the year respectively.

4. Appointment of Officers :

(1) The Election Commissioner shall appoint an Electoral Registration Officer and District Election Officer for each district for the Village Council elections and may appoint one or more person as Assistant Electoral Registration Officer and Asst. District Election Officer to assist the Electoral Registration Officer and District Election Officer.

(2) Every Assistant Electoral Registration Officer and Asst. District Election Officer shall, subject to the control of the Electoral Registration Officer and District Election Officer, be competent to perform all or any of the functions of the Electoral Registration Officer and District Election Officer.

(3) Electoral Registration Officer and District Election Officer may employ such persons as he thinks fit for the preparation of electoral roll for Village Council election.

(4) Electoral Registration Officer and District Election Officer shall appoint a Returning Officer, who will also function as Presiding Officer, and also Polling Officers, to conduct the election of each Village Council constituency. Provided if a Polling Officer, owing to illness or other unavoidable cause, is unable to perform the functions of the Polling Officer, the Returning Officer may appoint the person who is present at the Polling Station other than person who has been employed by or on behalf of, or have been otherwise working for a candidates in or about the elections to be the Polling Officer, and inform the Electoral Registration Officer and District Election Officer accordingly.

(5) If the Returning Officer, who is also the Presiding Officer, owing to illness or other unavoidable cause is unable to perform the said functions his functions shall be performed by such Polling Officer as has been previously authorised by the Electoral Registration Officer and District Election Officer to perform such function.

5. Date of Election :

The State Election Commissioner shall, by notification in the Gazette, call upon the constituency concerned to elect the number of members to be returned and shall also appoint the date or dates for such election in each constituency simltenously or consecutively according to convenience.

6. Publication of the names of members Village Council :

The names of members elected and of those nominated for the various Village Councils shall be published in the Gazettes as soon as may be after the election is over.

7. Filling of vacancies :

A seat or seats and a casual vacancy or vacancies in the Village Council or Councils in respect of elected seat or seats shall be filled by bye-election.

8. Disqualified members :

The seat of any members found to be disqualified after his election, may be declared vacant by the State Election Commissioner and filled under the provisions of these rules.

9. Duties of Officers :

(a) Electoral Registration Officer and District Election Officer : It shall be the general duty of the Electoral Registration Officer and District Election Officer to procure, the electoral rolls and to make necessary amendments, alteration, addition etc. in the rolls and no rolls except those approved by the Electoral Registration Officer and District Election Officer, shall be used in the Village Council elections.

(b) Returning Officer : It shall be the general duty of the Returning Officer at any Village Council election to do all such acts and things as may be necessary for effectually conducting the election in the manner provided under these rules and his decision shall be final.

10. Power of the State Election Commissioner :

The State Election Commissioner may prescribe such forms as may be necessary for the conduct of the elections.

11. Qualification of candidates for election and scrutiny of candidature :

Any person whose name is included in the electoral roll of the constituency and who is not otherwise disqualified under section of the Lushai Hills District (Village Council) Acts, 1953 may offer himself as a candidates for election to a Village Council and shall inform the Returning Officer, in writing of his intention to do so by a particular date to be notified in this behalf by the Returning Officers. The scrutiny of candidature shall be taken up by the Returning Officer in the respective constituency on a date and time to be notified by him.

12. Withdrawal of candidature :

The Returning Officer may accept the withdrawal of any candidate before the scrutiny of the candidature takes place and refund the security deposit as here in after provided.

13. Security Deposit refund or forfeiture :

A candidate shall furnish a security deposit of Rs. 25% to the Returning Officer along with his application for candidature which will be refunded in the event of the withdrawal of candidature or at the earliest date after the conclusion of the election.

Provided that the deposit shall be forfeited to the Mizoram State Government if at an election where a poll has been taken to fill one seat the candidate is not elected and the number of valid votes polled by him does not exceed one-sixth of the total number of valid votes polled by the candidates or in the case of election of more than one member at the election, one-sixth of the total number of valid votes so polled divided by the number of members to be elected.

14. Election Symbol :

Each candidate shall select a symbol out of those prescribed in Appendix 'A' to represent him in the election and the election shall be conducted by symbol system. If more than one candidate selected same symbol, the Returning Officer shall decide by lot to whom of those candidates the symbol will be assigned. The decision of the Returning Officer in assigning any symbol to a candidate under this rule, shall be final.

15. Preparation and publication of the list of valid candidates :

As soon as may be after the scrutiny of the candidature, if the number of candidates exceeds that of the seats to be filled the Returning Officer shall compile a list

showing the names of the valid candidates and the symbols assigned to each candidate and publish it in the manner he thinks fit and a poll shall be taking in the manner prescribed in these Rules.

16. (a) When number of valid candidates is equal to number of seats :

If the number of valid candidates in a constituency is equal to the number of elected seats to be filled. The Returning Officer shall forthwith declare all such candidates to be elected to fill those seats in the Village Councils.

(b) When number of valid candidates is less than number of seats :

If the number of valid candidates is less than the number of seats to be filled the Returning Officer shall declared all such candidates to be elected to fill as many of these seats and the State Election Commissioner shall by notification in the Gazette, call upon the constituency to elect a person or person to fill the remaining seat or seats, as the case may be, within such time as may be specified in the notification.

VOTING

17. Arrangement of voting :

One or more Polling Stations shall be set up for the same constituency depending upon the number of voters in the concerned constituency. The Returning Officer or any Officer appointed by him shall make all arrangement for the conduct of election.

18. Election Agent :

One election agent of candidate appointed in writing and submitted to the Returning Officer shall be admissible into the Polling Booth in the case of candidate absenting himself from the Polling Station.

19. No vote by proxy :

Every voter shall record his / her vote at the polling booth by him / herself only and no votes by proxy or otherwise shall be accepted what so ever.

20. Hours of poll :

The Returning Officer shall fix the hours of votes for Polling.

21. Ballot Boxes :

There shall be single Ballot Box for each Village Councils Constituency. Just before Polling is started the empty Ballot Box or Boxes shall be shown to the person present at the polling station. The Ballot box or boxes will then be closed by pasting with an adhesive and wax sealing device.

22. Ballot Paper :

Each voter shall be given one ballot paper containing the name and symbol of all candidates at a polling station.

23. Record of vote :

Each voter shall record his vote or votes by stamping arrow cross mark on particular symbol of candidate or candidates of his choice.

Provided that if for any reasons, a voter does not to use his ballot paper or papers, the voter concerned must return the same which shall be cancelled and mark 'refused' on the counterfoil.

24. Helping of Voter :

If owing to blindness or another infirmity an elector is unable to read the symbol on the ballot box or is physically incapable of putting the paper into the ballot box, the Presiding Officer of the Polling Station shall enter the Polling compartment which such an elector, ascertain from the elector the candidate or candidates he desire to vote for and shall put the ballot papers in the ballot box or boxes of such candidate or candidates in accordance with the wishes of such elector. The Presiding Officer shall have this done with as much secrecy as is possible and shall keep a record of such instances.

25. Spoilt Ballot paper :

If the ballot paper happens to be spoilt before it is due to any reason another ballot paper may be obtained surrendering the spoilt ballot paper which shall be cancelled with its counterfoil.

26. Suspension of voting :

If due to any reason beyond control, the polling of Votes has to be stopped resulting in the dispersion of the voters and the candidates and the election Officers within the hours prescribed and before all the voters have polled, the polling shall be suspended and the ballot boxes closed by pasting with an adhesive and wax sealing device till re-opened when polling is continued as decided by the senior most Election Officer present.

27. Closing Ballot Boxes after Poll :

As soon as practicable after the closing of the poll, the Presiding Officer shall, in the presence of the candidates or their agents who may be present, close the ballot boxes and seal them and shall retain the ballot boxes in safe custody until the commencement of the counting of Votes.

COUNTING OF VOTES

28. Counting of votes -

Counting of votes shall be taken up as soon as possible after the close of the poll and the Returning Officer shall inform the date, place and time of counting to the candidates or their election agents. The Returning Officer may appoint any person or persons as may be necessary to assist him in the counting of votes.

29. Authorised persons at the counting of Votes -

No person shall be allowed to be present at the counting of votes except the candidate or his election agent where the candidate is absent and the Returning Officer and such person as the Returning Officer may have appointed to assist him in the counting of votes.

30. Suspension of counting of vote -

If due to any reason beyond control the counting of votes has to be delayed for any period resulting in the dispersion of the candidates and the election staff from the booth or the place appointed in its stead, the ballot boxes shall be closed by pasting with an adhesive and wax sealing device. The boxes shall be re-opened at the next counting of votes held.

31. Equality of votes -

In the case of Equality of votes the Returning Officer shall decide membership between those candidates by drawing lots.

32. Publication of Election Result -

The list of candidates elected shall be published in the Gazette.

ELECTION PETITION

33. Submission of Election Petitions -

A petition challenging the validity of any election may be submitted by a candidate and no one else of the Election Tribunal or any Officer appointed by him for the purpose, within 30 days of the declaration of the election result by the Returning Officer of the Constituency concerned attaching to the petition, a treasury challan showing that a deposit of Rs. 35/- as security for the cost of hearing of the petition has been made. Such deposit shall be forfeited to the Election Tribunal in case the petition fails. If however, the petition succeeds the deposit shall be refunded.

34. Withdrawal of Election Petition -

An Election petition may be withdrawal within 14 days from the date of filling with a refund of the security deposit. Withdrawal of election petition after 14 days, but before expiry of 30 days from the date of fillings, will entail forfeiture of the security deposit.

35. Disposal of Election Petition -

The State Government shall constitute an Election Tribunal to hear and dispose of all election petition. The Tribunal shall report its finding and decision to the State Election Commissioner, where upon the State Election Commissioner shall notify the decision of the Tribunal.

