

***GRASSROOTS DEMOCRACY:  
A STUDY OF THE VILLAGE COUNCIL SYSTEM IN  
MIZORAM***

**A**

**Thesis**

**Submitted to the Mizoram University for the Degree of  
Doctor of Philosophy**



***By***

**LALSANGLIANI**

***Supervisor***

**Prof. JAGADISH KUMAR PATNAIK**

**DEPARTMENT OF POLITICAL SCIENCE  
MIZORAM UNIVERSITY  
(A CENTRAL UNIVERSITY)  
AIZAWL  
2009**

## ACKNOWLEDGEMENT

I respectfully express my deep gratitude to my supervisor Prof. Jagadish K. Patnaik, Dean, School of Social Sciences, Mizoram University for his patience and untiring efforts, encouraging guidance and supervision, sparing his valuable time for the completion of the task. This piece of work being the first of its kind for me is full of doubts and confusions that always have a complete solution in him.

The work being a new exploration heavily depends upon pragmatic approaches for which I am greatly indebted to many people who enthusiastically share their knowledge and experience, provide me necessary materials, records, notifications and documents which are required for this piece of work. For the completion of the work I have consulted various scholastic works and research publications to whose authors I am very much grateful.

I sincerely thank my husband K.Lalthazuala, sons Vanrohlua and Malsawmkima, my parents Thanghnuna and Biakveli for their co-operation, constant support in various ways, encouragement and the liberty I obtained from them in pursuing my ambition. This work would have been a painstaking task for me without their moral support.

I will be failing in my duty if I do not express my gratefulness to Dr.RK.Satapathy, Reader, Department of Political Science, North Eastern Hill University. It is during his short span of service in the Department of Political Science, Mizoram University that my ambition for doctoral research finds its headway.

Date: Aizawl  
The 30<sup>th</sup> June 2009

(LALSANGLIANI)

DEPARTMENT OF POLITICAL SCIENCE

MIZORAM UNIVERSITY



AIZAWL

*Prof. Jagadish kumar Patnaik*  
*Dean, School of Social Sciences*  
*Mizoram University*

---

CERTIFICATE

This is to certify that Mrs.Lalsangliani has prepared the thesis titled **“Grassroots Democracy: A study of the Village Council System in Mizoram”** under my guidance and supervision for the Ph.D degree in the Department of Political Science, Mizoram University. In preparing the thesis, Mrs.Lalsangliani has complied with all the requirements as laid down in the Ph.D Regulations of the University. This thesis is an original work of the scholar and has not been submitted for any degree of any other University.

Date:

Prof. Jagadish Kumar Patnaik  
(Supervisor)

## **ABBREVIATIONS**

AAV	- Antiodaya Anna Yajona
AE	- Assistant Engineer
AO	- Administrative Officer
BADP	- Border Area Development Programme
BAFFACOS	- Bamboo Flowering and Famine Combat Scheme
BDC	- Block Development Committee
BDO	- Block Development Officer
BPL	- Below Poverty Line
CA	- Circle Assistant
CEC	- Central Executive Committee
DLAO	- District Local Administration Officer
DRDA	- District Rural Development Agency
EAS	- Employment Assurance Scheme
EITU	- Eastern Indian Tribal Union
IAY	- Indira Awas Yajona
INC	- Indian National Congress
IPC	- Indian Penal Code
IRDP	- Integrated Rural Development Programme
IWDP	- Integrated Wasteland Development programme
JAC	- Joint Action Committee
JE	- Junior Engineer
JRY	- Jawahar Rojgar Yajona
LAD	- Local Administration Department
MHIP	- Mizo Hmeichhe Insuihkhawm Pawl (Mizo Women Federation)
MIP	- Mizoram Intodelh Project
MNF	- Mizo National Front
MPC	- Mizo People's Conference
MU	- Mizo Union
MUP	- Mizoram Upa Pawl (Senior Citizens Association of Mizoram)
NE	- North-East

NEC	- North Eastern Council
NGOs	- Non-Governmental Organisations
NLUP	- New Land Use Policy
NREGS	- National Rural Employment Guarantee Scheme
NSDP	- Net State Domestic Product
PC	- Peoples' Conference
PMGY	- Pradhan Mantri Gramodaya Yajona
PPV	- Protected and Progressive Villages
PRI	- Panchayati Raj Institution
RD	- Rural Development
SDO(C)	- Sub-Divisional Officer (Civil)
SEC	- State Election Commission
SFC	- State Finance Commission
SGRY	- Sampoorna Gramin Rozgar Yajona
SGSY	- Swanjayanti Swarozgar Yajona
SJSRY	- Swarna Jayanti Sahari Rojgar Yajona
SSA	- Sarva Shiksha Abhiyan
TAD	- Tribal Areas Department
UMFO	- United Mizo Freedom Organisation
UNO	- United Nations Organisation
UNODC-CHARCA	- United Nations Office on Drugs and Crimes-Coordinated HIV/AIDS Response through Capacity Building and Awareness
VDFC	- Village Forest Defence Committee
VDP	- Village Defence Party
VC	- Village Council
VCM	- Village Council Member
VCP	- Village Council President
VEC	- Village Education Committee
VDP	- Village Defence Party
YMA	- Young Mizo Association
ZNP	- Zoram Nationalist Party

<b>CONTENTS:</b>	<b>Page No.</b>
<b>Acknowledgement</b>	-
<b>Certificate</b>	-
<b>List of Abbreviation</b>	(i) – (ii)
<b>Chapter I: Introduction</b>	<b>1- 29</b>
<i>1.1: Introduction</i>	<i>1</i>
<i>1.2: Statement of the Problem</i>	<i>5</i>
<i>1.3: Review of Literature</i>	<i>8</i>
<i>1.4: Objectives of the Study</i>	<i>11</i>
<i>1.5: Hypothesis</i>	<i>11</i>
<i>1.6: Methodology</i>	<i>11</i>
<i>1.7: Relevance of the Study</i>	<i>13</i>
<i>1.8: Aspect of the Study: The Chapterisation Scheme</i>	<i>14</i>
<i>1.9: The Panchayati Raj Institutions</i>	<i>15</i>
<i>1.9.1: The Panchayats before the advent of the British</i>	<i>16</i>
<i>1.9.2: The Panchayati Raj during the Colonial Period</i>	<i>17</i>
<i>1.9.3: Panchayati Raj in Independent India</i>	<i>18</i>
<i>1.9.4: The Balwantrai Mehta Committee</i>	<i>19</i>
<i>1.9.5: The Ashok Mehta Committee</i>	<i>21</i>
<i>1.9.6: The Pre-Seventy-third Amendment Act</i>	<i>23</i>
<i>1.9.7: The Constitution (Seventy-third Amendment) Act, 1992</i>	<i>25</i>
<i>1.9.8: Endorsement of the Constitution (Seventy-third Amendment) Act, 1992</i>	<i>27</i>
<i>1.9.9: Extension to Schedule Areas</i>	<i>28</i>
<i>1.10: Conclusion</i>	<i>29</i>
<b>Chapter II: A profile of Mizoram</b>	<b>30 -73</b>
<i>2.1: Location</i>	<i>30</i>
<i>2.2: Name of the State</i>	<i>30</i>
<i>2.3: Population</i>	<i>31</i>
<i>2.4: Social Customs and Festivals</i>	<i>33</i>

<i>2.5: Mountains and Rivers</i>	35
<i>2.6: Climate and Rainfall</i>	37
<i>2.7: Economy</i>	38
<i>2.8: Flora and Fauna</i>	41
<i>2.9: Communication</i>	43
<i>2.10: Education and Literacy</i>	46
<i>2.11: Administrative set-up</i>	48
<i>2.12: Inner Line Permit</i>	49
<i>2.13: Traditional Institutions</i>	50
<i>2.14: Decline of Traditional Institutions</i>	52
<i>2.15: Emergence of the Middle Class</i>	52
<i>2.16: Growth of Political Consciousness among the Mizos</i>	59
<i>2.17: Emergence of Political Parties during the Colonial Period</i>	64
<i>2.17.1: The First Political Party (Mizo Union)</i>	65
<i>2.17.2: The Second Political Party (United Mizo Freedom Organization)</i>	67
<i>2.18. Civil Disobedient Movement</i>	69
<i>2.19: Conclusion</i>	72
<b>Chapter III: Evolution of Grassroots Democracy: History of Village Council System</b>	<b>74 – 118</b>
<i>3.1: Introduction</i>	74
<i>3.2: Recommendations of the Bordoloi Sub- Committee</i>	76
<i>3.3: Formation of the District Council</i>	76
<i>3.4: Legislative Power of the District Council</i>	79
<i>3.5: Abolition of chieftainships</i>	80
<i>3.6: Formation of the Village Council</i>	81
<i>3.7: Composition of the Village Council</i>	87
<i>3.8: Qualification to be a member of the Village Council</i>	89
<i>3.9: Terms of Office</i>	90
<i>3.10: Election to the Village Council</i>	91

<b>3.11: Powers and Functions of the Village Council</b>	<b>94</b>
<b>3.11.1: The Executive powers and Functions of the Village Council</b>	<b>94</b>
<b>3.11.2: The Judicial Functions of the Village Council</b>	<b>99</b>
<b>3.12: Conduct of Business</b>	<b>102</b>
<b>3.13: Financial Resources of the Village Council</b>	<b>103</b>
<b>3.14: The working of the Village Council under the District Council</b>	<b>104</b>
<b>3.15: The Working of the Village Councils under the Government of Mizoram.</b>	<b>110</b>
<b>3.16: Formation of the Local Administrative Department</b>	<b>111</b>
<b>3.17: The Village Council under the Local Administrative Department</b>	<b>112</b>
<b>3.18: Conclusion</b>	<b>117</b>
<b>Chapter IV: Panchayati Raj and the Village Council System: A Comparative Study</b>	<b>119 - 152</b>
<b>4.1: Introduction</b>	<b>119</b>
<b>4.2: Panchayati Raj and Village Council: Their Formation and Rightful Place in the Constitution</b>	<b>120</b>
<b>4.3: Structure</b>	<b>121</b>
<b>4.4: Composition</b>	<b>124</b>
<b>4.5: The President</b>	<b>129</b>
<b>4.6: The Secretaries and other Staffs</b>	<b>130</b>
<b>4.7: Women Participation</b>	<b>131</b>
<b>4.8: Membership</b>	<b>133</b>
<b>4.9: Election</b>	<b>134</b>
<b>4.10: Reservation of Seats</b>	<b>135</b>
<b>4.11: Tenure</b>	<b>136</b>
<b>4.12: The Finance Commission</b>	<b>137</b>
<b>4.13: Audit of Account</b>	<b>138</b>
<b>4.14: Conduct of Business</b>	<b>139</b>
<b>4.15: Administrative powers and functions</b>	<b>142</b>



<i>4.16: Judicial Powers and Functions</i>	145
<i>4.17: Sources of Income</i>	146
<i>4.18: Control of the State over the Institutions</i>	148
<i>4.19: Conclusion</i>	150
<b>CHAPTER V: The Village Council System and their Relationship with Other Grassroots Organizations in the Village</b>	<b>153 - 165</b>
<i>5.1: Introduction</i>	153
<i>5.2: The Young Mizo Association (YMA)</i>	153
<i>5.3: The Mizo Hmeichhe Insuihkhawm Pawl (MHIP)</i>	159
<i>5.4: The Mizoram Upa Pawl (MUP)</i>	162
<i>5.5: Conclusion</i>	165
<b>CHAPTER VI: Grassroots Democracy in Mizoram: A case Study of two Village Councils</b>	<b>166 - 217</b>
<i>6.1: Introduction</i>	166
<i>6.2: North East (NE) Khawdungsei Village Council</i>	166
<i>6.3: Chanmari Village Council</i>	186
<i>6.4: Evaluation of the working of the Village Councils</i>	198
<i>6.5: Conclusion</i>	210
<b>Chapter VII: Summary and Conclusion</b>	<b>218-243</b>
<b>APPENDICES</b>	<b>244-278</b>
<i>Appendix I: The Constitution (Seventy-third Amendment) Act, 1992</i>	244-255
<i>Appendix II: The Lushai Hills District (Village Councils) Act, 1953 (Lushai Hills Act No V of 1953, as Amended from time to time)</i>	256-270
<i>Appendix III: The Panchayats</i>	271-278
<b>Bibliography</b>	<b>279-286</b>



# CHAPTER I

## *Introduction*

### *1.1: Introduction*

Democracy has become one of the most popular forms of government among the independent countries of the world since the Second World War. But the nature of democracy may not be always the same in different countries. “Even the contemporary ideological struggle between the Soviet Union and the United States of America,” according to Jayapalan, “was being carried on its banner, ironically each side claiming to be a better democrat than the other.”<sup>1</sup> Democracy, observes Laski, “has a context in every sphere of life and in each of the sphere it raises its special problems which do not admit of satisfactory or universal generalization.”<sup>2</sup>

The word, democracy was originally compounded from two Greek words ‘demos’ meaning the people and ‘kratein’ meaning ruling power, its original meaning was “government in which the ruling power resides in the people.”<sup>3</sup> In a democratic form of government the governing power rests with the people and it may be described as “a system of government under which people elect their rulers either directly or through their representatives periodically.”<sup>4</sup>

---

<sup>1</sup> N. Jayapalan, *Comprehensive Political Theory* (Atlantic Publishers and Distributors, New Delhi, 2002), p.308.