CORRUPT PRACTICES

36. Corrupt Practices :

1. The Following shall be deemed to be corrupt practices for the purposes of Election of Village Councils.

- (1) Bribery (2) Undue influence
- (3) Impersonation (4) Removal of Ballot paper
- (5) Publication of False statement
- (6) Use of or appeal to religious and national symbols as defined in chapter-IX part IV of the Assam Autonomous District (Constitution of District Council) Rules, 1951.
- (7) The Corrupt practice enumerated in sub-rule (1) will entail disqualification for a voter or candidate or his agent as the case may be.

ELECTORAL OFFENCES

37. Public Meeting :

No person shall convene, hold or participate in any public meeting or canvass for self or for any candidate on the date on which poll is taken for election to Village Councils.

38. Maintenance of Secrecy :

Every Officer, clerk or agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain the secrecy of the voting.

39. Prohibition of Interference while polling :

No person shall interfere in any way with the work of the Returning Officer or other Officers employed for the conduct of Elections to Village Councils.

40. Contraventions of any provisions :

Any person who contravenes any of the provision of rules 37-39 shall be punished with fine which may extend to Rs. 50/-

POWER OF RETURNING OFFICER

41. No Civil Courts shall have jurisdiction to question the legality of any action taken or any decision given by the Returning Officer or by any other person appointed under these Rules in connection with the election.

MISCELLANEOUS PROVISION

42. Power to amend, repeal, etc. :

The State Government may change, alter, amend or repeal any or all of the aforesaid at any time.

43. In any or all matters not specifically provided for in these Rules, the State Government shall have the discretion to take decisions and pass orders in manner considered appropriate by him.

44. Repeal :

The Lushai Hills District (Election to Village Council) Rules, 1954 is hereby repealed.

The Lushai Hills District (Village Councils) (Amendment) Act, 2006. (Act No. 5 of 2006).

[Received the assent of the Governor of Mizoram On 14th March, 2006]

AN

ACT

to further amend the Lushai Hills District (Village Councils) Act, 1953 (hereinafter referred to as the Principal Act)

WHEREAS it is expedient to further amend the Lushai Hills District (Village Councils) Act, 1953 (to suit the present situation of the state of Mizoram and other matter connected herewith.

It is enacted by the Legislative Assembly of Mizoram in the fifty-seventh year of Republic of India as follows ;

Short Title Extent and Commencement

1) This Act shall be called the Lushai Hills District (Village Councils) (Amendment) Act" 2006.

2) It shall have the like extent as the Principal Act,

3) It shall come into force at once.

Amendment of (2) Section 3

In sub section (2) of section 3 of the Principal Act, for clauses (i), (ii), (iii), (iv) and (V) the following clauses shall be substituted. namely:

- (i) For Village not exceeding 200 houses, there shall be 3 (three) members;
- (ii) For Village with more than 200 houses, but not exceeding 500 houses there shall be 4 (four) members;
- (iii) For Village with more than 500 houses, but not exceeding 800 houses, there shall be 5 (five) members;
- (iv) (iv) For Village with more than 800 houses, there shall be (six) members.

Repeal And Savings:

(i) The Lushai Hills District (Village Councils) Amendment) Ordinance 2006 (No.1 of 2006) is hereby repealed.

(ii) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

**THE LUSHAI HILLS DISTRICT (VILLAGE COUNCILS)
(AMENDMENT) BILL, 2014**

1. Short title and commencement.

- 1) This Act may be called The Lushai Hills District (Village Councils) (Amendment) Act, 2014.
- 2) It shall come into force with effect from the date of its publication in Mizoram Gazette.

2. Amendment of Section 2.

In Section 2 of the Principal Act, after clause 20, the following new clauses shall be added, namely:-

(21) “Gram Sabha” (Village Assembly) means a body consisting of persons registered in the Electoral Rolls relating to the Village Council.

(22) “State Election Commission” means the State Election Commission referred to in Section 345 of the Mizoram Municipalities Act, 2007.

(23) “Community Assets” means any property or income which by custom belongs to or has been administered for the benefit of the villagers in common, or has been created

through contribution of voluntary labour by the villagers, or has been created by Government”.

3. Amendment of Section 3.

(1) Clauses (i) (ii) (iii) & (iv) of sub-section (2) of Section 3 of the Principal Act, shall be substituted by the following clauses namely:-

“(i) For Village not exceeding 200 households, there shall be 3 (three) elected members, of whom 1(one) shall be woman.

(ii) For Village with more than 200 households, but not exceeding 500 households, there shall be 5 (five) members, of whom 1 (one) shall be woman.

(iii) For Village with more than 500 households, but not exceeding 1000 households, there shall be 7 (seven) elected members, of whom 2 (two) shall be women.

(iv) For Village with more than 1000 households and above, there shall be 9 (nine) elected members, of whom 3 (three) shall be women”.

(2) After the proviso, a new proviso shall be added as follows, namely:-

“Provided further that the process of election for constitution of the Village Councils shall be completed before the expiry of one year from the date fixed for the first meeting of the Village Council”.

4. After sub-section (6) of Section 3 of the Principal Act, the following sub-section shall be added, namely:-

“(7) The superintendence, direction and control of the preparation of electoral rolls for and the conduct of elections to the Village Council shall vest in the State Election Commission”.

5. Amendment of Section 4.

In Section 4 of the Principal Act, after clause (f), a new clause (g) with Explanation shall be added, namely:-

“(g) He holds any office of profit under the Central Government or the State Government.

Explanation: In this clause, “office of profit” means a regular payment made in the form of Salary or wages”.

6. Amendment of Section 5.

Section 5 of the Principal Act, shall be substituted by the following, namely:-

“Every Village Council, unless sooner dissolved under the provision of section 25 of this Act shall continue for 5 (five) years from the date appointed for its first meeting.

Provided that the State Government may, by order, extend or shorten the life of a Village Council for such periods not exceeding eighteen months in the aggregate.

Provided further that the process of election to a Village Council shall be completed before the term of the Councils comes to an end”.

7. Amendment of Section 6.

In sub-section (3) of section 6 of the Principal Act, the word “ten” that appears in sub-section 3 shall be substituted by the word “three”.

8. Amendment of Section 7.

In Section 7 of the Principal Act,

(1) First paragraph shall be substituted by the following, namely:-

“Executive- There shall be a President, a Vice President, a Treasurer and a Secretary in each Village Council and the executive functions of the Village Council shall be vested in these four.

Mizo Marriage, Divorce and Inheritance of Property Act, 2014

(Act No. 9 of 2014)

An Act to provide for the law relating to Marriage, Divorce and Inheritance of Property among the Mizo and connected matter therewith.

It is enacted by the Mizoram Legislative Assembly in the Sixty-Fifth year of the Republic of India as follows, namely :-

CHAPTER - I

Preliminary

1. Short title, extent and commencement. - (1) This Act may be called the Mizo Marriage, Divorce and Inheritance of Property Act, 2014.

(2) It extends to the whole of Mizoram except the three Autonomous Districts in Mizoram constituted under the Sixth Schedule to the Constitution of India.

(3) It shall come into force from the date the Government may by Notification in the Official Gazette appoint.

2. Application of the Act. - This Act applies to any person who belongs to any Mizo tribe. It also applies to marriages where male members of the parties belongs to any Mizo tribe.

3. Definitions. - In this Act, unless the context otherwise requires :-

- (a) '*Acquired property*' means any property other than inherited property acquired by any person or by the family by any means;
- (b) '*Ancestral property*' means a coparcenary property. The property belonging to three male parental ancestors in the unbroken line of ascent viz. the father, grandfather and great grant father, it is not inclusive of maternal ancestral who are also an ancestor of a person. Therefore, property inherited from maternal grandfather is not an ancestral property;
- (c) '*Couple*' means and applies to husband and wife who are married under this Act and any other law for the time being in force;
- (d) '*Court*' means any Civil Court having original jurisdiction over the area;
- (e) '*Decree*' means and applies the formal expression of an adjudication which, so far as regards the court expressing it, conclusively determines the rights of the parties with regards to all or any of the matters in controversy in the suit and may be final in so far as the Act is concerned;
- (f) '*Desertion*' means abandonment against the will of the person charging it;

- (g) '*Divorce*' means for the purpose of this Act the various means of dissolution of marriage or separation amongst the Mizo by means of the Mizo custom namely: 'Mak', 'Sumchhuah', 'Kawngka Sula Mak', 'Uire', 'Atna avanga in'hen', 'Nupui Fanau chhuahsan, 'Sumlaitan';
- (h) '*Falak*' means a child whose father is not identified;
- (i) '*Head of family*' means a person who manage, rule and control all the movable and immovable properties of the family;
- (j) '*Licensed Officer*' means any person authorised/permitted by any religious denomination to solemnize marriage under this Act;
- (k) '*Lawichal*' means a male person appointed by the bride's family to safely escort the bride and her party as she leaves for the house of the bridegroom and to present her to the bridegroom;
- (l) '*Lawi*' means the bride entering the home of the bridegroom after leaving her home;
- (m) '*Mizo*' means and applies to individuals who are Mizo by birth; by adoption of minor child and persons who have been accepted as Mizo by the Society and Community at large;
- (n) '*Major*' means for the purpose of marriage, a person who, if a male, has completed twenty-one years of age, and if a female, has completed eighteen years of age;

- (o) '*Man*' means marriage price paid by the bridegroom and received by the head of the bride's family. However, marriage price not paid by mutual agreement of the parties does not invalidate the marriage if solemnized under this Act;
- (p) '*Man pui*' means the main marriage price and '*hutphah*' is a security money paid alongwith the main marriage price but returned to the bridegroom's family through palai;
- (q) '*Man 'ang*' means the marriage price the head of family gives in certain amounts mainly to near relatives as their shares of the marriage price;
- (r) "Marriage" means a union of a man and a woman who are both major as husband and wife upon the happening of the following sequence of events :
- (i) a male suitor conveys a proposal for marriage of a woman through palai to the head of the family of the woman he wants to marry;
 - (ii) if the woman's family accepts the proposal after obtaining the consent of the woman, quantum of man is fixed by the head of bride's family and the date and venue for payment of marriage price and of solemnization of marriage are fixed;
 - (iii) the man pays the marriage price through palai;
 - (iv) on the day marriage is solemnized and at the appointed time, the bride under escort by lawichal leaves her home and family to live with the bridegroom;

- (v) the Licenced Officer chosen by the parties to administer solemnization of marriage is informed of the intended marriage and is duly solemnized;
- (vi) when the marriage has been done in accordance with the customary rites and procedures as mentioned above or as per marriage solemnised by the Licenced Officer, the marriages becomes complete and binding;
- (s) '*Palai*' means a person or persons, not less than two in number, appointed by the bridegroom's family as negotiators to negotiate and settle the marriage;
- (t) '*Property*' means any property movable or immovable;
- (u) '*Personal property*' means any property registered in the personal name of a person and any other property purchased or gifted or inherited and so owned and possessed by a person;
- (v) '*Re-marriage*' means a marriage of a person who becomes single after his/her previous marriage;
- (w) '*Sawn*' means illegitimate child and '*sawn man*' means money that is Rs. 40/- paid to the woman with whom a man has a child without getting married;
- (x) '*Woman's personal property*' means any property purchased or gifted or inherited and owned by a woman as her personal property inclusive of any property ownership of which is registered in her name and brought by her to the house of her husband at the time of marriage.