<sup>2</sup> *Ibid.*, p.310

<sup>3</sup> Quoted in Padma Charan Dhal, *Democracy in India: Constraints and Opportunities* (Aavishkar Publishers, Jaipur, 2002), p.7

<sup>4</sup> A.K. Majumdar and Bhanwar Singh, *Democratic Theory and Its Application to Indian Politics* (RBSA Publishers, Jaipur, 1999), p.78

Democracy is definitely a superior form of government “because the right and interests of every person are secure.”<sup>5</sup>

According to the Oxford English Dictionary the word ‘grass’ means ‘vegetation consisting of short plants with long narrow leaves’ and ‘root’ means ‘the part of a plant normally below ground, which acts as a support and collects water and nourishment’. Beneath the visible blades of grass, keeping the grass alive and making it grow are the simple roots. Getting down the grassroots meant looking at the “underlying principles or basic facts of matter”. In the words of Charles Earle Funk, the lexicographer, who remembered the phrase from his Ohio boyhood in the late 1800’s, it was in the grassroots where you would truly understand a situation and effectively respond to it.<sup>6</sup> The Oxford Reference Dictionary has also described grass roots as “the most basic level of an activity or organization” The Wikipedia, the free Encycloepadia had mentioned that-

*“Grassroots democracy is a tendency towards designing political processes where as much decision-making authority as practical is shifted to the organization’s lowest geographical level of organization. To cite a specific hypothetical example, a national grassroots organisations such as an NGO, would place as much decision-making power as possible in the hands of a local community instead of the head office. The principle is that for democratic power to be exercised it must be vested in a local community instead of isolated, atomised individuals. As such, grassroots organisations exist in contrast to so-called participatory systems which they tend to allow individuals equal access to decision-making irrespective of their standing in a local community they reside in.”<sup>7</sup>*

To make a democratic form of government more successful the decision-making power as far as practicable or possible may be placed in the hands of the local organizations instead of the head office. It is well known that the most important objective of a democratic form of government is mass participation; and this may be achieved only when the grassroots organisations are activated.

---

<sup>5</sup> Ibid. p.77

<sup>6</sup><http://www.answers.com/topic/grassroots-democracy>, dt.7<sup>th</sup> Aug., 2008

<sup>7</sup> Ibid.

The main objective is that for democratic power to be exercised it must be vested in a local community for which the plans and programmes have been laid down and implemented. The democratic power should not be centralised or placed into the hands of an individual who are beyond the reach of the local community. This is believed to bring in accountability and transparency which is the need of our democratic system to function efficiently. It may also be pointed out that grassroots system also differs from representative system that allows local communities or national memberships to elect representatives who then go on to make decisions without the consents of the local community. Grassroots democracy may also mean the most essential foundation of democracy, for it assures mass participation of all the individuals. All the planning process should be initiated from the grassroots representatives for whose benefit most of the development programmes are made. They may also be known as the target group. As such power must be driven from below and not from the top.

The framers of the Indian Constitution were also committed to democratic ideals as promised by the national leaders during the freedom struggle. But in a diverse country like India decentralization of democracy is a must, so that every section of the people may have the feeling that they are not deprived of their legitimate political rights. For this purpose, India has adopted federalism in the constitution to ensure division of powers between the Centre and States. But division of power at the Centre and the State is not enough to fulfil the desire of our democratic principle; as such, the existence of a local self-government based on the elected representatives of the local community is believed to enhance the desire of our democratic principles.

When we talk of democracy, people often focus on the representative of the people at the central and state government. But the most important part of it lies at the bottom or grassroots level. It is realised through local-self government and by decentralizing democratic power so that power may not be concentrated in the few hands but reach even those people living in the remotest area of the country. The success of Indian democracy depends upon the

development or progress of the villages or rural society which constitutes about eighty percent of the Indian population. As Sumita Mishra mentions, “In the age of modernity where traditions are fast changing the success of democracy ultimately depends upon the political culture of the rural society.”<sup>8</sup>

In India, grassroots democracy exists in the form of Panchayati Raj institutions which are “the prime instrument of decentralization at the grass root level.”<sup>9</sup> The process of democratic decentralisation in the form of the Panchayati Raj system started in the 1950’s but declined after the mid 1960’s. Since 1970 several efforts were made to revive these institutions, but with little success. However, with the enactment of the 73rd Constitution Amendment Act, 1992, Panchayat institutions have been revitalised and a process of democratic decentralisation has been ushered in all the states except in those few states Jammu and Kashmir, Meghalaya, Mizoram, and Nagaland which are exempted from compulsory adaptation.<sup>10</sup>

The main features of the new Panchayati Raj system include democratic decentralisation, rural local-self government with election at regular intervals that is after every five years, reservation of seats in the Panchayats for women and members of Schedule Caste and Schedule Tribes and extensive devolution of government responsibilities to local authorities. It is designed to serve as an organisation and system for encouraging the rural people to come forward for securing socio-economic developmental objectives through self-help and self-efforts in the form of active participation in the institution of rural local government. In the process the rural community will become its own masters for many decision-making powers and making of planning programmes will be vested in their own hands.

The Panchayati Raj amendment which took effect in 1993, have led to a range of interesting initiatives in different parts of the country, undertaken not only by State Governments but also by political parties, NGOs,

---

<sup>8</sup> Sumita Mishra, *Grassroot Politics in India* (Mittal Publication, New Delhi, 2000), p.13

<sup>9</sup> S.N. Mishra and Sweta Mishra, *Decentralised Governance* (Shipra Publication, Delhi, 2002), p.9

<sup>10</sup> S.R. Maheshwari, *Local Government in India* (Lakshmi Naryan Agarwal, Agra, 2006), p.179

grassroots organizations, women's group and other activist formations.<sup>11</sup> The success, weaknesses and recent developments brought in through the local institutions in the rural areas of different states have become an interesting field of study after the launching of the Seventy-third Constitution Amendment which made the introduction of the Panchayati Raj system mandatory and brought in uniform democratic institution at the grassroots level.

### ***1.2: Statement of the Problem***

As stated earlier, the Indian democracy at the grassroots level exists in the form of Panchayati Raj institutions since many years back. Soon after India got her independence, the importance or significance of these institutions has been realised and its working has been revised with a desire to utilize them as an instrument for accelerating faster socio-economic development in rural India with mass participation. In the meantime, Mizoram has also witnessed a remarkable change in the process of its administration. The villages in Mizoram (Lushai Hills District) were ruled by the autocratic chiefs while the political activities in Mizoram were dominated by the middle class in the name of a political party called the Mizo Union.

In the first election to the members of the Lushai Hills District Council in 1952, Mizo Union won 17 seats out of the total of 18 seats.<sup>12</sup> The Mizo Union became increasingly aware of their civil rights and were conscious of the dignity of man. This forced them to launch civil movements for establishing the rule of the people and to capture power in the administration and politics of Mizoram. The movement gained strong momentum throughout the district and this paved the way for the abolition of chieftainship and the setting up of a democratically set-up institution at the grassroots level where power would reside in the people. To them the traditional system was too fragile to cope

---

<sup>11</sup> Jean Dreze and Amartya Sen, *Democratic Practice and Social Inequality in India* (Sage Publications, 2002), p.14

<sup>12</sup> Chitta Ranjan Nag, *Post Colonial Mizo Politics, 1947-1998* (Vikas Publishing House Pvt. Ltd., Delhi, 1999), p.36

with the new developments and they too were almost too late in this realization.<sup>13</sup> They strongly condemned the indigenous chieftainship and continued to attach importance to the development of Mizoram and the Mizos through democratic processes.

The Lushai Hills District Council soon after its formation began to make laws for the formation of the Village Councils, one for each village. The law in regard to the formation of the Village Councils was called The Lushai Hills District (Village Council) Act, 1953, which was assented to by the Governor of Assam on November, 29, 1953. After completing all formalities “the first election to the Village Council was organized by the District Council which began on April, 21, 1954.”<sup>14</sup> The village administration in the Lushai Hills which so long was with the chiefs began to be performed by the democratically elected Village Councils from 1954. Thus, the villages in Mizoram became village republics where power is held by the people and their elected representatives, headed by the President. The Village Councils therefore became the smallest Panchayati Raj institution but the greatest foundation of grassroots democracy in Mizoram.

Though grassroots democracy does not exist in the form of Panchayati Raj institution in Mizoram, it exists, in the form of the Village Council system since 1954. All the villages have got their own local-self government and power has been decentralised under the democratic set-up. Thus, the rural masses were relieved of the rule of the autocratic chief in whose hands all the power of the village administration has been vested.

The working of the Village Councils in Mizoram becomes a very controversial issue after fifty years since its inauguration. The administration of the Lushai Hills Districts which enjoyed the status of the District Council under the Government of Assam, passes through several stages, that of “the union territory in 1972 and a full-fledged state in 1987.”<sup>15</sup> Therefore,

---

<sup>13</sup> Lalchungnunga, *Mizoram: Politics of Regionalism and National Integration* (Reliance Publishing House, New Delhi, 1994), p.40

<sup>14</sup> Nag, Op., cit., p.38

<sup>15</sup> Chitta Ranjan Nag, op., cit., p.66



“the government of Union Territories (Amendment) Act, 1971(83 of 1971) had brought an end to the existence of the Mizo District”,<sup>16</sup> and the possibility of enjoying special status under the Sixth Schedule came to an end as it has got its own government. Thus, the Village Council, established under the Sixth Schedule was “handed over to the Local Administration Department by the state government”<sup>17</sup> The gap between the Village Council and the state government therefore became too far with the absence of the intermediary level or District Council and the local government became helpless under the state politicians and bureaucrats who wanted to retain all powers in their hands.

Since the inception of Union Territory in the Mizo Hills the bureaucrats or Government officials became the masters of the Village Council and the elected bodies became subservient to the bureaucrats which is very much against the spirit of democracy. It is remarked,

*“Unfortunately, the Village Council in Mizoram has been left orphaned since its inception by the higher law making bodies which have reduced it to a mere manipulative tool and instrument of political parties in their struggle for power in the process of which the Village Council, a grass root institution of democracy come to be tainted with corruption, favourism, nepotism and incompetency.”*<sup>18</sup>

Therefore, a proper examination must be made with respect to the present functioning of village administration in Mizoram and better method of administration must be adopted in the state.

If we look into the problem which has been faced by the Village Councils in Mizoram, we can see that most of them are caused due to the failure of decentralisation of power at the grassroots level. Moreover, the Village Councils have no proper place in the Indian Constitution and there is no means of protecting its powers and functions. Under the Panchayati Raj system the powers and functions of the local bodies have got proper place in the Constitution and are liable to protection. “Article 40 of the Constitution enjoins upon the government to take steps to organise village panchayats and give these such

---

<sup>16</sup> C.Nunthara, *Pachayati Raj Nge Village Council* (Calron Impression, Shillong, 2003), p.3

<sup>17</sup> Ibid., p.13

<sup>18</sup> B.Ngurdlingiana, *Administrative Review*; Annual Journal of IIPA, Aizawl Regional Branch, 1996. p.39

powers and authorities which may be necessary to function as a unit of government. Accordingly, a new part IX was added to the Constitution under 73rd Amendment Act<sup>19</sup> The present Village Councils merely look like a field agency of the state government holding an important position but having no real power. The problem of urbanisation and backwardness of the villages in the absence of a developed infrastructure is a clear indication of the inadequacy of village administration.

Although Mizoram may be kept out of the purview of the 73rd Amendment Act, 1992, there is a necessity of finding out a better substitute to replace the existing local-self government. It may be more favourable to make necessary arrangement for the Amendment of the existing Village Council System in order to suit the present administrative system without replacing it by another Act or local-self government. The Village Council system being valued so much by the tribal people living in Mizoram having a firm belief that it has protected the customary law of the Mizos by its judicial power. It is also believed that their fear of assimilation by the plain people in various ways has been get rid of by not allowing them to participate in the working of the Village Council or in the local administration.

This research work attempts to examine the workings of the Village Council and to discover a better democratic arrangement in Mizoram (including the Autonomous Districts), so that the grassroots democracy in the state may be a better training ground for young politicians in building up a better foundation of democracy. Moreover, through a better local administrative system faster socio-economic development may be achieved in the villages where the larger part of the population lives.

### ***1.3: Review of Literature***

The study of grassroots democracy has assumed great significance in the modern political system. As such, it attracts the attention of many scholars, journalists and politicians; and a number of works can be found

---

<sup>19</sup> Hans Raj, *Indian Political System* (Surjeet Publication, Delhi, 2002), p.516

relating to it. But only few works have been found on the working of grassroots democracy in Mizoram and some of the works may be analysed as below.

Chitta Ranjan Nag's book attempts to focus on the events in the political arena in Mizoram since the end of the British Colonial Rule in 1947.<sup>20</sup> It covers the political and administrative evolution and discusses the formation, powers and functions of the Lushai Hills District Council and Pawi-Lakher Regional Council. It highlights the origin of the Village Council but fails to discuss the important role played by the Village Councils after the autocratic rule of the chief.