CHAPTER - II

Marriage

4. Marriage price. - The marriage price consists of man pui which is not less than Rs. 420/-.

5. Settlement of marriage price. - The marriage price paid through palai shall be recorded in writing as per Schedule I in two copies and are signed by the head of the bride's family and by the palai. One copy is for the bride's family and the other copy for the bridegroom. The main marriage price when received is distributed as man 'ang by the head of the family to different persons mostly near relatives, in the manner shown in Schedule II.

6. Notice of intended marriage. - Notice of intended marriage is to be given to the Licenced Officer by the parties desire to solemnize the marriage. Upon receipt of such information, the Licenced Officer shall fix the date and place for solemnization in consultation with the concerned parties. He will cause notice of the intended marriage to be affixed in some conspicuous place or make announcement as per the rule, mode or practice of the religious denomination of which he is a Licenced Officer.

7. Solemnization of marriage. - (1) The marriage may be solemnized by the Licenced Officer who will include any ordained Minister/Reverend/Pastor/Authorised Elder (Upa)/Commissioned Officer/Priest (Tirhkoh)/ Ordained Priest of Religion according to the rules, rites, ceremonies and custom of the Religion of which he is holding such office.

(2) The marriage must be solemnized in the presence of at least two witnesses besides the Licenced Officer who administers solemnization and that the best man and the bridesmaid will be competent witnesses.

8. Voidable Marriage. - A man and a woman living together on *inru* or *tlandun* or *fan* or *luhkhung* is not a valid marriage unless regularised under this Act.

Explanation. - (i) '*inru*' means a man taking a woman to live with him as his wife;

(ii) '*tlandun*' means elopement of a man and a woman;

(iii) '*fan*' means a man leaving his house and living with a woman in the woman's house as husband and wife;

(iv) '*luhkhung*' means a woman leaving her house and living with a man in the man's house as husband and wife;

9. Degrees of prohibited relationship. - A man cannot enter into a marriage with any of the persons the rules or practice of the religious denomination of which he is a member prohibits and a woman cannot enter into a marriage with any of the persons the rules or practice of the religious denomination of which she is a member prohibits.

10. Void marriages. - The living together as husband and wife of (a) two persons of the same sex (b) a person with another person having a spouse living and (c) either or both are under age are void ab-initio.

11. Marriage Certificate. - (1) A certificate of marriage is to be issued by the Licenced Officer who administers solemnization and the certificate so issued will be the conclusive proof of marriage.

(2) In the certificate so issued, the words 'See section 7 of the Mizo Marriage, Divorce and Inheritance of Property Act, 2014' or In accordance with the Mizo Marriage, Divorce and Inheritance of Property Act, 2014' must be inserted as a mark of judicial authentication.

(3) In case of others, a certificate issued after settlement of Marriage Price vide Schedule I and duly registered under the Mizoram Compulsory Registration of Marriages Act, 2007 shall be a conclusive proof of Marriage.

12. Registration of marriage. - Every marriage solemnized under this Act shall be registered under the Mizoram Compulsory Registration of Marriage Act, 2007 or any other law for the time being in force.

CHAPTER - III

Dissolution of Marriage

13. Grounds for dissolution of marriage. - (1) Any marriage before or after the commencement of this Act, may, on petition presented to the court either by the husband or the wife, be dissolved and a divorce decree be granted on the following grounds :

- (i) the respondent has committed adultery; or
- (ii) due to irreconcilable incompatibility; or
- (iii) the respondent has treated the petitioner with such cruelty as to cause a reasonable apprehension in the mind of the petitioner that it would be harmful or injurious for the petitioner to live with the respondent; or

(iv) the respondent has been incurably of unsound mind for a continuous period of not less than three years immediately proceeding the presentation of the petition;
or

(v) the respondent has, for a period of not less than three years immediately proceeding the representation of the petition, been suffering from a virulent and incurable form of leprosy or any disease in a communicable form which endangers the life of the spouse;

(vi) the respondent has not been heard of as being alive for a period of seven years or more by those persons who would have naturally have heard of the respondent if the respondent had been alive; or

(vii) the wife refuse to go on 'Law';

(viii) the respondent has wilfully refused to consummate the marriage and the marriage has thereof not been consummated; or

(ix) the respondent has deserted the petitioner for at least two years immediately proceeding the presentation of the petition; or

(x) by mutual consent;

(2) A wife or husband may also present a petition for the dissolution of their marriage on the ground that the spouse has, since the solemnization of the marriage been found guilty of rape, sodomy or bestiality.

14. Judicial separation. - (1) Either party to a marriage, whether solemnized before or after the commencement of this Act, may present a petition praying for a decree for judicial separation on any of the grounds specified in sub-section(1) of section 13.

(2) Where a decree for judicial separation has been passed, the court may, on the application by petition of either party and on being satisfied of the truth of the statements made in such petition, rescind the decree if it considers it just and reasonable to do so.

(3) A proceeding for judicial separation shall not exceed a period of six months and after the expiry of six months, the Court shall pronounce dissolution of marriage within a period of sixty days.

15. Power of the court to pronounce decree for dissolving marriage. - In case the court is satisfied on the evidence that the case of the petitioner has been proved, and does not find that the petitioner has been in any manner accessory to, or conniving at the going through of the said form of marriage, or has condoned the adultery complained of, the court shall pronounce a decree, and grant a Certificate of Divorce as in Schedule III declaring such marriage to be dissolved.

CHAPTER - IV

Welfare Matters

16. Permanent Alimony and maintenance. - (1) The Court exercising jurisdiction under this Act, may at the time of passing any decree or at any time subsequent thereto, on application made to it for the purpose by either the wife, the husband, the minor male child or the unmarried daughter unable to maintain themselves as the case may be, order

that the respondent shall pay to the applicant for her or his maintenance and support such gross sum or such monthly or periodical sum for a term not exceeding the life of the applicant as, having regard to the respondent's own income and other property, if any, the income and other property of the applicant, the conduct of the parties and other circumstances of the case, as it may seem to the court to be just and any such payment may be secured, if necessary, by a charge on the immovable property of the respondent.

(2) If the court is satisfied that there is a change in the circumstances of either party at any time after it has made an order under sub section (1), or the party in whose favour an order has been made has re-married, or becomes unchaste, it may, at the instance of either party, vary, modify or rescind any such order in such manner as the court may deem just.

17. Duty of the court to consider the welfare of the children. - In any proceeding under this Act, the court may, from time to time, pass such interim orders and make such provisions in the decree as it may deem fit and proper with respect to the custody, maintenance, education and welfare of minor children, consistent with their wishes wherever possible, and upon application by the petition may also from time to time revoke, suspend or vary any such orders and provisions previously made, and may, if it thinks fit, direct proceeding to be taken for placing such children under the protection of the Court. Guardianship of the child shall also be decided by the Court as per the existing law in force keeping in mind the best interest of the child.

Provided that a child below the age of three years shall be in the custody of the mother unless the mother is found unfit by the Court for reasons to be recorded in writing as the custodian of the child.

18. Liberty of parties to marry again. - Where a decree for dissolution or nullity of marriage has been passed and either the time for appeal has expired without an appeal having been presented to any court including the Supreme Court or, an appeal has been presented but has been dismissed and the decree or dismissal has become final, it shall be lawful for either party to the marriage to marry again, or when a person become single after the death of his/her spouse.

CHAPTER - V

Jurisdiction

19. Court to which petition should be made. - Every petition under this Act shall be presented to the court within the local limits of whose original jurisdiction -

- (i) the marriage was solemnized; or
- (ii) the respondent, at the time of the presentation of the petition resides; or
- (iii) the parties to the marriage last resided together;

20. Reconciliatory matters. - Before proceeding to grant any relief under this Act, it shall be the duty of the court in the first instance, in every case where it is possible so to do consistently with the nature and circumstances of the case, to make every endeavour to bring about reconciliation between the parties.

21. Adjournment of proceedings. - For the purpose of aiding the court in bringing about such reconciliation, the court may, if the parties so desire or the court thinks fit it just and proper so to do, adjourn the proceedings for a reasonable period not exceeding two months and refer the matter to any person named by the parties in this behalf or to any person nominated by the court if the parties fail to name any person, with directions to report to the court whether reconciliation can be and has been effected and the court shall in disposing of the proceeding have due regard to this report.

22. Supply of copy of decree. - In every case where a marriage is dissolved by a decree of divorce, the court passing the decrees shall give a copy thereof free of costs to each of the parties.

CHAPTER - VI

Division of Property On Divorce

23. Ownership right of head of family over properties. - All movable and immovable properties inherited and acquired, which is not registered in the name of any member of the family living under the same roof are deemed to be the property of the head of the family.

24. Right of head of family to dispose property. - The head of the family may dispose any of his/ her properties except service/pensionary benefits by way of sale, barter, gift, charity or endowment. However, a woman's personal property shall not be disposed without her consent.

25. Right of a woman leaving her husband on sumchhuah. - If a woman leaves her husband on sumchhuah, she will have no right over the acquired property except her personal property.

Provided that if she was compelled to leave her husband on sumchhuah by her husband's domestic violence or cruelty, or her husband is wantonly sexually unfaithful or insanity of her husband, or depriving her of conjugal right except on health ground, she can not be deprived of her right over the acquired property.

Explanation. - '*sumchhuah*' means a married woman leaving her husband by returning marriage price.

26. Right of a woman leaving her husband on mâk. - (1) If the husband divorces his wife on mak except on ground of adultery or deprivation of her husband of his conjugal right, she will have share over the acquired property of any kind. The personal property of the woman shall not be disturbed.

(2) If a man divorces his wife on ground of adultery or deprivation of his conjugal right except on health ground, she will have a share over the acquired property not exceeding 25 % alongwith her personal property.

Explanation. - '*ma*'/'*mâk*' means a wife divorced by her husband.

27. Share of acquired property. - (1) A woman leaving her husband on mâk' or kawngka sula mâk shall have a share of the acquired property and shall be given a share not exceeding fifty percent of the acquired property.

(2) Married couple who have separated on mutual consent will share acquired property as mutually agreed or deemed just and proper.

(3) A couple who have separated under clause (iv) or (v) of sub-section (1) of section 13 of the Act shall share the acquired property equally.

(4) A person who has deserted the family under clause (ix) of sub-section (1) of section 13 of the Act shall have no share over the acquired property.

Explanation. - 'Kawngka sula mak' means when a man find a girl, he prefers to his wife and divorces his wife on the same day or after some period of time marriage the girl, the divorce is known as kawngka sula mak. The literal meaning of Kawngka sula mak is to marry another wife in which the old wife goes out of the door and the new wife comes in.

28. Gift of property to a son/daughter leaving family on in dang. - If a son or daughter leaves his/ her family on in dang as per the desire of the head of the family, the head of the family may give any of his/her property other than such son's or daughter's personal property.

Explanation. - 'indang' means a son or daughter leaving his/her father's house for independent and separate establishment or family which is accepted by the head of family.

CHAPTER - VII

Will

29. (1) A person of sound mind who has attained majority under the law in force, while he/she is fully possessed of his/her clear conscience capable of exercising his/her free will may execute a will in writing in the presence of at least two witnesses as to how all or some or part of his/her property which he/she can alienate during his/her life time be disposed after his/her death.

(2) If the testator executes more than one will for the same property, the latter or last one will prevail over the other or others.

(3) The making of a will caused by coercion, threat, intimidation or undue influence or fraud is void.

(4) The witnesses to the will must have attained majority under the law in force and they must be of sound mind.

(5) The testator and the witnesses must put their signatures to the will in the presence of all of them. If the testator cannot write, then the testator must put his thumb impression.

(6) If in case the testator or any witness cannot write, he/she must put his/her thumb impression.

(7) The legatee will be the executor of the will. If the legatee is a minor, his/her father/mother whoever is alive will be the executor. If his/her parents had both died, his/her legal guardian will be the executor.

(8) The Probate of a Will must be made within 5 years from death of the Testator.

30. Jurisdiction of the court. - (1) The civil court having original jurisdiction over the area where the legatee resides shall have the power.

(2) to grant probate of the original will produced before him by the executor regardless of the place where the property situates.

(3) to grant heirship certificate in respect of any property as per Schedule IV

(4) to adjudicate upon any dispute arising out of and within the scope of this Act.

CHAPTER - VIII

Inheritance of Father's (Head of The Family) Property

31. In the absence of a 'Will' , the following provision shall apply. - (1) On the death of the head of the family, the wife will automatically become the head of the family if she remains a chaste widow and looks after the welfare of her minor children. If the children have become majors, she needs to obtain no objection from the children to recognize her as the head of the family.

(2) The property left by the deceased father will be inherited by the sons who are not 'In dang' and the surviving wife of the Head of the Family equally. However, the youngest son will get one extra share provided he looks after members of the family who are not 'In dang'.

Provided further that unmarried daughter who has been looking after her parents and siblings being the main bread earner will also get a share of the property equivalent to the right of the mother/sons.

(3) If any of the son 'A' of the Head of the Family dies before the Head of the Family, then on the death of the Head of the Family, the Head of the Family's properties will be

divided between the surviving sons of the Head of the Family who are not 'In dang' and the surviving wife and the share that would have gone to A would go to A's sons.

Provided that the youngest son will get one extra share. Provided further that 'A' was not 'In dang' or that the children of 'A' were not 'In dang' at the time of the death of the Head of the Family.

(4) If the Head of the Family has no son, then the property will be divided equally between the surviving wife of the Head of the Family and the unmarried daughters who are living with the surviving wife.

(5) In the event of all the sons being 'In dang' at the time of the death of the Head of the Family, and there being unmarried daughters, then the property will be shared between the wife, unmarried daughters and the surviving sons.

Provided that the youngest son shall get one extra share. The sons and daughters of the Head of the Family from a previous marriage who are living with the Head of the Family shall have the same right and interest as the sons and daughters of the later marriage.

(6) In the event of there being no sons or unmarried daughters then the property will go to the wife of the Head of the Family.

(7) In the event of there being no sons, unmarried daughters or wife, then the property will go to the married daughters in equal share.

(8) In the event of there being no sons or daughters and the wife from the surviving marriage having expired prior to the death of the Head of the Family, then the share of the properties to be inherited by the children from his previous marriage will be

governed as per sub-section (1) to (6). However his wife from his previous marriages will not be entitled to any shares of the property and her alleged share will go to the youngest son to the previous marriage.

(9) In the event of there being no sons, unmarried daughters, wife, married daughters, then the youngest illegitimate son will inherit the property. In the event of there being no illegitimate son, then the youngest illegitimate daughter will inherit. In the event of there being no illegitimate daughters, the brothers and sisters of the Head of the Family will inherit the property and the youngest brother will get one extra share.

(10) The personal property left by unmarried son who died while he was in his father's house and having no issue will be inherited by his surviving father. If the father had died, his surviving mother will inherit. If both the father and the mother had died, the surviving youngest brother will inherit. If there is no surviving brother, the youngest surviving sister will inherit. If he had a surviving son or daughter, the son will inherit. If he had a surviving daughter but no son, the surviving daughter will inherit, provided that sawn man was paid.

(11) The personal property left by unmarried daughter who died while she was in her father's house and having no issue will be inherited by her surviving father. If the father had died, her surviving mother will inherit. If both the father and the mother had died, the surviving youngest brother will inherit. If there is no surviving brother, the youngest surviving sister will inherit. If she had left surviving son or daughter, the son will inherit. If she had a surviving daughter but no son, the surviving daughter will inherit. Provided that sawn man is not paid.

(12) If there is 'Falak' in the family, he/she will have a right to have a share of the mother's property.

32. Inheritance of a woman's personal property. - (1) If a woman predeceased her husband, her personal property will devolve to her surviving husband.

(2) If she has no surviving husband, then her property will be divided as if the property of the Head of the Family is divided as in Section 31. However, the youngest son will have one extra share.

33. Inheritance for support till death. - The one who supports the owner of specified property till his/ her death as desired by the owner of that property is entitled to first preference to inheritance of that property irrespective of the order of preference given in Section 31 and 32.

34. Right of son on in dang and of married daughter. - The son who has left his father's house on in dang and the married daughter will have no share of the property left by their father or mother except as provided in sections 31 and 32.

Explanation. - For the purpose of inheritance, the son even if married or unmarried daughter living in another village, town or city or in a foreign country for employment, service or profession is not in dang.

35. Right of a divorced daughter. - A divorced daughter who has returned to her father's or mother's house will be treated as unmarried daughter for the purpose of inheritance.

36. Obligation of legal heir. - A person who inherits property cannot disown himself or herself of the liabilities left by the person whose property he/she inherits.

37. Date of operation of inheritance. - The right to inherit will operate only after the death of the person who owns property.

38. Right of a predeceased wife to possess house property. - Even though the legal heirs might have taken their shares of the property left by the deceased father, the surviving wife cannot be deprived of her right to live in and to enjoy the house property of her deceased husband and its appurtenant including the benefits thereof provided however that she remains a chaste widow.

39. Application of other Laws not barred. - Save as otherwise provided, the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

40. Repeal and Savings. - (i) The Mizo District (Inheritance of Property) Act, 1956 is hereby repealed provided that all acts done thereunder shall be deemed to have been done under this Act.

(ii) Nothing contained in this Act shall affect the validity of any marriage between the Mizo, which is otherwise valid, before the commencement of this Act.

(iii) Nothing contained in this Act shall affect any proceeding under any law for the time being in force for declaring any marriage to be null and void or for annulling or dissolving any marriage or for judicial separation pending at the commencement of this Act, and any such proceeding may be continued and determined as if this Act had not been passed.

41. Power to remove difficulties. - The State Government may by notification published in the Official Gazette remove difficulties in implementation of the provisions of this Act.

Provided that no such notification shall be issued after the expiry of two years from the commencement of this Act.

BIBLIOGRAPHY

BOOKS

Anderson, H. (1914), *Among the Lushai*, London :Carey Press

Avasthi, Abha and Srivastava, A.K. (2001), *Modernity, Feminism and Women Empowerment*, New Delhi: Rawat Publications

Bagchi, Jasodhara (2005), *The Changing Status of Women in West Bengal, 1970-2000: The Challenges Ahead*, New Delhi: Sage Publications

Bareh, H. M., ed. (2001), *Encyclopaedia of North-East India: Volume V: Mizoram*, New Delhi: Mittal Publications

Biju, M.R. (2006), *Women's Empowerment*, New Delhi: Mittal Publications

Chandra, Puran (2005), *Political Dynamics of Women*, New Delhi: Akansha Publishing House

Chatterjee Suhas (1995), *Mizo Chiefs and the Chiefdoms*, New Delhi: MD Publications Pvt. Ltd.