S.N. Singh's book mentions that Village Council paved the way for democratic system at the lowest level in Mizoram and has encouraged the villagers to follow democratic path.<sup>21</sup> But no discussion has been made on the deficiency of the Village Council in the modern society where many changes have taken place in the state political scenario.

J.T. Vanlalngheta's book has attached great importance to local-self government in order to achieve social and economic growth.<sup>22</sup> He had mentioned that if democratic set up has been accepted by the state why not adopt the new Panchayat System given by the Constitution. This will ensure uniformity with other parts of the country and this is the only means to achieve development in the state. But the author does not mention all the achievements made by the Village Council at the beginning of its existence under the Mizo District Council.

The book entitled *Modernisation of Mizo Society* includes nineteen scholarly and research papers dealing with the theoretical concept of modernisation and various issues, challenges, problems and constraints concerning modernisation or development of the Mizo Society.<sup>23</sup> It has been suggested that the Government of Mizoram is concerned with the implementation of the new Panchayati Raj system, which is the need of the state,

---

<sup>20</sup> Chitta Ranjan Nag, *Post Colonial Mizo Politics, 1947-1998* (Vikas Publishing House Pvt. Ltd.) 1999.

<sup>21</sup> S.N. Singh, *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* (Mittal Publication, New Delhi) 1994.

<sup>22</sup> J.T. Vanlalngheta, *Tualchung Sawrkar* (A-1 Publishers, Aizawl), 2003.

<sup>23</sup> R.N. Prasad and A.K. Agarwal, *Modernisation of the Mizo Society: Imperative and Perspective* (Mittal Publication, New Delhi), 2003.

thereby; Mizoram will definitely join the national mainstream, deriving a lot of benefits from the democratically, politically and economically viable system to better the socio-economic conditions of the rural poor tribesmen. So, a comparative study of the Village Council and the Constitutional provisions concerning panchayats has now become necessary.

Lalchungnunga's book traces the course of the political history of the Mizo people, and does explain why and how of what happened in Mizo politics.<sup>24</sup> The author has pointed out that the abolition of chiefship is considered as a right step in modernisation of Lushai Hills, because the process of modernisation of Mizos would have been rendered slow by the constraints of the traditional system.

C. Nunthara's book attempts to study the interplay of society and Polity in the context of emerging ethnic identity and consolidation in Mizoram.<sup>25</sup> One chapter has been devoted on political development in Mizoram which tells us that the British administrators felt the need for having a system of village administration in which the elders should be elected by the people. The book has, however, made no attempt to find out a better local-self government suitable to the developing political system.

Prasad and Agarwal have attempted to examine the political, administrative and economic development of the people and the state.<sup>26</sup> Analysing the functioning of the Village Council, they mention that it has been an important grass root institution of democracy and has to function effectively. They suggest that the Act should be suitably amended by providing greater autonomy to the Village Council in administrative, financial and judicial spheres and also transform it into an effective unit, for formulating and executing plans of economic development and rural reconstruction on the pattern of other village institutions like Panchayats.

---

<sup>24</sup> Lalchungnunga, *Mizoram: Politics of Regionalism and National Integration* (Reliance Publishing House, New Delhi), 1994.

<sup>25</sup> C. Nunthara, *Mizoram: Society and Polity* (Indus Publishing Company, New Delhi), 1996.

<sup>26</sup> R.N. Prasad and A.K. Agarwal, *Political and Economic Development of Mizoram* (Mittal Publication, New Delhi), 1991

Though many writers have made some contribution to the related work no serious efforts have been made so far to examine the working of the Village Council in Mizoram exclusively. This work will attempt to find out the merits and drawbacks of the Village Council in the context of grassroots democracy. And an attempt will be made to examine the relationship of socio-economic factor in the working of Village Councils.

#### ***1.4 Objectives of the study:***

The main objectives of the present thesis are as follow:

- To examine the working of the Village Council in Mizoram since its inception.
- To compare the similarities and differences of the Panchayati Raj institutions and the Village Council system.
- To critically examine the model of local-government in Mizoram.
- To study the factors responsible for the weakening or strengthening of the democratisation at the grassroots level.
- To provide suggestion for the improvement in the working of the Village Council system.

#### ***1.5: Hypotheses***

- The efficient working of grassroots democracy in Mizoram is dependent on the working of the Village Council.
- The functioning of the Village Council in Mizoram is dependent on the attitude of the bureaucrats and state-level politicians.
- The weakening of the Village Council in Mizoram is due to the vote bank politics and lack of adequate financial or economic resources.

#### ***1.6: Methodology***

The study has adopted empirical method to examine the workings of the Village Council system. The study has been made on the working of the Village Council system which has been looked after by the

Government of Mizoram, exclusive of the Village Council under the three Autonomous District Councils in the southern part of the state. To be more familiar with the study a detailed examination has been made on the working of the two selected Village Councils by adopting comparative case study method. The two villages are: Chanmari within the inner heart of the capital city and the other NE Khawdungsei which is more than 200Km. from the capital. The two has been circumspectly selected on the ground that one has been in the urban area which has been thickly populated and the other in the rural area which has been thinly populated. The socio-economic condition of the two selected villages has also got lot of differences that mould the attitude of the villagers on the working of the Village Council. The scholar has used questionnaire, schedule as well as interview techniques. The questionnaire is administered on all the members of the two Village Councils and on 200 respondents selected from among the people residing in each of the two villages. The study has also covered other grassroots organisation of the selected fields such as YMA, MHIP and MUP which made lot of contribution in working of the local-self government.

The study depended mostly on the primary sources, questionnaire served to the selected members of the Village Council, students and common people. Interviews were conducted with some of the Village Council Presidents, Secretaries and members. Interviews were also conducted with the older persons having great experiences in the working of the Village Council and other prominent persons having knowledge on the subject. The researcher studied the minute books and records maintained by some of the Village Councils and other non-governmental organisations at the grassroots; documents and publications of government, Legislative Assembly debates, collections of data etc.

These primary sources are also supplemented by the secondary sources that include both published and unpublished works apart from journals, newspapers, articles and other relevant materials. The study has also to a great extent depended upon historical researches and an analytical study of the past events which took place in Mizoram.

Although the universe of the study is primarily Mizoram, a look into the functioning of the Panchayati Raj institutions as a whole is also made to make the research work more relevant and useful.

### ***1.7: Relevance of the Study***

The importance of the study carried out in this work cannot be denied owing to the fact that the Village Council system in Mizoram hardly has undergone any remarkable change after fifty years of its existence, as such, it is important to find out whether the administrative system which has undergone different stages is still suitable to handle the present system of democratically set up institution at the village level. There is also an attempt to find out whether the local-self government and the administrative structure in the state fulfil the desires and aspirations of the people who have given great importance to the decentralization of power.

The review of literature carried out earlier in this chapter also suggests the importance of carrying out the analytical study of the Village Council system from various dimensions. It is immensely desirable to make a comparative study of the existing form of local government in Mizoram with that of the Seventy-third Constitution Amendment, Act 1992. This comparative study is expected to find out the deficiencies of the Village Council system in Mizoram. It is also believed that a close examination of the Village Council system is expected to bring in better suggestions to replace the weaknesses of the administrative structure prevailing in the rural areas of the State.

From the above discussion, there is a need to carry out a study of the Village Council system in Mizoram. The study may also reveal to the researchers and students whether the Government of Mizoram has taken the right step by not implementing the new Panchayati Raj system owing to the existence of the democratic set-up of the Village Council system as a form of local-self government at the grassroots level in the State.

### ***1.8: Aspects of the study: The Chapterisation Scheme***

The study has been organised into seven chapters. They are as follow:

The introductory chapter deals with the statement of the problem and the objective of the study; it presents the review of the existing literature on grassroots democracy in Mizoram and also deals with the methodological aspects of the study. This chapter also deals with the evolution of the Panchayati Raj system and the implementation of the Constitution (Seventy-third Amendment) Act, 1992 in a separate section.

The second chapter provides the profile of Mizoram which is necessary in order to understand the political study of a particular region. It also analyses the traditional Mizo society, the emergence of the middle class and the growth of political consciousness among the Mizos.

The third chapter deals with the formation of the Village Council and the working of grassroots democracy under the Lushai Hills District (Village Council) Act, 1953. It also highlights the working of the Village Council under the Lushai Hills District Council and also discusses the working of the Village Council system under the Government of Mizoram.

The fourth chapter makes a comparative study of the village Council system and the Panchayati Raj system in order to find out their similarities and differences.

The fifth chapter analyses the working of the three important non-governmental grassroots organisations- YMA, MHIP and MUP in Mizoram and their relationship with the Village Council system.

The sixth chapter examines the working of the two Village Councils; one in the rural area and the other in the urban area with the help of field research and study of the records of the Village Councils and the local NGOs, also with the use of questionnaire and interviews. It also provides a critical evaluation of the actual working of the Village Council.



The concluding chapter provides the summary and conclusions. It also provides suggestions.

### ***1.9: Panchayati Raj Institutions:***

Before we proceed to the next chapter, it is relevant here to discuss the evolution and working of the 73<sup>rd</sup> Constitutional Amendment Act, 1992 in this section. This will provide us with the insight about the need or otherwise of its adoption in the context of Mizoram. First, we will also touch upon briefly the history of the panchayat system in India. Secondly, we will delineate the features of Panchayati Raj institutions as a result of the Balwanrai Mehta recommendation. Third, we will examine the main features of the 73<sup>rd</sup> Constitution Amendment Act, 1992.

In the administrative set-up of any state, local government has an important role to play because the development of every community in every sphere strongly depends upon the form of the administrative set-up it has got at the local level. In the Indian villages, the Panchayati Raj institutions have played a very important role from time immemorial, though many dynasties came and went and the Indians have experienced different forms of administration. The role of the Panchayats in the Indian villages may not be uniform and it might have passed through several stages, but its importance cannot be denied; and it has been strongly believed that a better means of village administration may bring faster rate of economic growth in the Indian villages where most of our population lives. It is also believe that community development and economic acceleration can be experienced only if the rural areas in India have got better form of administration.

The national leaders have been working hard to bring in better method of village administration which has finally resolved to constitute a strong foundation for grassroots democracy affecting the Indian villages. Moreover, the new Panchayati Raj system has been initiated to fulfil our national commitment to democratic decentralization. These village bodies till recent times have played a very important role because they are the lines of contact with

higher authorities on matter affecting the villages and the village community as a whole. Before making a comparative study of the Village Council system and the Panchayati Raj system which has got great similarities and dissimilarities in their structure and workings we shall make a study of the new Panchayati Raj system.

### ***1.9.1: The Panchayats before the advent of the British***

In the past villages in India were self-governing, isolated and self-sufficient institutions. They were governed by the “Sabhas” (council of assemblies) and “Gramins” (senior persons of the village) who became the line of contact with higher authorities on matters affecting the villages. In course of time, this village bodies took the form of “Panchayats” (an assembly of five persons) which look after the affairs of the village. This made the Indian village communities “the little republics” though all the villagers do not participate in the institution. These institutions got a wide and extensive judicial power. The Indian customs elevated them to a sacred position of authority. They were sustained by the land revenue of the villagers.

These ancient village communities have been immortalized by Sir Charles Metcalfe, a leading civilian in the East India Company, who in 1830, described these communities as-

*“Little republics having nearly everything they want within themselves; and almost independent of foreign relations; they seem to last where nothing else lasts ..... This union of the village communities, each one forming a separate little state in itself, has, I conceive, contributed more than any other cause to the preservation of the people of India through all the revolutions and changes which they have suffered; and is in a high degree conducive to their happiness, and to the enjoyment of a great portion of freedom and independence.”<sup>27</sup>*

The above passage had clearly revealed the position of the Indian villages in the past.

---

<sup>27</sup> Quoted in A.Avasthi & A.P.Avasthi's *Indian Administration* (Lakshmi Narain Agarwal, Educational Publishers, Agra. 2004-05), p.650

### ***1.9.2: The Panchayati Raj during the Colonial Period***

The advent of the British led to the decline of the self-sustained village communities and the extinction of the village Panchayats. They were gradually replaced by formally constituted institution of village administration created by the British in order to fulfil their desire to earn more profit and to meet the administrative expenditure. These village institutions created by the British were to levy and collect taxes most systematically. They were merely comprised of nominated members with no elective element. The first municipal corporation created by the British in India was that of Madras which was set up in 1688 by the rule of the East India Company by the order of the Court of Directors. The presidency towns of Calcutta and Bombay had their own corporations in 1772 and 1793 respectively.<sup>28</sup> With the passage of time the sphere of their activities and taxation powers were widened to promote the trade activities of the British. This has created great discontentment in the hearts of the Indians during the Indian National Movement.

In 1906, the Congress, under the Presidentship of Dadhabhai Naoroji, accepted “self-government” as the political goal for the country. The word ‘local-self government’ also formed its beginning during the Indian National Movement because it meant much more than the form of local government created by the British to the Indian nationalists. In 1907 the royal commission has given an important place for the creation of Village Panchayat in the administration of local affairs. In 1909, the 24<sup>th</sup> session of the Congress at Lahore adopted a resolution demanding the government to take early steps “to make all local bodies form village Panchayats upwards elective with elected non-official chairman” and “to support them with adequate financial aid”. Under these circumstances, the Montagu-chelmsford Reforms 1919 made local-self government a transfer subject which means that local self-government was brought under the domain of Indian ministers in the provinces. The reform had suggested that there should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control. In

---

<sup>28</sup> Ibid. p.650

almost all provinces and a number of native states, Acts were passed for the establishment of village panchayats though it did not make all panchayat truly democratic and vibrant instrument of self government at the level of the villages, due to various constraints, both organizational and fiscal.

The inauguration of provincial autonomy under the government of India Act 1935 marked an important stage in the development of panchayats in the country. With popularly elected government in the provinces, almost all provincial administration were obligated to enact legislations for further democratization of local-self government institutions, including village panchayats. The Indian National Movement has made the village panchayats its ideological framework. Gandhiji, during his struggle for independence had put emphasis on the importance of making every village a republic or panchayats having full powers. He considered panchayats as a means as also an end and sincerely believed in their immense potential for democratic decentralization and for developing power to the people.

### ***1.9.3: Panchayati Raj in Independent India***

The status of Panchayati Raj in independent India did not remain stagnant but had undergone various stages and takes the form of evolution. When India got her independence a provision for the panchayat institutions has been found in the Directive Principle of State Policy though it is not mandatory. Article 40 in Part IV of our Constitution says that “The state should take steps to organize village panchayats and endow them with such power and authority as may be necessary to enable them to function as units of self-government”. Item 5 in the Seventh Schedule has also mentioned that “Local government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district boards, mining settlement authorities and other local authorities for the purpose of local self-government or village administration.”

#### ***1.9.4: The Balwantrai Mehta Committee***

Though the Indian Constitution did not mention the creation of Panchayat institutions a mandatory it came as a revolutionary step for securing social, economic and political justice for the citizens of free India. In pursuance of the Directive Principles of State Policy a new social order, ways and means were discovered. The launching of the Community Development Programme on the 2<sup>nd</sup> October, 1952 and the National Extensive Services on the 2<sup>nd</sup> October 1953 set the stage for the organization of the Panchayati Raj institutions. These programmes aimed at securing socio-economic development of the rural areas and were designed to secure the involvement of the rural people in the task of rural development. However, the working of the twin programmes did not make much achievement and did not succeed in getting the participation of the people which was one of the most essential requirements. In order to suggest an institutional set-up to secure the people's participation a study team was constituted by the government in 1957, named after its chairman Balwantrai Mehta. The Balwantrai Mehta Committee submitted its report in October 1957 and suggested the organization of the Panchayati Raj system in the rural areas. The Committee recommended the a scheme of democratic decentralisation with three tier structures of local bodies, namely, the Panchayat at the village level, the Panchayat Samiti at the Block level and the Zila Parishad at the District level.<sup>29</sup>

The main recommendations of the Balwantrai Mehta Committee on democratic decentralization were:

- There should be three-tier structure of local self-government from the village to the district with the village at the bottom and the district at the top, with its intermediary link of the institutions all organically related to one another.
- There should be a genuine transfer of power and responsibility to these institutions of local government.

---

<sup>29</sup> Ibid., p.653

- Adequate resources should be transferred to these local bodies to enable to discharge those responsibilities.
- All programmes of social and economic development formulated through the network of planning should be channeled through these institutions.
- The whole system of Panchayati Raj should facilitate further devolution and disposal of power, responsibilities and resources in the future.<sup>30</sup>

The National Development Council accepted the recommendation of the Balwantrai Mehta Committee and the Central Government called upon all the states to implement these recommendations in their respective areas through appropriate legal enactments. During this stage, the term “Panchayati Raj” came into vogue conceptually as a process of governance. The people in different parts of the country had welcomed the new democratic set up institution with great enthusiasm and the three tiers Panchati Raj Institution had started finding its place in various states of the country and a large percentage of the population had started finding their place in the political set up of the country.

Rajasthan was the first state to inaugurate the Panchayati Raj system after the recommendation of the Balwantrai Mehta study team. Prime Minister Jawaharlal Nehru inaugurated independent India’s first panchayati raj on the 2<sup>nd</sup> October 1959 at Nagpur, about 260 kms from Jaipur, the capital of Rajasthan.<sup>31</sup> The second state was Andhra Pradesh where the system was inaugurated nine days later at Shadnager.<sup>32</sup> These states were followed by Assam, Tamil Nadu, Maharashtra, Karnataka, Uttar Pradesh, Punjab, West Bengal, Gujarat, Madhya Pradesh, Orissa, Bihar, Kerala, Jammu and Kashmir, Himachal Pradesh in due course. Till the end of 1975 there were 2,19,892 Gram

---

<sup>30</sup> Ibid. p.653

<sup>31</sup> George Mathew, *Panchayati Raj in India – An Overview: Status of Panchayati Raj in the States and Union Territories of India 2000* (Concept Publishing Company, New Delhi-110059), p.6

<sup>32</sup> Ibid., p.6

Panchayats, 3863 Panchayat Samitis and 201 Zila Parishads in the Country. Nehru had suitably remarked the system as “the most revolutionary thing happening in India; because behind it is hidden all the forces which when released will change the structure of the whole country.” In fact, the Panchayati Raj constitutes a major mechanism for securing democratic decentralization, rural local self-government, community development and socio-economic-cultural development of the Indian villages and all other rural areas.

It may be noted here that no uniform pattern of Panchayati Raj system has been observed in the whole country and it came into existence in different states with all kinds of variations in its structure of decision making, implementation, resource allocation, staffing pattern, training and recruitment of staff and devolution of power at different levels. The Mehta Committee report has been interpreted by different states in the light of the conditions prevailing in their own territories. For instance, the states like Tamil Nadu had introduced two-tier system, Assam had introduced three tier systems and West Bengal had introduced four-tier system. A wide variation existed between different states on relative position of the Panchayati Samitis and Zila Parishads. The tenure of the institutions and the three bodies varied from three to five years. After experiencing the working of the bodies for some years, different states have also amended the Acts by changing the terms of different bodies. There is also great variation in the composition of different bodies in different states. In fact, the Panchayati Raj which was introduced with lot of enthusiasm and with high expectation did not fulfill the aspirations of the people and mess up under the heavy weight of political factionalism, scramble for control over patronage among politicians and bureaucrats, scarcity of economic resources and the general apathy of the people.

#### ***1.9.5: The Ashok Mehta Committee***

The weaknesses of the Panchayati Raj institutions came to the fore after a few years of its implementation in most parts of the country which prompted the government to set up another committee to examine the

working of the Panchayati Raj institutions. When the Janata Party came into power in the center in 1977, it appointed a High Power Committee on Panchayati Raj under the leadership of Ashok Mehta, popularly known as Ashok Mehta Committee, for revitalizing the Panchayati Raj system.<sup>33</sup> The committee was set up to examine the working of the Panchayati Raj institutions and to suggest measures to strengthen them so as to enable a decentralized system of planning and development to become more effective. The Ashoka Mehta Committee had suggested the abolition of block as the unit of administration and recommended a two tier set up at District level (Zila Parishad) and Mandal levels (Village Panchayat at the bottom) covering population of 15,000 to 20,000. The Ashok Mehta Committee's recommendation was discussed in the Chief Ministers' Conference which had supported the continuity of the three tier structure. It also suggested the drawing up of a model bill which should be adopted and enacted by the states with necessary modification to suit the local needs. It may also be mentioned that it was the Ashok Mehta Committee who made the first official recommendation for including the Panchayati Raj in the Constitution in keeping with its approach that Panchayats should be regarded as political institutions rather than mere developmental institutions. The acceptance of the Ashoka Mehta Committee's recommendation by various states may be known as the second generation panchayats.

It was the government of West Bengal which had taken the initiative to implement the Panchayati Raj system in accordance with the recommendation of the Ashoka Mehta Committee. Later on Karnataka, Andhra Pradesh and Jammu and Kashmir had revised their existing Panchayati Raj Act in accordance with the reports made by the Ashoka Mehta Committee to suit to their conditions. The Panchayati Raj institutions as recommended by the Ashoka Mehta Committee had gained strong momentum because it had shifted grassroots democracy from a developmental institution into a political institution. It gave power to local bodies and as their principle was more political than

---

<sup>33</sup> Ranbir Singh, *Genesis and Development of the concept of Panchayati Raj, Decentralised Governance in India* (Deep & Deep Publications, New Delhi-110027, 2004), p.67



developmental, they induced great enthusiasm among the people both in their implementation as well as their working. The Ashok Mehta Committee Report could not earn much popularity because the new ruling party at the Center in those days had no intention of implementing the report of a committee set up by a different party.

#### ***1.9.6: The Pre-Seventy-third Amendment Act***

During the 1980's there was a growing realization that the failure of the Panchayati Raj system was the lack of Constitutional support. It has been well recognized that the non functioning Panchayat institutions brought disregard to the entire impression and its performance. In 1985 a 12 member committee was appointed under the Chairmanship of Dr.GVK Rao for reviewing the administrative arrangement for rural development and poverty alleviation programmes.<sup>34</sup> The Committee wanted to activate the Panchayati Raj institutions and put emphasis on the need for regular election to the local bodies. It recommended that the Zila Parishad should become the principal body in the implementation of development programmes and its Chief Executive should be responsible for planning and execution of development programmes.

Later on, in 1987 another committee under the Chairmanship of a distinguished Jurist LM Singhvi was appointed to review the functioning of the Panchayati Raj institutions which recommended the reorganization of villages to make village panchayats more viable. It suggested that Panchayat system should be primarily viewed as local self-government system and should be strengthened so as to serve as one of the foundation stones of the county's democratic political system. It also suggested that adequate financial resources for Panchayat institutions must be provided so that it may enable them to function effectively.

In 1988, a sub-committee of the Parliamentary Consultative Committee attached to the Central Ministry of Personnel, Public Grievances and

---

<sup>34</sup> S.N. Mishra, Lokesh Kumar & Chaitali Pal, *New Panchayati Raj in Action* ( Mittal Publications, New Delhi-110059, 1996), p.12

Pensions was set up to consider the type of political and administrative structure in the district for district planning under the chairmanship of PK Thungon. The committee had pleaded for the constitutional recognition of Panchayati Raj and the term of the bodies should be fixed for a period of five years. It also recommended that a detailed list of subjects for Panchayati Raj should be incorporated in the Constitution and the setting up of the state finance commissions to lay down the criteria and guidelines for devolution of financial resources on the panchayati Raj bodies. The union governments also organized workshops of senior administrators concerned with Panchayati Raj affairs to provide opportunity for them to express their views about emphasizing and reorienting Panchayati Raj for undertaking increasing responsibility for supervision of local development and local affairs.

During the Rajiv Gandhi Government the Union Government decided to amend the Constitution of the country in order to provide significant protection to the Panchayati Raj institutions. On the 15<sup>th</sup> May 1989, the Constitution (64<sup>th</sup> Amendment) Bill was drafted and introduced in the Parliament.<sup>35</sup> The main intention of the bill was to remove all the inadequacies of the Panchayati Raj, such as failure to hold regular and periodic elections, prolonged suspension, and inadequate representation to weaker sections of the Indian society, lack of financial resources and inadequate decentralization of powers and responsibilities to the institutions. The bill also provided for the establishment of Panchayats in every village and the states which have a population not exceeding twenty lakhs may be exempted from the constitution of the intermediate level. Though the Constitution (Sixty-fourth Amendment) Bill got a two-third majority in the Lok Sabha, in the Rajya Sabha on the 15<sup>th</sup> October 1989 it failed to meet the mandatory requirement by two votes.<sup>36</sup> The Panchayati Raj system may not have achieved the required support to become mandatory

---

<sup>35</sup> George Mathew, *Panchayati Raj in India – An Overview: Status of Panchayati Raj in the States and Union Territories of India 2000* (Concept Publishing Company, New Delhi-110059), p.9

<sup>36</sup> Ibid., p.9

during the period of Rajiv Gandhi but it has developed into a nationwide controversial issue during the period.

### ***1.9.7: The Constitution (Seventy-third Amendment) Act, 1992***

In the Tenth General Election of the Lok Sabha which was held in 1991, the idea of Panchayati Raj system gained strong momentum; all the political parties through their proclamations and manifestoes had supported constitutional amendment for strengthening Panchayati Raj institutions and a Pro-Panchayati Raj climate was being created in the country. In September 1991, the Congress government under Nahrasmha Rao introduced the 72<sup>nd</sup> (Panchayats) and 73<sup>rd</sup> (Nagarpalikas) constitutional amendment bills. The two bills were passed by the Lok Sabha the on 22<sup>nd</sup> December 1992 and by the Rajya Sabha on the next day. By the time the Parliament passed the two bills, their sequence changed to 73<sup>rd</sup> and 74<sup>th</sup> respectively. Following their ratification by more than half of the state assemblies, the President gave his assent on the 20<sup>th</sup> April 1993. They came into force as the Constitution (Seventy-third Amendment) Act, 1992 on the 24<sup>th</sup> April 1993 and Constitution (Seventy-fourth Amendment) Act, 1992 on the 1<sup>st</sup> June 1993.<sup>37</sup> In this manner, the historical Constitutional (Seventy-third Amendment) has been passed and the Panchayati Raj Institutions had started finding its rightful place in the Constitution and is inserted after Part VIII of the Constitution to be named as ‘Part IX’, the Panchayats. Accordingly, the scope of its powers, authority and responsibility is also inserted in the ‘Eleventh Schedule’ of our Constitution. This Amendment is the culmination of various proposals made by the earlier committees or sub-committees on Panchayati Raj thus giving the Panchayati Raj a viable shape. This Act seeks to preserve democracy at the grassroots, as it intends to give power to the people and urge the state governments to take appropriate action as well as legislative amendments be made in this respect.