Chaube, Ramesh and Saini Kalpana (2002), *Status of Women in Rural Societies*, M.P: Aditya Publishers

Forbes, Geraldine (2004), *New Cambridge history of India: Women in Modern India*, United Kingdom: Cambridge University Press

Guha, Sampa (1996), *Political Participation of Women in a Changing Society*, New Delhi: Inter-India Publications

Gupta, Sunit and Gupta, Mukta (2000), *Role of Women in the Twenty-First Century*, New Delhi: Anmol Publications Pvt. Ltd

Sinha Harendra and Lalrinchhani.B (2013) *Women in Mizo Society*: Mittal Publications:New Delhi

Jain, Simmi (2003),*Encyclopedia of Indian Women through the Ages:Volume-3 Period of Freedom Struggle*, Delhi: Kalpaz Publications

Joshi, Savita Thakur (1999),*Women and Development: The Challenges Scenario*, New Delhi: Mittal Publications

Joseph, Neena (2001), *Gender Related Problems of Women, Women's Empowerment and Panchayati Raj*, Mumbai: Himalayan Publishing House

Kalpagam, U. and Arunachalam, Jaya (2008), *Rural Women and Development in India: Issues and Challenges*, New Delhi: Rawat Publications

Kar, Bimal K. (2002),*Women Participation of North East India: Study in Gender Geography*,New Delhi: Regency Publications

Kunjakkan, K.A. (2002),*Feminism and Indian Realities*, New Delhi: Mittal Publications

Kumari, Archana and Verma, R.K. (2010),*Women Political Leadership in India*, New Delhi: Serials Publications

Lalneihzovi and Thantluanga. R (2016) *State and Participatory Governance in North East India*. Mittal Publication: New Delhi (India)

Mahajan, Kamlesh (2006),*Women's Modernization and Development in 20th Century*, New Delhi: New Academic Publishers

- Mandal, Jyotirmay (2003), *Women and Reservation in India*, Delhi: Kalpaz Publications
- Mathu, Anuradha (2008), *Gender and Development in India: The Indian Scenario*, Delhi: Kalpaz Publications
- Mehata, G.S., (2002), *Participation of Women in the Pachayati Raj System*, New Delhi: Kanishka Publishers Distrubutors
- Momin, Mignonette and Mawlong, A. Cecile (2004), *Society and Economy in North-East India*, Volume 1, New Delhi: Regency Publications
- Murthy, Ranjani K. (2001), *Building Women's Capacities: Intervention in Gender Transformation*, New Delhi: Sage Publications
- Nag, Chittaranjan (1998), *Mizo Polity and Political Modernisation*, Delhi: Vikas Publishing House Pvt. Ltd
- Narasaiah, M.L. (2006), *Women and Development*, New Delhi: Discovery Publishing House
- Narasimhan, Sakuntala (1999), *Empowering Women: An Alternative Strategy from Rural India*, New Delhi: Sage Publications
- Nelasco, Shobana (2010), *Status of Women in India*, New Delhi: Deep and Deep Publications Pvt. Ltd

Nelson, Barbara and Chowdhury, Najma (1997), *Women and Politics World Wide*, New Delhi: Oxford University Press

Panigrahy, R.L and Bhuyan, Dasarathi, (2006), *Women Empowerment*, New Delhi: Discovery Publishing House

Patel, Vibhuti, (2002), *Women's Challenges of the New Millennium*, New Delhi: Gyan Publishing House

Patnaik, K. Jagadish (2008), *Mizoram: Dimensions and Perspectives (Society, Economy and Polity)*, New Delhi: Concept Publishing Company

Pillai, Jaya Kothai (1995), *Women and Empowerment*, New Delhi: Gyan Publishing House.

Prasad, R.N. and Agarwal, A.K. (2003), *Modernisation of the Mizo Society*, New Delhi: Mittal Publications

Purushothaman, Sangeetha (1998), *The Empowerment of Women in India: Grassroots Women's Networks and the State*, New Delhi: Sage Publications

Rao, V.M. (2004), *Empowering Rural Women*, New Delhi: Anmol Publications Pvt.Ltd

Rao, V.V. (1976), *A Century of Tribal Politics in North East India 1874-1974*, New Delhi: S.Chand & Company Ltd

Roa, B.Sambasiva and Kumari, Y. Indira (2005),*Empowerment of Women and Rural Development*,New Delhi: Serials Publications

Rani, A.Celine (2002),*Emerging Pattern of Rural Women Leadership in India*, Delhi: Kalpaz Publications

Ravikumar, S.K. (2006),*Indian Women: Status, Role &Empowerment*,Jaipur: Mangal Deep Publications

Roy, Kalpana(1999),*Women and their Environment, New Delhi*: Rajat Publications

Sangkima (2004), *Essays on the History of the Mizos*, New Delhi: Spectrum Blications

Sapru, R.K. (1989),*Women and Development, New Delhi*: Ashish Publishing House

Shanthi, K. (1998),*Empowerment of Women*, New Delhi: Anmol Publications Pvt.Ltd

Sharman, Rashmi(2009),*Women Development: New Approaches and Innovations*, New Delhi: Regal Publications

Singh, K.V. (2007),*Women Issues: Empowerment and Gender Discrimination*, Delhi: Vista International Publishing House

Singh, Pitam (2003),*Women Legislators in Indian Politics*, New Delhi: Concept Publishing Company

Sinha, Ajit Kumar (2008),*Women Dimensions of Women Empowerment*,New Delhi: Deep & Deep Publications Pvt. Ltd

Tripathy, S.N. (2006), *Women and Rural Development*, New Delhi: Sonali Publications

Upreti, H.C., and Upreti, Nandini (2000), *Women and Problems of Gender Discrimination*, Jaipur: Pointer Publishers

Verma, S.B., Jiloka, S.K., and Kushwah, K.J. (2006), *Rural Women Empowerment*, New Delhi: Deep and Deep Publications Pvt.Ltd

Vir, Dharam and Mahajan Kamlesh (2006), *Women's Movements Politics and Awareness*, New Delhi: New Academic Publishers

ARTICLES

Devi, Ng. Liklaileima (2011) 'Women Wings of political Parties and Socio-Economic and Political Problems of the Society,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXII, No. 4, October-December, pp-1031-1042

Lalneihzovi (2011) 'Decentralised Governance for Rural Development in Mizoram: Problems and Prospects,' *Indian Journal of Public Administration*, New Delhi: IIPA, Vol. LVII, No.1, January-March, pp-82-90

Minch, Mallikarjun I. (2012) 'Women in Politics,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXIII, No.3, July-September, pp-489-492

Prabhakar, R.P. (2011) 'Local Government Administrative System in India,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXII, No. 4, October-December, pp-943-952

Shrivastava, Rashmi (2011) 'Minority Representation of a Political Majority Group: Women in Indian Democratic process,' *Indian Journal of political Science*, New Delhi: IJPS, Vol. LXXII, No. 2, April-June, pp-409-420

Singh, Vineeta and Kumar, Kishor (2012) 'Empowerment of Rural Women,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXIII, No.3, July-September, pp-453-456

Tripathi, Sudhanshu (2013) 'Empowerment of Women: An Urgency,' *Indian Journal of Public Administration*, New Delhi: IIPA, Vol. LIX, No.2, April-June, pp-405-419

GOVERNMENT PUBLICATIONS, NOTIFICATION, ORDER ETC

The Lushai Hills District (Village Council) Act, 1953 as amended.

The Mizoram (Election to Village Councils) Rules 1974 as amended.

The Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 as amended

The Mizoram (Prevention and Control of Fire in all Village Area) Rules, 2001

The Mizoram (Establishment of Independent Local Body) Ombudsmen Act, 2011 (Act No.8 of 2011)

WEB SOURCES

www.lad.mizoram.gov.in

www.undp.org.in

www.desmizo.nic.in

www.unwomen.org

www.census2011.co.in

www.aizawl.nic.in

www.secmizoram.in

<http://hdl.handle.net/10603/120472>

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ABSTRACT

**POLITICAL PARTICIPATION OF WOMEN IN VILLAGE
COUNCIL IN MIZORAM**

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE DEGREE OF DOCTOR OF
PHILOSOPHY**

LALCHATUANHANGI

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**DEPARTMENT OF PUBLIC ADMINISTRATION
SCHOOL OF SOCIAL SCIENCES**

AUGUST, 2021

ABSTRACT

**POLITICAL PARTICIPATION OF WOMEN IN VILLAGE
COUNCIL IN MIZORAM**

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Submitted

In partial fulfillment of the requirements for the Degree of Doctor of Philosophy in
Public Administration of Mizoram University, Aizawl.

INTRODUCTION

Mizoram is situated in the southern most part of North-East India. It was carved out of Assam as a Union territory on 21st January 1972. Later on, it becomes the 23rd State of India on 20th February 1987. As per the 2011 census, the total population of Mizoram is 10, 91,014 lakhs . Due to lack of infrastructure and communication, the progress of development is very slow as compare to other States of India, but at the same time, the progress in education and literacy is very significant in Mizoram. According to 2011 census, the literacy percentage of Mizoram is 91.6 percent and becomes the third highest literacy rate in India next to Kerala and Lakshadweep.

During the pre-independence period in Mizoram, each village had a traditional institution of autocratic chiefship to manage village affairs. The Chief was at the same time, the Supreme administrator, judge, protector and guardian of his village, running village administration with a Council of Elders ‘Upas’ were generally men of the Chief’s choice, nominated or selected without the villagers opinion. After independence, a new scheme of simple and inexpensive administration for the tribesmen of certain hills districts of the then State of Assam based on the recommendation of the North-East Frontier Tribal and Excluded Areas Sub-Committee of the Constituent Assembly known as the Bardoloi Sub-Committee was incorporated in the Sixth Schedule to the Constitution of India. This provided for the Constitution of the Autonomous District Councils (ADCs) for major tribesmen and Autonomous Regional Councils for minor tribesmen other than the major tribal people within a district. As a result, the

Autonomous Mizo Hill District Council for the Mizos and the Pawi-Lakher Regional Council (PLRC) for the Pawi, Lakher and Chakma tribes were set up in 1952 and 1953 respectively. Thus, these Councils, which were democratic institutions created under the Sixth Schedule to the Constitution of India, threatened the position and privileges of the Chiefs. The Mizo Hills District Council, under the Lushai Hills District (Acquisition of Chief's Right) Act, 1954 abolished the exploitative and autocratic institution of the chiefships. Both the Councils democratized the village administration by enacting the Lushai Hills District (Village Council) Act, 1953, and the Pawi-Lakher Autonomous Region (Village Council) Act, 1954 under sub-clause(e) of Clause(3) of the Sixth Schedule to the Constitution of India. Accordingly, the village administration was vested in the democratically elected Village Council (VCs), which, in fact started functioning from August, 1954 within the respective jurisdictions of the Councils. The Village Council has very limited functions and power mostly administrative and judicial of petty nature under the Village Councils Act, 1953 and 1954. When the Mizo Hills District was elevated to the status of the Union Territory of Mizoram in accordance with the North-Eastern Areas (Re-organization) Act, 1971, the Mizo Hills District Council was abolished in 1972. The Pawi-Lakher Regional was trifurcated into three District Councils viz., the Lai District Council, the Mara District Council and the Chakma District Council under the provision of the said Act. The Lushai Hills District (Village Councils) Act, 1954 have been adapted by Government of Mizoram and the three Autonomous District Councils as well since 1972, for the administration of the village affairs in their respective areas. The provisions of the Acts can be amended by executive

or administrative order of the Government of Mizoram and the Autonomous District Council. The administration of the Village Councils has been put under the Local Administration Department (LAD) and Town Planning/Housing by the Government of Mizoram. Briefly, Mizoram has two sets of Village Councils existing over which the Government of Mizoram and the District Councils extend their jurisdictions independently.

STATEMENT OF THE PROBLEM

Under the Sixth Schedule of the Constitution of India, the Lushai Hills District Council and the Pawi-Lakher Regional Council were inaugurated on 25th April, 1952 and 23rd April, 1953 respectively. The District Council in its meeting on 15th April, 1953 adopted the list of villages as being declared to have Village Councils which was published in the Assam Gazette on 27th May, 1953. The District Council prepared the groundwork for the introduction of modern representative democratic institutions by passing the Lushai Hills District (Village Council) Act, 1953 on the 13th July, 1953, which received the assent of the Governor of Assam on 29th November, 1953. The Village Council was officially inaugurated with great fanfare during the 22nd July to 12th August 1954 and start functioning from the 16th August 1954. The introduction of Village Council brought about significant change in the traditional village administration. It brought modern participatory political process in Mizoram and replaced the traditional political institutions. The first Village Council election was held during 21st April to 6th July,

1954. Village Council is the lower level of administration in Mizoram. According to 2011 census prepared by Directorate of Economics & Statistics of Mizoram, the population of Mizoram is 1,091,014, out of these; there are 552,339 and 538,675 male and female respectively, men exceeding women's by only 13664. It means women occupy 49.37 percent from the population. Mizoram is divided into 8 districts, there are 26 Rural Development Blocks all over the State to demarcate lower formation of geographical and administrative area, and presently, there are 757 Village Council in Mizoram. According to the General Election of the Village Council which was held in 23rd February, 2012 in Mizoram, there are 2115 seats in the Village Council, out of this, 2092 men and only 23 women are elected as member of Village Council which shows that the participation of women in village administration seems to be marginal; there are only few candidates in the election of Village Council. Without active women's involvement in politics at the grass root level, it is difficult to have efficient administration because women holds 50 percent of the population of Mizoram, they know what is best for them and measures for their upliftment. But till today, women participation is hardly increased due to different reason. It may be psychological factors, social factors, economics factors and so on. As there is no specific study on the field of political participation of women in Village Council, the research is attempted for further studies.

OBJECTIVES

1. To study the Village Council enactments in Mizoram.
2. To study the socio-economic profile of the women Village Council member in Mizoram.
3. To study the political participation of women in Village Council in the State of Mizoram
4. To study the performance and roles of women leaders in Village Council.
5. To study the problems of women member in Village Council in Mizoram.

SCOPE OF THE STUDY

The study focussed on the political participation of women in Village Council in Aizawl District. Since Aizawl District is one of the oldest and the maximum numbers of Village Councils were found before the general election of Aizawl Municipal Council in November 2010, after the formation of the Aizawl Municipal Council in 2010, the number of Village Council was reduced from 166 to 91. At present, there are 91 Village Councils and 5 Rural Development Blocks within Aizawl District. The study will cover a period of two decade i.e., from 1987 to 2012. The historical background for the formation of Village Council, term of office, composition of Village Council, elections to Village Council, required qualifications for the voters or electors and sources of income of the Village Council will also be taken care. It will also cover the Village Council Acts and amendment, powers and functions of Village Council and election machineries under the Government of Mizoram. The main trust of the study will be the

political participation of women and their leaderships in the Village Councils within the Aizawl District.

RESEARCH QUESTIONS

The proposed research attempted to answer the following research questions:-

1. Do the Village Council enactments favour women participation in Village Council?
2. Does reservation policy require for the improvement of women leadership in the Village Council in Mizoram?
3. What are the major hindrances for women in participating in the local governance of Mizoram?
4. Does the Mizo customary law favour women to participate in politics?
5. Has the traditional patriarchal mindset created a problem of women participation in politics?

METHODOLOGY

This study was based on both Primary and Secondary data collection. Primary data was collected through the use of direct interview method, structured and unstructured questionnaire technique to obtain information from the sample villages within Aizawl District. Structured and unstructured Questionnaire was obtained from all elected women representatives from 2009 and 2012 Village Council election in Aizawl District. 22 questionnaires were obtained in 2009 election from elected women

representatives, out of this 16 questionnaires were received from the respondents. From 2012, all the 3 elected women representatives in the election of Village Council had responded the questionnaire. Beside this questionnaire, Telephonic interview method was also extensively conducted to the respondents to remote areas where there were women members of Village Council within Aizawl District. Secondary data was collected from published and unpublished documents of the State Government. Books, magazines, articles and journals were also extensively used for the secondary data of the research study.

CHAPTERIZATION

Chapter I: Introduction

The First Chapter deals with the introduction, meaning of Politics, Political Participation and its scope. It also highlights the background of Political Participation of Women and its progress in worldwide, India and Mizoram. It also analyzes the Constitutional Provision of India which promotes Women in India.

Chapter II: Origin and Growth of Village Council in Mizoram

The Second Chapter deals with the origin and growth of Village Council in Mizoram. It traces from traditional institution of Chieftainship in Mizoram and highlight different kinds of Amendment which was made by the Government.

Chapter III: Socio-economic Profile of Women Representatives in Village Council in Mizoram

The Third Chapter deals with the socio-economic profile and will examine the status of women representatives in Aizawl District in Village Council in Mizoram

Chapter IV: Historical Development of Women Participation in Village Council in Mizoram

The Fourth Chapter examined the status and position of women in Mizo society, role of women in politics during Chieftainship, background of political development of women in Mizoram and traced the historical political participation of women in Village Council in Mizoram.

Chapter V: Performance and Role of Women Representatives in Village Council in Mizoram

The Fifth Chapter dealt with the performance and role of the existing women representatives in Village Council in Mizoram

Chapter VI: Problems of Political Participation of Women in Village Council in Mizoram

The Sixth Chapter examined the obstacles and problems face by women representatives in Village Council in Mizoram

Chapter VII: Conclusion

The Seventh Chapter is the final and concluding chapter that attempted to answers the research questions of the Thesis. It described the findings and suggestions of

the study. The chapter concluded by elaborating the limitations of the study and scope for further study.

PART- 1: Answer to Research Questions

In order to highlight and elaborate the objectives of the study, an attempt may be made to answer the following questions-

Research Question 1: Do the Village Council enactments favour women participation in Village Council?

Participation of politics Village Council was very low, certain kinds of Act and Amendment was made for the powers and functions and composition of Village Council members but was never found for the development or upliftment of women in politics in Village Council. But in 2014, The Lushai Hills District (Village Councils) Amendment Act was passed, this amendment change the term of the Village Council member which is from three (3) years to Five (5) years. Moreover, a seat reservation for women in the election was added in the amendment, this enactments were made for the upliftment and The change in the composition of the ratio of the Village Council membership with the number of households was revised for Village not exceeding 200 households, there shall be 3 (three) elected members, of whom 1 (one) shall be women, for Village with more than 200 households, but not exceeding 500 households, there shall be 5 (five) members, of whom 1 (one) shall be women, for Village with more than 500 households, but not exceeding 1000 households, there shall be 7 (seven) elected members, of whom 2 (two) shall be women, for Village with more than 1000 households

and above, there shall be 9 (nine) elected members, of whom 3 (three) shall be women. Now 33 percent reservation has been given to women which shows that this latest amendment favours participation of women in politics in Village Council.

Research Question 2: Does reservation policy require for the improvement of women leadership in the Village Council in Mizoram?

In the first election of the Village Council in 1954, only two women were elected, no woman was elected in the second and third election in 1957 and 1960 respectively. In the fourth election in 1963, only one woman got elected. In 1971 the last and fifth election to the Village Council under the Autonomous District Council was held, no woman was found as a member of Village Council. In 1975 elections, only one woman, and Mrs. Zathuami, P.C Party, of Saron /Chhinga Veng (Aizawl District) got elected. The Second General Election to the Village Councils under the Government of Mizoram could not be conducted in 1979. In 1982, the second election of the Village Councils was conducted on 15th February in Lunglei District and on 24th February in Aizawl District. In the year 1982 election, only two women from the Aizawl District got elected, namely, Mrs. Thangliani, Vaivakawn Village and Mrs. Zathuami of Saron Village, of both the P.C. Party, there were no women in the year 1983 election. In the year 1984, Village Council election, only 6 women were elected, 5 and 1 from Aizawl and Lunglei respectively.