---

<sup>37</sup> Ibid., p.10

We shall now discuss the main features of the Constitution Amendment Act, 1992 which has been passed forty three years since India became a Republic.

- Every village within the purview of the Panchayat shall constitute a Gram Sabha which consists of all the voters within the area of the Panchayat.
- All the state shall constitute Panchayat at the village, intermediate and district levels. The states having a population not exceeding twenty lakhs shall be exempted from the constitution of the intermediate level.
- All the seats in the Panchayat shall be filled by persons chosen by direct election and each Panchayat area shall be divided into territorial constituencies.
- The Legislature of a state may by law provide for the representation of the Chairperson in each tier, of the members of the Lok Sabha and Legislative Assembly comprising wholly or partly a Panchayat area at every level other than the village level and of the members of the Council of States where they are registered as electors.
- In every Panchayat seats shall be reserved for Scheduled Castes and Scheduled Tribes in proportion to their population to the total number of population and one-third of the total number of seats shall be reserved for women which may be allotted by rotation to different constituencies.
- The members of the Panchayats shall be elected for a term of five years from the date appointed for its first meeting and all elections to the Panchayats shall be vested in the State Election Commission consisting of a State Election Commissioner appointed by the Governor.
- The Panchayati Raj institutions may have the power for the preparation of plans for economic development and social justice on those subjects enumerated in the Eleventh Schedule and is also endow with the power of its implementation.
- The Governor of a State shall constitute a Finance Commission to review the financial position of the Panchayats. The Panchayats may be

authorized by the State Legislature to collect and imposed taxes on the commodities under their jurisdiction.

- The Amendment may not be applicable to the States of Nagaland, Meghalaya and Mizoram and to the Schedule Areas under Article 244.

Since the inclusion of the Seventy-third Constitution Amendment in the Constitution, several states had started reorganizing their Panchayati Raj institutions by providing substantive changes in their structure and authorities confer upon them. This Amendment has brought uniformity in the functioning of democracy at the grassroots level, decentralize power and achieve the true nature of local self-government in the Indian federal structure with qualitative changes.

#### ***1.9.8: Endorsement of the Constitution (Seventy-third Amendment) Act, 1992***

The Constitution (Seventy-third Amendment) Act, 1992 has made the introduction of the Panchayati Raj institution mandatory leading India into a new generation of grassroots democracy. The enactment of the new Panchayati Raj system brought on the threshold of a significant transitional stage where the political power has been transferred to the grassroots level improving the true spirit of democracy where people could realize that real power has been handed over to them and their involvement in the developmental activities; let them recognize their responsibility as a great citizens enhancing civic consciousness in them.

*Article 243 (N) of the 73<sup>rd</sup> Constitution Amendment Act, 1992 has clearly mentioned that “Notwithstanding anything in this part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-Third Amendment) Act, 1992, which is inconsistent with the Provisions of this Part, shall continue to be in force until amended or repealed by a competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier: Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless or sooner dissolved by a resolution passed to that State effect by the Legislative Assembly of that state or, in case of a*

*State having a Legislative Council, by each House of the Legislature of that State”.*<sup>38</sup>

All the concerned authorities in all the states had passed a resolution within two years after the passing of the 73<sup>rd</sup> Constitution Amendment Act, 1992 which brought in their enactment and adoption. By the middle of the year 1994, all the twenty states under the Indian Union has shown some progress by enacting the famous 73<sup>rd</sup> Constitution Amendment Act, 1992. The inclusion of Part IX to the Indian Constitution has brought in remarkable achievement in rural India; it is through this insertation that for the first time in the history of India a high degree of uniformity prevails at the grassroots level of the Indian democracy.

#### ***1.9.9: Extension to Schedule Areas***

The Constitution (Seventy-third Amendment) Act, 1992 has clearly mentioned that the Amendment as adopted by the Parliament may not apply to certain areas including the area covered by the Fifth Schedule to the Constitution. These Scheduled areas include the land occupied by the tribals in the states of Andhra Pradesh, Bihar, Gujarat, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa and Rajasthan. It has been further mentioned that the Parliament may, by law, extend the provisions of this part to the Scheduled Areas and the tribal areas subject to such exceptions and modifications as may be specified in such laws and no such law shall be deemed to be an amendment of the Constitution for the purpose of Article 368. Considering the need and demand for extending the provisions of Part IX of the Constitution to the Scheduled Areas, a high level committee Chaired by DS Bhuria was constituted in June 1994 to examine all related issues and make recommendations on the salient features of the law for extending the provisions of the 73<sup>rd</sup> Amendment to the Scheduled Areas.<sup>39</sup> It submitted its report in

---

<sup>38</sup> Article 243 (n) of the Constitution (Seventy-third) Amendment Act, 1992

<sup>39</sup> S.K. Singh, *Panchayats in the Scheduled Areas, Panchayati Raj in India – An Overview: Status of Panchayati Raj in the States and Union Territories of India 2000* (Concept Publishing Company, New Delhi-110059), p.25.

January 1995 and the bill was introduced in the Parliament in December 1996. Subsequently, it was passed by the Parliament and with the President's assent on 24 December, 1996 it became an Act namely, The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (No. 40 of 1996).<sup>40</sup> This act is also commonly known as PESA in a very short way.

The Act has clearly mentioned that one year time limit was given to the eight states to amend the State Panchayat Act in accordance with the provisions but nothing notable has taken place though few steps have been taken by the few states for its implementation. The success of grassroots democracy depends upon the desired determination of all groups of people belonging to different caste or tribes residing in different parts of the country.

#### ***1.10: Conclusion:***

In conclusion we may say that the New Panchayati Raj system as inserted in the Constitution in 1992 is expected to bring in great changes in the political set up of the states in the rural areas and bring in uniform administration through uniform local-self government. The new system is also expected to accelerate faster economic growth with greater chance for the people to participate in the developmental activities of their own villages.

It may also be noted here that a comparative Study of the two forms of grassroots democracy, the Village Council system and the Panchayati Raj system will be taken up to make the study more scientific and relevant. A detail examination of grassroots democracy in the form of the Village Council system will also be made in a separate chapter.

---

<sup>40</sup> Ibid., p.27

## CHAPTER II

### *Mizoram: A Profile*

#### **2.1: Location**

Mizoram the 23<sup>rd</sup> state of the Indian Union covers a geographical area of 21,081sq.km. It is situated approximately between 21°58' and 24° 35' North Latitude and between 92°15' and 93°29' East longitude.<sup>1</sup> The Tropic of Cancer passes through the middle of the state. It is located on the north-east end of the country. The state of Mizoram is surrounded by Myanmar in the east, Manipur and Cachar district of Assam in the north, Tripura and Bangladesh in the west and again Myanmar in the South. Geographically, it is 277 km. from north to south and 121 km. from east to west. It has a long inter-state boundary with Assam (123 km.), Tripura (66 km.) and Manipur (95km). Besides, Mizoram shares an international boundary from three sides, with Myanmar in the east and south (404 km.) and Bangladesh in the west (318 km.)<sup>2</sup>.

#### **2.2: Name of the State**

Formerly Mizoram was an Autonomous Hill District of Assam and was known as “Lushai Hills District”. However, it is correct to say that ‘Lushai’ is not the name originally used by the inhabitants of the land for their common identity. The old people who had already been adults before and during the operation of 1889-90 said that Mizo was the name commonly used for

---

<sup>1</sup> Directorate of Economic & Statistics, *Statistical Handbook of Mizoram, 2006.* (xv)

<sup>2</sup> Ibid. (xv)



common identity of the people inhabiting the region.<sup>3</sup> Lushai was therefore a name given to the Mizos by outsiders and this name has been used to identify them by the outsiders and latter used by their administrators by virtue of officialdom. When missionaries from England arrived in 1894 to Mizoram, they were honoured by being addressed as “Zosap” or the white man who came to live among the ‘Zo’ people.<sup>4</sup> With the dawn of independence and growth of political consciousness among the Mizos, racial identity connote so much for the Mizos that a move for changing “Lushai” to “Mizo” took shape by an Act of Parliament. Thus, at the request of the people, the name “Lushai Hills District” was changed into “Mizo Hills District” with effect from September 1, 1954 by an Act, called the “Lushai Hills District” (Change of name) Act, 1954 (18 of 1954) assented to by the President on April 20, 1954.<sup>5</sup> It was made a Union Territory with the name of “Mizoram” in January 1972. Later Mizoram became a full-fledged state with effect from February 20, 1987.

For many years it appears that no separate tribe or an individual has ever had the feeling of difference to the use of the word “Mizo” as indicating of the whole people as a race or even individual entity. In recent times, there are few people who would like to identify themselves differently from the Mizo tribe but could not gain strong drive because their origin, dialect and culture are identical in many ways. As a result, it appears that everyone has the feeling of oneness in the word and relishes it. Mizo, therefore, is a generic name of all allied Lushai tribes living in Mizoram. In English the word Mizo means ‘hill men’ and ram means ‘land’. Thus, the term Mizoram means land of the hill men.

### **2.3: Population**

Mizoram is a land inhabited by a tribe commonly known as Mizo. These peoples have got their own traditional culture and way of life that

---

<sup>3</sup> Directorate of Art and Culture, Government of Mizoram, *Mizoram District Gazetteers, 1989* (M/S Eastern Press and Publications, Guwahati, 1989) p.47

<sup>4</sup> B.Lalthangliana, *Seminar Paper: Studies on the Minority Nationalities of Northeast India*. Organized by: Directorate of Higher and Technical Education, Government of Mizoram, Aizawl.

<sup>5</sup> Directorate of Art and Culture, op. cit. p.54.

are not identical with that of the people in the neighboring states of India. The state is inhabited by tribals of different communities like the Lushai, Ralte, Paite, Biate, Pawi, Lakher, Hmar, Riang, Tlanglau, Pangs, Bawm, Chakma and so on. Moreover, these tribal populations have got different culture, traditions, folklore, myths and legends as well as customs of the Lushai-kuki-chin tribes which they carry the trace of their ancient tribes. These people are mostly of Mongoloid stock, which migrated to the present location from the southern and western parts of China through upper Burma. By faith, the inhabitants are mostly Christians (87.0 %), followed by Buddhists (7.9 %), Hindus (3.6 %), Muslims (1.1 %) and others (0.3 %).<sup>6</sup> Non tribals like the Nepalese, Assamese, Bengalese and Bihari have recently settled in Mizoram.

According to the Census of India, 2001, the population of Mizoram is 888,573 comprising 459,109 males and 429,464 females. The sex ratio for the population of the state is 935 and that of India is 933 females per 1000 males. It has an average density of 42 persons per square kilometers as against the all India average of 324 persons per square kilometers. The population of Mizoram is distributed in 176,134 households living in 817 villages and 22 towns. Mizoram is divided into 8 districts and 22 rural development blocks. During the decade 1991-2001 the population of the state has registered a growth of 28.8 percent. The age structure of the population reveals that 35.3 percent of the state population comprises children in the age group 0-14 years. Population in the age group 15-59 years constitutes 59.1 percent and the elderly population (60 years and above) accounts for 5.5 percent of the states population.

---

<sup>6</sup> Calculated from *Statistical Handbook of Mizoram, 2006*.

*Table 2.1: District Wise No.of Household and Population*

State or District	Area in Sq. km	N0.of House-holds	Population			Population of 0-6 age group		
			P	M	F	P	M	F
1	2	3	4	5	6	7	8	9
Mizoram	21081	176134	888573	459109	429464	143734	73176	70558
Mamit	3025	12253	62785	33114	29671	11170	5767	5403
Kolosib	1382	14053	65960	34562	31398	10566	5356	5210
Aizawl	3576	64753	325676	166877	158799	46223	23428	22795
Champhai	3185	22059	108392	55756	52636	18433	9347	9086
Serchhip	1421	10116	53861	27380	26481	9108	4605	4503
Lunglei	4536	27889	137223	71402	65821	23052	11748	11304
Lawngtlai	2557	13902	73620	38776	34844	13991	7219	6772
Saiha	1339	11109	61056	31242	29814	11191	5706	5485

*Source: Statistical Handbook of Mizoram, 2006, P.4*

From the above table it has been seen that Aizawl District being headquarter has got the largest number of population. Nearly one-third of the population has been found in Aizawl District. Moreover the city of Aizawl has provided brighter opportunities of employment and better means of livelihood. The most populous urban area or towns in the state are Aizawl (228,280), Lunglei (47,137), Champhai (26,465), Saiha (19, 826), and Kolasib (19,008).<sup>7</sup> The percentage of urban population in the state is 49.6 which keep on increasing due to the absence of development infrastructure and maladministration in the rural areas.