In the year 1987, Village Council election, only 4 women got elected and that too from Aizawl District. In the year 1988 bye election, from the 16 Village Councils, 3

women got elected. In the year 1990 election, 18 women got elected. 23 women got elected, 18 from Aizawl District and 5 from Lunglei District in 1994 election. In the year 1997, 15 women got elected. In the 1999 Village Council election, 20 women, 16 from Aizawl District and 4 from Lunglei District got elected. As per the record of 2002 Village Councils election, there are 532 Village Council and only 54 women represent from the 2339 member, 42 from Aizawl District, 2 from Mamit District, one each from Kolasib and Champhai District, 8 from Lunglei District and none from Serchhip District. Only 33 female candidates were elected, 25 from Aizawl District in the 2006 Village Council election. In 2009 Village Council election, only 31 women managed to get elected, against 2040 men, which is comparatively very less. In Aizawl District, 22 women were elected, in Lunglei District 6 seats, in Serchhip, Kolasib and Mamit District 1 each and Champhai District no women were elected. The Twelfth election of the Village Council in under Mizoram Government was held on 23rd February, 2012 in Aizawl District, due to the introduction of the AMC, there are 91 Village Councils in Aizawl District, only 3 women got elected in this year. In the whole of Mizoram, 17 women were elected as member of Village Councils. The scope of the study was political participation of women in politics since 1987 till 2012, during this period; no separate reservation has been given to women in politics in Village Council. So women were hardly participating in politics due to the patriarchal society.

The Thirteenth elections to the Village Council of Mizoram in 2015 was a remarkable moment and milestone in regards to political empowerment of women in patriarchal Mizo society with the introduction of reservation of women seats, and

extend the number of term from 3 to 5 years under the Lushai Hills District (Village Council) Amendment Act, 2014 as mention before. There are 536 Village Council all over Mizoram, the total number of members of the Village Councils was 2266, out of this 598 were the reserved seats which was hold by the women. In Aizawl District there are 105 women member under the reserved seats over 387 total number of member. In 2020 which was the latest election of the Village Council in Mizoram, the total number of member is 305 in Aizawl District, out of this, there are 79 women member.

Thus, while examining the pre and post reservation of seats for woman in Village Council election, it clearly shows that without reservation of seats, there was very less chance for women to enter into politics, now with the reservation is seats, the number of elected woman has been gradually increasing. This shows that reservation policy is required for the improvement of women leadership in the Village Council in Mizoram.

Research Question 3: What are the major hindrances for women in participating in the local governance of Mizoram ?

The major problems faced by women in participating in the local governance of Mizoram were mostly due to the dominant of the male dominant society, women were not expected to be involved in politics. In our traditional social perception, politics is not suitable for women and considered for men only. As such, women participate to a lesser degree than men in all political activities. Household chores and children care were generally considered the women's work; women have less available time for outside the home concerns. Lack of social support structures render all public pursuits beyond

women's reach, in Mizo society even the woman itself do not support female candidates in the election. Generally political parties do not favour nomination of women candidates because of their ability not to male mobilise substantial resources, over burden of household responsibility and attitudes are also the most discouraging factors for women not to participate in politics. But most of the elected representatives from pre reservation period were strong women who were financially independent, single mother, mostly widow. But they were very less woman who come out to contest in the election and win in the election due to the barriers of society.

Research Question 3: Does the Mizo customary law favour women to participate in politics?

The Mizo customary law which have been practiced does not favour women to participate in politics. Like most societies, the Mizo society is patriarchal whereby women are by nature inferior to men. In the early Mizo society, there was no political system as such. A village Chief was the supreme administrative head within the limits of his territory. His word was law. In short, the whole political process was completely dominated by male chauvinism. All those dignitary position were hold by only male member in the village. It was hardly for women to become a Chief as chieftainship has become hereditary, only the sons of the chief were allowed to succeed and inherit their father's property. As the law of succession was concerned, the youngest was usually the one who succeeded the chief's position. Under special circumstances where a widow of a deceased wife might rule over on behalf of the minor son untill his maturity.

Research Question 3: Has the traditional patriarchal mindset created a problem of women participation in politics?

The traditional patriarchal mindsets create a problem of women participation in politics, the father is the head of the family and he is all in all over his family affairs. His power and authority over his families is almost infinite. The father though rarely did household chores was largely involved in family decision – making. Men are considered superior to women in all spheres of life. The Mizo women were regarded to be passive and were required abstain from active participation in both religious and social activities. Household's works and duties such as drawing water, collecting firewood, pounding rice etc were assigned exclusively to the female members in the family. They were also expected to be humble. They run households, rear children, care for the aged and sick and also perform economic and non-economic activities within families. So, with this all barrier women have no time to participate in politics.

PART II: FINDINGS

The findings of the study may be elaborated under the following points:

1. Questionnaire has been given out to 22 and 3 from 2009 and 2012 elected women respectively. Out of 22 questionnaires from 2009, it was received 16 questionnaires, and from 2012, 3 questionnaires have been received. All of the respondents falls between the age group of 51 to 80 years. 9 and 3 falls under the age group of 50-60 years in 2009 and 2012 respectively, 3 from 60-70 years in

2009, 4 from 70-80 years in 2009. Young age group who were at the age between 20 to 40 years were possess education, and middle age group belongs to 40 to 50 years were take care their family and work at farms, so mostly the age between 51 to 60 years were having a time for contesting election and serve for their villagers. The study reveals that women falls between the age of 51 to 60 years have larger opportunities in their respective social environment and enjoy a respectability in the society. From political point of view, women who were experience in life and valued contribution to their local party organization were prefer than young women who do not experience in any other political field.

2. An attempt has been made to associate the background variable of marital status of the elected women in Village Council in Aizawl District, Mizoram. The respondents have been divided into four groups namely Married, Unmarried, divorce and widow. Out of 16 respondents from 2009, 10 were widow, 5 were married and one was married. From 2012, 1 unmarried who has one children, 1 divorce and 1 widow. It shows that women participation of women in politics in Village Council were mostly unmarried and without husband, it may be noted that participation of women in politics is slightly better chance from unmarried than married in the society.
3. From 2009 respondents, 11 were falls under the 2-4 family member, 5 from 4-8 family members and from 2012, one was falls under 2-4 family member and 2 falls under 4-8 family member. There were no respondents who have more above 8 family members both in 2009 and 2012. The results shows that all the

respondents were normally from the background of nuclear family and after their husband expired, they join their biological parents, they were independent and good support of the their family to actively participate in politics.

4. out of 16 respondents from 2009, 1 respondent pursue education only primary standard, 9 respondents till Middle standard, 4 respondents educated till High School, and only 2 were possess education till Higher Secondary School. From 2012, all the respondents were studied till High School. The studied reveals that participation of women in Village Council was normally under who possess education under High School standard. No graduate has been found from both the respondents in 2009 and 2012. It shows that educated women were not participating in politics.
5. out of 16 respondents from 2009, 12 respondents replied that they engage occupation as business before they were contesting in the Village Council election, those business were mainly petty shop and moreover, those shop were continue running even after they were elected till date. Only 4 respondents were replied that they are housewife and were not engage in any business or jobs before contesting in the election. From 2012, all the respondents replied that they engage in business before election.
6. From 2009 election, out of 16 respondents, 7 respondents hold the position as President in Village Council, 4 respondents act as the Vice President, 3 respondents act as Treasurer and 2 respondents were normal member. In 2012, out of 3 respondents, One respondents acts as the President and remaining two

members were hold the position of the Treasurer. This shows that most of the elected women were actively participate and their role and performance was much important as most of them were acted as the President who was in charge of all the responsibilities of the working of Village Council. Respondents replied that especially when financial matters was concern, they used to visit Government office for the development of their own village.

7. out of 16 respondents in 2009, 9 respondents replied that they were motivated by party workers for contesting in the election, 4 respondents replied that they were supported and motivated by their family and the remaining 3 respondents replied that they do not have a separate motivator, they just familiar themselves on politics. From 2012 election, out of 3 respondents, 2 were motivated by political party workers for contesting in the election and 1 respondent was not having a separate motivator.
8. From 2009, out of 16 respondents, 3 answered that they received financial support from their family member, 2 of them replied that they are supported by their political party, while the remaining 11 replied that no one support financially, they just used their own money of all the expenditure during at the time election. From 2012, 2 respondents replied that they were supported by their political party in which they affiliated, and 1 respondent's reply that she was self supported financially. Most of the elected women were having their own business like small petitions and earn from their farm, it shows that they were independent financially, they also said that there was not much expenditure

during the election in Village Council, the main expenditure were only their taxi fare for campaigning, so money involvement was not much on the Village Council election.

9. The study find out that elected women faced a discrimination at the time of election, it also find that lack of support from their female member in the society, they were criticized and try to find their error even in their personal life. Even after election, they were faced problem from the male members of the VC, most elected women hold the position of the President, the male counterparts member were criticized on the grounds of incapable of women to be in their position.
10. The study also finds that elected women were supported by their family. as mention earlier, the elected women were not the sole bread earner, but they were financially independent, due to this, their family support and never have faced problem in their working as a member of Village Council. At the times of meeting and for taking action for developmental activities, all replied that they was no need to seek the previous permission of their family
11. From 2009 respondents, out of 16, only 6 women want to continue in the election of the Village Council, the remaining 10 response that they do not want to contest in the next election. From 2012, all the respondents said they will not contest again in the next election. This shows women were not well aware of politics and does not look for up gradation of their political career . The main reason they do not want to continue their political career was lack of political interest, some of them want continue their business, some of them does not want

to be involve in politics and some response that they want to decline as they need to support their children.

PART III: SUGGESTIONS

The suggestions for the study may be point as under:

1. Attraction of educated women enter into politics is necessary in Mizoram as most of the women who enter in politics at the local level were not highly educated women, if educated women were actively take part in the local administration, it will brings more efficiency in the working lo local government. To this, encouraging women's network, spread the awareness about the importance of political participation for both men and women, and collaboration among women's NGO that specialise on the issue of women's representation and participation by creating a platform for exchanging good practical examples is necessary.
2. It is suggested to change the present attitudes and values in society regarding to the roles and rights of the women, equal participation of men and women in politics will enlighten to development in all social, economic and political processes.
3. It is also suggested there should be an intensive training programmes for women for build up their self confidence and enable them to rise up to leadership and enter into politics without afraid from the society barrier.

4. Political parties should give more rooms for women and suggest to appoint more women to party leader which will result for more participation of women in local governance.
5. Panchayati Raj Institution should replace Village Council in order to encourage women participation more at the village level administration.

BIBLIOGRAPHY

BOOKS

Anderson, H. (1914), *Among the Lushai*, London :Carey Press

Avasthi, Abha and Srivastava, A.K. (2001), *Modernity, Feminism and Women Empowerment*, New Delhi: Rawat Publications

Bagchi, Jasodhara (2005), *The Changing Status of Women in West Bengal, 1970-2000: The Challenges Ahead*, New Delhi: Sage Publications

Bareh, H. M., ed. (2001), *Encyclopaedia of North-East India:Volume V:Mizoram*, New Delhi:Mittal Publications

Biju, M.R. (2006), *Women's Empowerment*, New Delhi: Mittal Publications

Chandra, Puran(2005), *Political Dynamics of Women*, New Delhi: Akansha Publishing House

Chatterjee Suhas(1995), *Mizo Chiefs and the Chieftdoms*, New Delhi:MD Publications Pvt. Ltd.

Chaube, Ramesh and SainiKalpana (2002), *Status of Women in Rural Societies*, M.P: Aditya Publishers

Forbes, Geraldine (2004), *New Cambridge history of India: Women in Modern India*, United Kingdom: Cambridge University Press

Guha, Sampa (1996),*Political Participation of Women in a Changing Society*, New Delhi: Inter-India Publications

Gupta, Sunit and Gupta, Mukta (2000),*Role of Women in the Twenty-First Century*, New Delhi: Anmol Publications Pvt. Ltd

Sinha Harendra and Lalrinchhani.B (2013) *Women in Mizo Society*: Mittal Publications:New Delhi

Jain, Simmi (2003),*Encyclopedia of Indian Women through the Ages:Volume-3 Period of Freedom Struggle*, Delhi: Kalpaz Publications

Joshi, Savita Thakur (1999),*Women and Development: The Challenges Scenario*, New Delhi: Mittal Publications

Joseph, Neena (2001), *Gender Related Problems of Women, Women's Empowerment and Panchayati Raj*, Mumbai: Himalayan Publishing House

Kalpagam, U. and Arunachalam, Jaya (2008), *Rural Women and Development in India: Issues and Challenges*, New Delhi: Rawat Publications

Kar, Bimal K. (2002),*Women Participation of North East India: Study in Gender Geography*,New Delhi: Regency Publications

Kunjakkan, K.A. (2002),*Feminism and Indian Realities*, New Delhi: Mittal Publications

Kumari, Archana and Verma, R.K. (2010), *Women Political Leadership in India*, New Delhi: Serials Publications

Lalneihzovi and Thantluanga. R (2016) *State and Participatory Governance in North East India*. Mittal Publication: New Delhi (India)

Mahajan, Kamlesh (2006), *Women's Modernization and Development in 20th Century*, New Delhi: New Academic Publishers

Mandal, Jyotirmay (2003), *Women and Reservation in India*, Delhi: Kalpaz Publications

Mathu, Anuradha (2008), *Gender and Development in India: The Indian Scenario*, Delhi: Kalpaz Publications

Mehata, G.S., (2002), *Participation of Women in the Pachayati Raj System*, New Delhi: Kanishka Publishers Distrubutors

Momin, Mignonette and Mawlong, A. Cecile (2004), *Society and Economy in North-East India*, Volume 1, New Delhi: Regency Publications

Murthy, Ranjani K. (2001), *Building Women's Capacities: Intervention in Gender Transformation*, New Delhi: Sage Publications

Nag, Chittaranjan (1998), *Mizo Polity and Political Modernisation*, Delhi: Vikas Publishing House Pvt. Ltd

Narasaiah, M.L. (2006), *Women and Development*, New Delhi: Discovery Publishing House

Narasimhan, Sakuntala (1999), *Empowering Women: An Alternative Strategy from Rural India*, New Delhi: Sage Publications

Nelasco, Shobana (2010), *Status of Women in India*, New Delhi: Deep and Deep Publications Pvt. Ltd

Nelson, Barbara and Chowdhury, Najma (1997), *Women and Politics World Wide*, New Delhi: Oxford University Press

Panigrahy, R.L and Bhuyan, Dasarathi, (2006), *Women Empowerment*, New Delhi: Discovery Publishing House

Patel, Vibhuti, (2002), *Women's Challenges of the New Millennium*, New Delhi: Gyan Publishing House

Patnaik, K. Jagadish (2008), *Mizoram: Dimensions and Perspectives (Society, Economy and Polity)*, New Delhi: Concept Publishing Company

Pillai, Jaya Kothai (1995), *Women and Empowerment*, New Delhi: Gyan Publishing House.

Prasad, R.N. and Agarwal, A.K. (2003), *Modernisation of the Mizo Society*, New Delhi: Mittal Publications

Purushothaman, Sangeetha (1998), *The Empowerment of Women in India: Grassroots Women's Networks and the State*, New Delhi: Sage Publications

Rao, V.M. (2004),*Empowering Rural Women*, New Delhi: Anmol Publications Pvt.Ltd

Rao,V.V. (1976),*A Century of Tribal Politics in North East India 1874-1974*, New Delhi: S.Chand& Company Ltd

Roa, B.Sambasiva and Kumari, Y. Indira (2005),*Empowerment of Women and Rural Development*,New Delhi: Serials Publications

Rani, A.Celine (2002),*Emerging Pattern of Rural Women Leadership in India*, Delhi: Kalpaz Publications

Ravikumar, S.K. (2006),*Indian Women: Status, Role &Empowerment*,Jaipur: Mangal Deep Publications

Roy, Kalpana(1999),*Women and their Environment*, New Delhi: Rajat Publications

Sangkima (2004), *Essays on the History of the Mizos*, New Delhi: Spectrum Blications

Sapru, R.K. (1989),*Women and Development*, New Delhi: Ashish Publishing House

Shanthi, K. (1998),*Empowerment of Women*, New Delhi: Anmol Publications Pvt.Ltd

Sharman, Rashmi(2009),*Women Development: New Approaches and Innovations*, New Delhi: Regal Publications

Singh, K.V. (2007),*Women Issues: Empowerment and Gender Discrimination*, Delhi: Vista International Publishing House

Singh, Pitam (2003), *Women Legislators in Indian Politics*, New Delhi: Concept Publishing Company

Sinha, Ajit Kumar (2008), *Women Dimensions of Women Empowerment*, New Delhi: Deep & Deep Publications Pvt. Ltd

Tripathy, S.N. (2006), *Women and Rural Development*, New Delhi: Sonali Publications

Upreti, H.C., and Upreti, Nandini (2000), *Women and Problems of Gender Discrimination*, Jaipur: Pointer Publishers

Verma, S.B., Jiloka, S.K., and Kushwah, K.J. (2006), *Rural Women Empowerment*, New Delhi: Deep and Deep Publications Pvt.Ltd

Vir, Dharam and Mahajan Kamlesh (2006), *Women's Movements Politics and Awareness*, New Delhi: New Academic Publishers

ARTICLES

Devi, Ng. Liklaileima (2011) 'Women Wings of political Parties and Socio-Economic and Political Problems of the Society,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXII, No. 4, October-December, pp-1031-1042

Lalneihzovi (2011) 'Decentralised Governance for Rural Development in Mizoram: Problems and Prospects,' *Indian Journal of Public Administration*, New Delhi: IIPA, Vol. LVII, No.1, January-March, pp-82-90

Minch, Mallikarjun I. (2012) 'Women in Politics,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXIII, No.3, July-September, pp-489-492

Prabhakar, R.P. (2011) 'Local Government Administrative System in India,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXII, No. 4, October-December, pp-943-952

Shrivastava, Rashmi (2011) 'Minority Representation of a Political Majority Group: Women in Indian Democratic process,' *Indian Journal of political Science*, New Delhi: IJPS, Vol. LXXII, No. 2, April-June, pp-409-420

Singh, Vineeta and Kumar, Kishor (2012) 'Empowerment of Rural Women,' *Indian Journal of Political Science*, New Delhi: IJPS, Vol. LXXIII, No.3, July-September, pp-453-456

Tripathi, Sudhanshu (2013) 'Empowerment of Women: An Urgency,' *Indian Journal of Public Administration*, New Delhi: IIPA, Vol. LIX, No.2, April-June, pp-405-419

GOVERNMENT PUBLICATIONS, NOTIFICATION, ORDER ETC

The Lushai Hills District (Village Council) Act, 1953 as amended.

The Mizoram (Election to Village Councils) Rules 1974 as amended.

The Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 as amended

The Mizoram (Prevention and Control of Fire in all Village Area) Rules, 2001

The Mizoram (Establishment of Independent Local Body) Ombudsmen Act, 2011 (Act No.8 of 2011)

WEB SOURCES

www.lad.mizoram.gov.in

www.undp.org.in

www.desmizo.nic.in

www.unwomen.org

www.census2011.co.in

www.aizawl.nic.in

www.secmizoram.in

<http://hdl.handle.net/10603/120472>