#### ***2.4: Social Customs and Festivals***

The Mizo society is a casteless society and there is no distinction among the people unlike the other Indian society. It is a patriarchal society in which all the household belongs to the father, who is the head of the society. The law of inheritance is counted from the male descendants and the male members of the family always hold an important position in the decision making processes. In case of marriage, a small amount is paid as a price for the bride by the bridegroom's family and the bride is to shift to the bridegroom's

<sup>7</sup> *Census of India, 2001*

house and thus become one among the family members. All the social organizations are dominated by males except those organizations which are meant for women.

The Mizo are very much disciplined people and abide by certain obligatory laws in their relationship with one another. Some excellent social customs which had been put into practice for many generations are found among them. These are based on good principle of self-help and co-operation among them. The Mizos contribute their labour for the welfare of their community by helping to construct inter-village paths, community halls, water points, sanitary, etc. Mizos help the distress ones as their social responsibility. If a person in a village is missing or drown in a river, customary search parties from the village of the missing person will voluntary set out in search for seven days to find out the missing person. If a Mizo dies in another village, his dead body will be carried to his village voluntarily by the villagers. If a person is sick and need to be taken into a hospital, the youths in the village will carry the sick person, by a stretcher to the nearest hospital. It is the custom of the Mizos to help the widows, widowers, orphans, the poor and the needy in the construction of their houses, jhum works, attend them in their sickness and disabilities without expecting any reward or remuneration. These rare social customs are really appreciable which teaches a man to be kind, hospitable, unselfish, brave, equality of status and energetic habit.

The Mizos have got several types of festivals or Kut in Mizo which are related to their religion. During festival, their dances and music takes the main part with Zu (rice-beer) which they widely consume. Their most important festivals are: Chapchar Kut, Mim Kut, and Pawl Kut. Chapchar Kut is the most important festival which has been celebrated till today. It is celebrated after the felling down of trees for jhum cultivation and before they are burnt down. It comes off in the month of March in the leisure period. It is celebrated with great enthusiasm and splendor with great quantity of rice-beer available in the village. They believe that this festival will ensure a good harvest in their field. Mim Kut festival is the oldest Mizo Kut and is celebrated in honor of those

people who passed away from the family. It takes place when maize harvest is reaped and fresh vegetables, maize, bread, meat, etc. are placed on the statue of the dead which are made with cloths as their statue. During the festivals songs of lamentations are sung and rice-beer is drunk in the house where someone had died. Pawl Kut is a grand festival which falls immediately after the harvest season. It is celebrated with great feast, fun-fare, singing and dancing. The celebration may last for a week subject to the quantity of rice-beer. This festival is mainly for the children who are dressed in their best and are fed with rice, meat and boiled eggs. The most important dances which always accompanied these festivals are: Cheraw, Khuallam, Parlam, Sarlamkai, Chailam, Rallulam and Chheihlam.

With the modernization of the Mizo society, the extinction of Zawlbuk, a place where young people were taught discipline; changes in their religion and the means of earning their livelihood; the traditional Mizo customs and festival have started losing their importance. In the modern society, all social values and customs are counted in terms of money. '*Tlawmngaihna*' or selfless sacrifice, that is the pride of the Mizos and its society have been rarely finding its place in the modern Mizo society. With the spread of Christianity, the Mizo festivals are replaced by the Christian festivals such as- Christmas, New Year, etc. The younger generation of the Mizo society today prefers the western festival, music and dances.

### ***2.5: Mountains and Rivers***

Mizoram is a mountainous region and the land is fully covered with ranges of hills which runs from north to south in a parallel way separated from one another by narrow valleys. These parallel ranges are broken into innumerable small hills with sharp and pointed hilltops. The slopes are steep on all sides and the average height of the hills varies from 300ft. to 5000ft. above the sea level. The hills of Mizoram are mainly fertile and different vegetation covers the hills and mountains throughout the year.

There are many mountains or hills in the state which are beyond one thousand meters high from the sea level. The highest peak in the state is the Blue Mountain (Phawngpui) which is 2157metres high, situated in the South Mizoram. The next highest peak is Lengteng which is 2141metres high, situated in the north-east of Mizoram. Several other mountains are: Surtlang with a height of 1967 metres, Lurhtlang (1935 metres), Tantlang (1929 metres), Vapartlang (1897 metres), Chalfilhtlang (1866 metres), Hrangturzotlang (1854 metres) Zopuitlang (1850), Tawizo (1837 metres), and many others.<sup>8</sup> ‘Tlang’ is a Mizo word which means ‘mountain’.

The state of Mizoram is naturally gifted with several water resources. Most of them flow either to the north or to the south by creating deep gorges in between the north-south hill ranges. The important rivers of the state are Tlawng (Dhaleswari) which is 185.15 kms. long , Tiau (159.39 kms.) Chhimituipui or Kolodyne (138.46 kms.), Khawtlangtuipui or karnaphuli (128.08 kms.), Tuichang (120.75 kms.), Tuirial (117.53 Kms), Tuichawng (107 Kms.), Mat (90.16), Tuipui (86.94 Kms.), Tuivawl (72.45 Kms) etc.<sup>9</sup> The rivers Tlawng, Tuirial and Khawthlangtuipui are always navigable even in the rainy season. Besides, the above mentioned rivers are many important rivers which are fed by the monsoon rains.

The rivers in the state of Mizoram are gifted with different varieties of fishes, lobsters and crabs which are important food items of the people in the state. These rivers also enable the poor farmers to construct permanent paddy fields and fish farms keeping their economy secure. Fishing is an important means of occupation for those people living near the rivers; it also supplements the insufficient income of the poor farmer who has no other means of livelihood. These rivers are also expected to generate sufficient hydro-electric power in the coming years for the state. Few hydel projects have been taken up by the state with the help of the central government which is expected to strengthen the economy of the people.

---

<sup>8</sup> *Statistical Handbook of Mizoram, 2006.* p.(vi)

<sup>9</sup> *Ibid.*, p.(v)

## 2.6: Climate and Rainfall

Mizoram enjoys for the whole year approximately a pleasant climate as it is neither very hot in summer nor very cold in winter. The climate is characterized by its coolness, high relative humidity all the year round and abundant rainfall. The year may be divided into four seasons. The cold season from December to February is followed by summer season from March to the last week of May. The latter part of the warm season is always characterized by severe thunderstorm and lightning accompanied by dust raising squalls. The south-west monsoon season which therefore follows, continued till the first week of October. The rest of October and November constitute the autumn season in its most pleasant nature. During the rainy season, climate of the state is very moist, the valleys are feverish and unhealthy and during this period malarial fevers are common. The whole of Mizoram is under the influence of monsoon wind which is coming from the North West. The coldest month is January. The year 2005 has recorded an average minimum temperature of 16.33<sup>0</sup>C and an average maximum temperature of 26.63<sup>0</sup>C.<sup>10</sup> The table on the next page indicates the monthly average temperature in Mizoram of the year 2004 and 2005.

*Table 2.2:*

*Monthly Average Temperature In Mizoram (In C Degree)*

Sl No.	Month	2004		2005	
		Min	Max	Min	Max
1	2	3	4	5	6
1	January	12.2	23.37	11.20	23.11
2	February	14.23	25.01	14.60	26.31
3	March	17.43	29.24	15.39	26.78
4	April	16.29	26.53	17.78	28.57
5	May	20.41	29.48	16.26	26.68
6	June	21.61	27.49	19.37	27.87
7	July	20.13	25.62	18.64	27.61
8	August	20.42	27.84	18.60	25.76
9	September	19.86	25.52	19.28	28.19
10	October	17.09	26.17	17.57	27.21
11	November	15.27	26.68	14.48	26.52
12	December	13.40	22.87	12.89	25.0
13	Average	17.41	26.32	16.33	26.63

*Source: Statistical Handbook of Mizoram, 2006. P.10*

<sup>10</sup> Statistical Handbook of Mizoram, 2006, p.10

The hilly nature of the state causes variable nature to the amount of rainfall in different places. During the month of March and April, cyclonic storms flow from south-west to north-east direction and sweeps over the hills of Mizoram. The rainy season last for longer duration and heavy rainfall comes during the month of June, July and August. During this period the people in the state has to faced lot of hardships due to some natural calamities like landslide which uproot the trees and houses collapse, heavy rain slip away some stones and soils of the hills and communication is very often disrupted. The table on the next page indicates the quantity of monthly rainfall from the year 1999 to 2005.

*Table 2.3:*  
*Relative Humidity in Mizoram (In percentage)*

Month	1999	2000	2001	2002	2003	2004	2005
January	-	17	0	21	1	-	3
February	-	19	44	1	8	-	11
March	34	134	45	70	82	14	150
April	32	263	91	142	139	350	111
May	459	548	393	567	282	260	300
June	454	372	531	368	740	568	186
July	488	272	369	556	313	669	409
August	404	617	341	443	367	383	355
September	419	360	326	259	377	371	321
October	256	238	295	135	196	131	213
November	27	47	99	85	-	4	25
December	28	-	1	1	42	-	9
Annual Average	2600	2883	2535	2648	2546	2751	2094

*Source: Statistical Handbook of Mizoram, 2006. P.11*

## **2.7: Economy**

The entire economy of Mizoram is dominated by agriculture and its allied activities. This is the main occupation and livelihood of the people. Out of 467,159 workers, there are 256,332 cultivators and 26,783 agriculture laborers which constitute 54.6 percent and 5.7 percent respectively, there are 7,100 household industry workers and 176,944 other workers constituting 1.5 percent and 37.9 percent respectively.<sup>11</sup> In Mizoram both men and women

---

<sup>11</sup> *Census of India, 2001*



worked together, uplifting the economy. The per capita income of the state has been steadily increasing, it was Rs.1289 in 1980-81, Rs.265.8 in 1985-86, Rs.4474 in 1990-1991, Rs.10953 in 1995-'96, Rs.18491 in 2001-'02 and Rs.21327 in 2003-2004.<sup>12</sup> All these figures indicate that the state has done a great deal in uplifting the economy of the people.

The people in Mizoram practice shifting cultivation in the hills which is destructive, laborious and uneconomical. It has been carried out by using primitive tools and implements which is uneconomical and time consuming. The prospect of irrigation is marred by the non-availability of underground water which made the farmers and the product of agriculture depend on the timely arrival of monsoon. However, it is seen that wherever there is an irrigable field and some water sources nearby the water has been used by the cultivators provided that this can be done by ordinary method. The cultivators draw water from the nearest water source by digging canals which is quite expensive being a hilly area. These canals are often disrupted owing to the variation in the amount of rainfall. Normal irrigation facilities consist of the natural channels, springs etc. but most of them go dry during the winter. The method of agriculture system as provided in the State causes heavy work in the rainy season which created seasonal unemployment to the agriculture laborers. Moreover, the land are ploughed to produce a harvest only once in a year and double harvest in a year is not practiced till today by the farmers in the entire region.

The state government has been persuading the peasants to start terraced cultivation and encouraged the poor farmers to grow plantation of crops like teak, coffee, tea, etc. Moreover the state government also had given financial assistance to encourage fish farming, piggery, poultry farming, cattle rearing, sericulture, horticulture, etc. in order to meet the requirement of the people and create employment to the masses. With the help of the fisheries department the production of fish in Mizoram has been increasing, it was 32,500 quintals in 2002-2003, it was 33,800 quintals in the year 2003-2004, it was

---

<sup>12</sup> *Statistical Handbook of Mizoram*, 1998, 2004 & 2006.

36,800 quintals in the year 2004-2005 and 37,500 quintals in the year 2005-2006.<sup>13</sup> Fish seeds have been distributed all over the state by the Fisheries Department but the import of fish from outside cannot be combated in view of the fact that its demand has been increasing. The Animal Husbandry and Veterinary Department have been always helping the farmers by taking care of their animals and by providing artificial insemination of cows and pigs to the farmer.

The important crops of Mizoram are paddy, maize, pulses, oilseeds, sugarcane, potato, tapioca, etc. The state is famous for its fibreless ginger. Other cash crops like mustard, sesamum, chillies are also grown. The state has been facing acute problem of communication and marketing their products. Though rice is the main production it is quite low and is not sufficient for the rapid increase of population to meet their requirement round the year. The quantity of rice produced in the year 2005-2006 is 99,021MT whereas, the Food and Civil Supply and Consumer Affairs Department has recorded that 457,736 Quintals of rice has been distributed under the Public Distribution System and 1,078,548 quintals has been distributed under subsidized rate in the state.<sup>14</sup> With the development of Horticulture the state has exported large quantities of orange, hatkora and juice of passion fruit to the neighbouring state.

The state of Mizoram is industrially the most backward state and no large scale industry or factory is set up in the State which may be due to the poor communication network and scarcity of raw materials. Other reasons are the shortage of power and high cost of transportation. Further, its location and remoteness from the raw materials centre and market make the future of heavy industries dark. Thus, the only alternative for the people of Mizoram is to develop small-scale industries based on indigenous raw materials. The most important small scale industries carried out in the state are: knitting and tailoring, cane and bamboo industries, handloom and handicraft industries, etc.

---

<sup>13</sup> *Statistical Handbook of Mizoram, 2004 & 2006.*

<sup>14</sup> *Statistical Handbook of Mizoram, 2006* p.106 & 107

The Industries Department of the state, which plays an important role in solving unemployment problem and in uplifting the economy of the state, had taken various steps in order to encourage small scale industries. It gives training to the people on various fields such as- carpentry, cane furniture, tung extraction, handloom, knitting, tailoring, bee keeping, etc. It gives financial assistance to small scale industrial units through industrial loans, subsidies and grants under various schemes. The number of registered small scale industries up to March 31, 2006 is 1742, it provided employment to 1912 persons during 2005-'06 and the government has invested a sum of Rs.1686.37 during the period<sup>15</sup>. It was 4334 units as on April 1, 1998 as recorded by the Directorate of Industries, Government of Mizoram. This record have indicated that the number of employment given by small scale industries have been increasing which is an important instrument for solving our economic problem.

The Rural Development Department had taken up various steps under different projects to uplift the economy of the masses in the rural areas. The programmes or schemes includes: BADP, SGSY, SGRY, NLUP, IDWP, MIP, etc. The government has also provided fair price shops and subsidies for the essential commodities in order to uplift the economy of the people. The per-capita income (2003-'04) of the state at current price is Rs.21,327 and the NSDP during the said period is Rs.2,02,316 lakhs as given in the Statistical Handbook, 2006 of the state.

## ***2.8: Flora and Fauna***

The soil of Mizoram is fertile and is suitable for all types of plants and variety of vegetation grows here abundantly. The agro-climatic condition of Mizoram is quite suitable for growing different fruits at tropical, sub-tropical and temperate climate. Many ayurvedic medicinal plants are also available in the forest and are used as a treatment for different varieties of diseases including cancer. The hills are covered with dense evergreen forest of trees, plants, creepers, grasses and colourful wild flowers during different

---

<sup>15</sup> *Statistical Handbook, of Mizoram, 2006.* p.32

seasons. Rainfall and temperature of this state is suitable for different varieties of bamboos and wild bananas grow in abundant.

The Agriculture and Soil Conservation Department of the state are popularizing fruit tree plantation such as- oranges, bananas, pineapples, passion-fruits, papaya, grapes, banana, squash, cabbage, tomato, chillies, ginger, turmeric, anthurium, rose and other fruit crops. The Horticulture Development programme includes attainment of self-sufficiency in vegetable production and orchard development in order to establish the family on permanent cultivation. It provides financial assistance to encourage the growers for constructing green houses and better varieties of plants and seeds. Recently, the state has exported large quantity of anthurium and rose through the Zopar Export Pvt. to other parts of the world and it has got great commercial value. The flower exhibitions have been organized by the state Florists Association every year where many varieties of colorful flowers are displayed. The state flower of Mizoram is dancing girl (aiting).

The vegetation and climate of Mizoram offers an ideal sanctuary to wild animals. Wild animals and birds are plenty all over the hilly jungles of Mizoram. It is strange that no birds now a day are seen in any locality of the state. This is due to their fear from the people. If any bird comes to the eye of a Mizo, it is caught at once or shot to cook. Hume's Bartailed Pheasant (vavu) is the state bird of Mizoram and the state animal is Seraw (saza).

There are several sanctuaries in the state. The Environment and Forest department has been looking after two National Parks, seven Wildlife sanctuaries and one zoo. These are Phawngpui National Park, Murlen National Park, Lengteng Wildlife Sanctuary, Tawi Wildlife Sanctuary, Pualreng Wildlife Sanctuary, Khawnlung Wildlife Sanctuary, Thorantlang Wildlife Sanctuary, Ngengpui Wildlife Sanctuary, Dampa Tiger Reserve and Aizawl Zoological Park.<sup>16</sup> The fauna contain mithun which is semi-domesticated animal. Wild animals are found in the foot-hills. Tiger, bison, buffaloes, rhinoceros, barking

---

<sup>16</sup> Environment and Forest Department, Directorate of Information and Public Relation, *Kum 10 Chhunga Mizoram Sawrkar Hnathawh Thlirletna (1998-2008)* p.57

deer, sanbar, leopard, Himalayan wild pig, monkeys, jackal, snakes (viper, python, cobra, and grass snakes), lizards, toads, eagle, vulture, skylark, owl, crow, hornbill, jungle fowl etc. are common in Mizoram. Unfortunately, the number of these wild animals has been decreasing gradually owing to the cruel spears of the hunters and deforestation for various purposes.

### **2.9: Communication**

Mizoram has been relatively an isolated land lock state due to its location and mountainous region. The entire state is full of ridges, conical hills, plateaus and deep river gorges. The loose sediments, undulating topography and hills escarpment cause hardship in road construction and is very expensive. It is easily accessible from Bangladesh and Myanmar. The means of communication include roads, railways, waterways and airways.

The National Highways No. 54 is the only National Highway in the state. The vehicle which carries the import and export materials passes through this highway. It runs from Silchar (Cachar District of Assam) to Aizawl with 180 km. length. The other important roads are- Aizawl to Lunglei (235 km.), Aizawl to Vaitin (170 km.), Aizawl to Kanhmun (235 km.), Aizawl to Saiha (378 km.), Aizawl to N.E. Khawdungsei (194 km.), Aizawl to Champhai (194 km.), Aizawl to Marpara (188 km.).<sup>17</sup> There are state highways, district roads, inter village bridle paths, Jeep able and truck able roads. But the conditions of some roads are below standard due to poor surface condition, topography etc. During rainy season owing to heavy landslides, important towns and villages are often cut off from the state capital. Some of the roads are too narrow that if one sighted a car coming from the opposite side of the road, he had to go back to the nearest bend to let that vehicle to pass. The roads are characterized by deep curves and mountainous walls. The NEC Road which is metallic connected Imphal (Manipur) through Seling and Ngopa of Mizoram. This road is likely to become another lifeline of the state.

Owing to many inconveniences the people of the state do not fail to recognize that road and communication happens to be one of the most

---

<sup>17</sup> *Mizoram Statistical Handbook*, 1998. p.26-33

important infrastructures for development of a region or of a state. Since Mizoram has become a full-fledged state, a remarkable increase in the road length and qualities have been achieved by the State Government. Many new roads have been constructed during the present decade and only few villages are left out of the reach of jeepable roads. The total road length in Mizoram till March 31, 2006 is 5948.15kms, out of it 3526.78 is surfaced and the other 2421.37 is subsurface. The following table clearly indicates the length of different category of roads in the State.

*Table 2.4:  
Category wise length of roads in Mizoram.*

Sl. No.	Types of roads	Surfaced	Unsurfaced	Total
1	2	3	4	5
1	National Highway (PWD)	301.00	27.00	328.00
2	State Highway	51.95	109.02	160.97
3	Major District Road	857.53	644.71	1502.24
4	Other District Road	613.27	597.94	1211.21
5	Town Road	186.90	103.59	290.49
6	Village Road	147.68	807.75	955.43
7	National Highway (BRO)	1368.45	131.36	1499.81
	Total	3526.78	2421.37	5948.15

*Source: Statistical Handbook of Mizoram, 2006. P.41*

The only railway line inside the state is at Bairabi just at the border of Aizawl District of Mizoram and Cachar District of Assam on the left bank of Tlawng river of Mizoram. It is 124 km. away from Aizawl, the capital of the State.

The Indian Airline and Kingfisher are the only two important air-carriers in the state. Its services are available everyday and the flights are available between Aizawl to Calcutta, Aizawl to Guwahati and Aizawl to Imphal. Lengpui Airport, which is 45 km. away from the state capital, is the only airport in the state. The commissioning of this airport in 1998-1999 greatly eased the communication problem of the state. However, the airline services are often disrupted by the fluctuating temperature and humidity of the climate.

The waterways in India have lost their importance in India since independence though river route was the only means of communications before 1947 and was used to transport men and material through country boats. The river Karnafuli linked Chittagong and Rangamati via Subhalang. The north eastern region was connected with the river route of Tuivai and Tuirial (Sonai) which forms arteries of waterways communication. The river Dholeswari (Tlawng) was the main source of communication between Lushai Hills and Assam through Cachar district, which connected important places like Lalaghat, Hortoki, Bairabi and Sairang. In those days the villages in river banks were important market places. People used to walk on foot with big basket on their back to get all necessary commodities for many days.

Till 2006 the postal facilities available in the state are- 46 Departmental Sub-Post Office, 359 Extra Departmental Branch Post Office, 655 Letter Boxes and a Head Post Office which is situated at Aizawl.<sup>18</sup> There is a medium wave as well as FM Radio Station which provide the coverage of the whole area of the state. The whole state has been nearly covered up by means of television and telephone services which are an important and speedy means of communication. The State Statistical Handbook, 2006 has recorded that there are 79 daily newspaper, 18 weekly newspaper or magazines and 85 accredited journalists in the State. All the means of communication keeps on improving at a very fast speed since 1980's.

Though Mizoram is recently on the airway and railway map of India, they are not very much satisfactory. The communication bottleneck is the main reason for its economic backwardness. The inadequacy of transport has direct bearing on the mobility of the people, the agriculture and rural development, the transportation of fertilizer, seeds and food grains and the exportation of forest products. This inadequacy has resulted in social fragmentation and lack of political and economic cohesion in Mizoram. The rising frustration and growth of sub-nationalism are not only the result of poverty but also due to inadequate communication network and poor infrastructure. The

---

<sup>18</sup> *Statistical Hanodbok of Mizoram, 2006*. P.46

geographical isolation of Mizoram fostered the exclusiveness and strengthened the tribal identity due to the fear of insecurity and assimilation.

### ***2.10: Education and Literacy***

During the time of the British rule, the Christian missionaries did their pioneering effort to introduce and improve education among the Mizo people. They had introduced Roman script for formal education. Proper attention for education, however, has been made in this area only after independence and this state is showing quick progress in education. For every decade the literacy rate keeps on increasing in Mizoram, the literacy rate in 1901 was 0.93, in 1911 it was 4.41, in 1921 it was 6.28, in 1931 it was 10.54, in 1941 it was 19.50, in 1951 it was 31.13, in 1961 it was 44.00, in 1971 it was 53.79, in 1981 it was 59.50, in 1991 it was 82.27, in 2001 it was 88.8 percent.<sup>19</sup> It improved its ranking from third in 1981 to second in 1991. Mizo boys and girls are now encouraged not only to attend to their colleges in Mizoram but also to go for higher education with government scholarship and voluntarily to Indian Colleges and Universities of Delhi, Mumbai, Calcutta, Guwahati, Shillong, Dibrugarh, etc. as well as abroad.

The total literate persons in Mizoram is 661,445 persons, among them 350,105 are males and 311,340 are females.<sup>20</sup> The gender literacy gap in Mizoram is one among the lowest in the country that is only 4 percent and that of the whole nation is 21.6 percent.<sup>21</sup> The literacy rate of Mizoram is 88.8 percent as against the all India average of 64.8 percent. Mizoram ranks second next to Kerala. The percentage of literates to total population is 96.5 Aizawl District closely followed by 95.1 percent in Serchhip District, 91.3 percent in Kolasib District, 91.2 percent in Champhai District, 84.2 percent in Lunglei District, 82.2 percent in Saiha District, 79.1 percent in Mamit District and 64.7 percent in Lawngtlai District which is the lowest in the state.<sup>22</sup>

---

<sup>19</sup> Sipra Sen, *op. cit.* p.22; *Census of India, 1991 & 2001*

<sup>20</sup> *Census of India, 2001*

<sup>21</sup> *Calculated from census of India, 2001*

<sup>22</sup> *Statistical Handbook of Mizoram, 2004*



A Central University was established in the State on 2<sup>nd</sup> July, 2001 with 16 functional departments. At present it is the highest educational institution in the state. There are various training institutions, among them- Regional Institute of Paramedical and Nursing, College of Veterinary Science and Animal Husbandry, Mizoram polytechnic Lunglei, Women Polytechnic Aizawl, Industrial Training institute Aizawl may be worth mentioning. Seats have been reserved for higher studies under central pool and NEC quota where large number of students had undergone training outside the state on various technical lines. The table below has indicated the number of educational institutions, teachers and students in the State.

*Table 2.5:*

*Number of Educational Institutions, Teachers & Students in Mizoram*

Sl. No	Name of Institution	No. of Institution		No. of Teachers		No. of Students	
		2004-05	2005-06	2004-05	2005-06	2004-05	2005-06
1	2	3	4	5	6	7	8
1	University	1	1	134	159	386	414
2	Colleges (including Law College)	25	25	663	663	6681	7964
3	Training Institution						
	i) Polytechnic, Lunglei	1	1	17	17	298	318
	ii) Woman Polytechnic, Aizawl	1	1	8	8	182	205
	iii) College of Teacher Education	1	1	14	14	108	106
	iv) Industrial Training Institute	1	3	49	49	270	275
	v) DIET	2	2	39	39	188	204
	vi) Mizoram Hindi Training College	1	1	8	8	54	75
4	Higher Secondary School	67	75	845	854	10,283	10,555
5	High School	452	484	3,592	3,700	43,161	41,610
6	Middle School	939	1,121	6,663	7,983	56,038	88,044
7	Primary School	1,481	1,688	4,983	5,210	102,807	132,046

*Source: Statistical Handbook of Mizoram, 2006. P.60.*

The central and state libraries have been visited by hardworking students, research scholars, intellectuals, etc., every district

headquarters have got their own libraries looked after by the state government. Nearly, all the villages have got their own libraries looked after voluntarily by the Young Mizo Association. By 1986, more than 98 percent of the rural habitations had basic schooling facilities within the habitation. The growth of institutions has been quite rapid since 1972. In 1997 there was a middle school for each 1.5 Primary School and one Secondary School for each 2.4 middle School. In 1995, Plus 2 stage was decided to be delinked from the Colleges and selected high schools were upgraded to higher secondary schools as a step towards making Plus 2 stage an integral part of the school system.<sup>23</sup>

### ***2.11: Administrative Set Up in Mizoram***

For the convenience of administration the state of Mizoram is divided into eight districts. All the districts have been looked after by the Deputy Commissioner of the district and each district has got its own Deputy Commissioner. The eight districts have been further divided into 23 Sub-Division and 26 Rural Development Blocks.<sup>24</sup> Each block has been looked after by the Block Development Officer. According to 2001 census there are 817 villages, among them 707 are inhabited and 110 are uninhabited. The administration of the villages in the State is manned by the members of the Village Council who are directly elected by the villagers making the villages in Mizoram small Republics.

In accordance with the Provisions of the Sixth Schedule of the Constitution of India, three Autonomous District Councils with executive, legislative and judicial powers on certain matters have been established, they are- The Lai (Pawi) Autonomous District Council, The Mara (Lakher) Autonomous District Council and the Chakma Autonomous District Council. They have got their headquarters at Lawngtlai, Saiha and Chawngte.

The State of Mizoram has been divided into 40 Constituencies, each of them electing their representatives at the State level. It has got a Unicameral Legislature which has been vested with great power in the

---

<sup>23</sup>R.N.Prasad and A.K.Agarwal, *Modernization of the Mizo Society* (Mittal Publications, New Delhi-110059, 2003), p.62

<sup>24</sup> Statistical Handbook of Mizoram, 2006. p.(xv)

decision making process. At the lowest level there exists a democratically set up Village Council which looks after the administration of the village. The number of Village Councils and its members has been increasing. As on April 1, 2004 the state has got 739 Village Council with a total member of 2339 and the number has increased to 786 Village Councils with a total member of 2786 on April 1, 2006.<sup>25</sup> Mizoram has got two representatives in the Union Parliament, one at the Lok Sabha and the other at the Rajya Sabha.

All important offices and Directorates of the important Departments have been established in the state capital, Aizawl for the convenience of administration. All development infrastructures are made available only in the capital of the state which led to the existence of large gap between the rural areas and the urban areas towards modernization and development. The density of population has been rapidly increasing in the urban areas may be because of the failure of village administration in the rural areas.

### ***2.12: Inner Line Permit***

To strengthen the administration in the backward Lushai Hills the British administrators had introduced a traffic regulation known as the Inner Line Permit System in 1873. This makes them rule over the Lushai Hills without any outside interference and that the entry of the Lushai Hills by the outsiders depends upon the will of the Superintendent. This Inner Line Permit also helps to preserve the culture and custom of the tribal people and it supported to develop them according to their own way. After independence this Inner Line System continues to remain valid to safeguard the religious and social practices of the tribal people and it safeguard them from the advance of the plain people who are incompatible to them in the economic field.

The State Government has now liberalized the Inner Line Permit System for the Indian tourists. There is no restriction for the Indian tourists to get their Inner Line Permit from the Deputy Director of Supply and transport, Government of Mizoram, Silchar (Assam) by paying one Rupee as a

---

<sup>25</sup>Statistical Handbook of Mizoram, 2004 p.63 & 2006 p.110.

permit fee to cross the Inner Line border to visit Mizoram.<sup>26</sup> This Inner Line Regulation was modified several times. The Inner Line is still now enforced and special provision regarding the Mizo social customs and religious practices, etc. have been inserted in the Constitution. The historic political accord of 1986 between the Government of India and the Mizo National Front has included that the Inner Line Regulations, as now in force in Mizoram, will not be amended or repealed without consulting the State Government. By the month of June 2008, the Gauhati High Court has made an interim order which caused threat to Inner Line system in Mizoram. This has greatly surprised the people of the state who had shown their displeasure by observing 26<sup>th</sup> June, 2008 as a protest day in the State. The order has subsequently withdrawn keeping in view the sentiments of the people.

### ***2.13: Traditional Institutions:***

*Chiefs:* Traditionally the Mizos were ruled by the autocratic hereditary chiefs called 'Lal' who was the supreme administrator, each village was an independent unit of administration. The chiefs in fact, were the head of the villages, the leaders in war, owners of the village land, protector and the guardian of the subjects.<sup>27</sup> He was guided by the traditional normative rules which had been conventionalized over a period of time. The chief has got the right to impose capital punishment, seize and attach properties of any villager who was found guilty and disloyal to the chief. He has got the right to collect taxes on the use of land (*Fathang*), meat tax on wild animals (*Sachhiah*), and salt tax (*Chichhiah*) or Honey tax (*khuaichhiah*). Besides, the villagers had, by tradition and convention to render various forms of voluntary services to the chiefs in return for his role as the guardian or protector of the village.

Although, theoretically the chief enjoyed absolute power, he could not enjoy absolutism in his administration because the greatness of the

---

<sup>26</sup> Sipren Sen, *Tribes of Mizoram: Description, Ethnology and Bibliography (1840-1990)* (Gian Publishing House, New Delhi), 1992, p.21.

<sup>27</sup> S.N.Singh, *Mizoram: Historical, Geographical, Social, Economic and Administrative* (Mittal Publications, New Delhi, 1994) p.136

chief was measured by the number of his followers and the people who followed him were perfectly free to select their leaders.<sup>28</sup> It was natural that the people moved together from one village to another and flocked together under the fittest chief. The cruel chiefs who were oppressive invited their own downfall. The powerful chief could offer better protection to his subjects and offer better means of livelihood to his subjects, so naturally he attracted more followers thus absorbing the smaller chief into his fold. This system gave rise to powerful chiefs. Besides, the chief should possess essential attributes to organize and stabilize the primitive who were unsettled and disorganized. They should be endowed with vast knowledge of the villagers, their lives difficulties and problems rendering their services in hour of crisis.

The chief was assisted by his '*Upas*' or the elders who formed his 'Council of Advisers' in administering the day to day life activities of the people. The members of the 'Council of Elders' were nominated by the chiefs at their discretion. They were rich, well-informed, broad minded and experienced wise men in their respective fields. The chief was free to choose anyone whom he favoured. He had also the right to dismiss any of his '*Upas*' at any moment without assigning any reason thereof.<sup>29</sup> Besides '*Upas*' there were also other village functionaries who were all under the direct control of the chief. These village functionaries were appointed by the chiefs to assist him in running the village administration smoothly. They were: '*Zalen, Thirdeng, Tlangau, Ramhual, Puithiam and Khawchhiar*'.

*Zawlbuk (men's dormitory)*: The Mizo traditional villages were always characterized by a traditional institution of '*Zawlbuk*' on which the security of the village depended. Every grown up men and '*Zawlbuk*' dweller was considered a soldier and the chief himself acted as a supreme commander.<sup>30</sup> The unmarried youths were expected to sleep in the '*Zawlbuk*' and be in readiness to chase the enemy at short notice.<sup>31</sup> It was like a local authority

---

<sup>28</sup> Dr. Sangkima, *Mizo: Society and Social Change* (Spectrum Publications, Guwahati: Delhi, 1992), p.36

<sup>29</sup> Ibid., p.37

<sup>30</sup> Ibid., p.38

<sup>31</sup> S.N.Singh, *op. cit.*, p.140

consisting of two types of members: '*Tlangval*' (grown up males) and '*Thingnawifawm naupang*' (young boys who collect fire-woods in the zawlbuk). The head of the institution was called '*Val Upa*' who was elected on account of his personal quality of bravery, industrious and large heartedness. It was a training ground for youths in matters of general discipline and protection of the village. The '*Tlangvals*' in the '*Zawlbuk*' might inflict punishment to those members who were disloyal to one's duty and gave great honour to those members whose performance were excellent. The youth potentialities were also channelled in making preparation for attack on enemy. Besides, the security of the village, '*Zawlbuk*' was also the centre for cultural activities, like dance, music and other allied activities.

#### ***2.14: Decline of the Traditional Institution:***

With the advent of the British the enormous power of the chief had started declining. The British at the initial stage had followed an appeased policy towards the Lushais in order to get rid of raids and other atrocious activities. But this policy proved a total failure. The British had finally adopted the policy of aggression and annexation. The Governor General in Council ordered a big expeditors force into the hills on 11<sup>th</sup> July 1871.<sup>32</sup> This expedition was sent to show the Lushai that they were under the British control. Another expedition called the Chin-Lushai expedition of 1889-90 was again launched, one from Burma side and another from the Indian side into the Lushai hills.<sup>33</sup> Its main objective was to bring the entire hill area under the British control.

#### ***2.15: Emergence of the Middle Class***

It is a fact that every human society tend to develop from one stage to another in their march towards modernization and there is no society which is not influenced by another society as no society remains isolated from

---

<sup>32</sup> P.Lalnithanga, *Emergence of Mizoram* (Lengchhawn Press, Aizawl), p.6

<sup>33</sup> Ibid. p.6

the other society. In the process, the people had to discard their original behaviour or primitive way of life and means of earning their livelihood because the necessities of the society keeps on changing as the stage of development proceeds on. This led to the division of the people into various classes. There may develop some political ideologies which promises a classless society based on equal opportunities for all, but the fact is that all societies has embedded the rich and the poor or the haves and the have-nots within it, but the gap between them may not be always the same in every society. As such, the division of the people in different classes seems to be unavoidable and that every society is divided into various stratum.

The traditional Mizo society was a casteless society and there is no division of the people on the basis of religion. In every village there may be one or more priests who perform ritual ceremonies but their status are similar to that of the common people. They cultivate the land to earn their living and that priesthood is not hereditary in the society. As such, the people in the traditional Mizo society were divided into two classes the ruling class or the upper class and the common people or the lower class. The upper class consists of the chiefs and his elders who were appointed by the chief to advice him in any matter concerning the administration of the village. The lower class consists of the common people whose economy heavily depends upon subsistence farming; they were to pay several taxes on the product of land and were subject to the authority of the chiefs and his elders. The existence of the middle class was not known in those days.

The modernization of the traditional Mizo society led to the emergence of a new class of people from the lower class that could be differentiated from them in their life's style and occupation. They can also be differentiated from the upper class in the sense that they are not empowered to rule but are subjects of the rulers. This new class of people may be known as the middle class. The rise of the middle class did not take place all of a sudden but it is a process of evolution. There are various reasons which led to the emergence of the middle class and some of them may be briefly discussed as under:-

*i) The political administration of the British:* The British administration was mainly responsible for modernization of the Mizo society, rearrangement of chieftdom and the rise of the middle class. The British administrator has clearly demarcated the village territory from one another by some natural dividing lines such as- streams and brooks. Thus the Mizos gave up their nomadic life owing to the restriction imposed on them by the British administration that they have to settle permanently in a particular area. The permanent settlement makes headway to the rise of various employments other than agriculture. The authority of the chief was recognized and at the same time, the chiefs were given responsibility of their subjects' conduct and behaviours.

Moreover the colonial administration in the Lushai Hills had welcome equal participation of the commoners and the chiefs in running the administration. Supt. A.Mc Donald had felt the necessities of the commoners having their representatives in the administration of the district. He had divided the Lushai Hills District into 20 circles in 1945, each circle has got two representatives, one from the chiefs and the other from the commoners which he named the Mizo Peoples Representatives called Conference.<sup>34</sup> The colonial rule therefore upgraded the status of the commoners in Mizoram who until then were under the grip of the chiefs. All this important measures taken up by the colonial power led to the emergence of the middle class from among the commoners.

*ii) The new economic system under the British rule:* The influx of non Mizos, namely, the British administrators, the Christian missionaries and other Indian traders led to the complexity of the Mizo way of life as done by the people outside the Lushai Hills. The Mizos who were self-sufficient with their scarce product had increased their demands considerably with the requirements of modern living. The traditional barter system came to be in disuse and in its place money economy came into being. The coming of cash economy means that anybody irrespective of his traditional status can pursue occupation other than jhum cultivation. With the appearance of market trading became a new source of wealth. Moreover, agriculture products can now be

---

<sup>34</sup> Chaltuahkhuma, *Political History of Mizoram* (David Merorial Press, Aizawl, 2001), p.48



brought into the markets and can become a source of wealth, which led to the rise of merchants and well to do traders who can accumulate more wealth than that of the common man, having a better standard of living. In this way a group of people who were better off than that of the commoner have arisen with the influence of modern economy under the colonial rule, forming a new class called the middle class.

*iii) Adoption of Christianity by the Mizos:* The adoption of Christianity by the Mizos was greatly responsible to the emergence of the middle class in the Lushai Hills. In spite of stern resistance given to the new religion by the chief and the elders in the initial period, Christianity became the religion of the whole community within fifty years of missionaries' hard work which started in the hills in effective way since 1894.<sup>35</sup> The new faith had discarded the old believed in the evil spirits, sacrifices and superstitions dominating the society and the Mizo way of life which was a great hindrance to social development. A number of Christian denominations had started working sincerely among the Mizos with an objective to teach them the Christian faith together with the improvement of their state of affairs. The Christian missionaries dedicated themselves in philanthropic works that were essential for modern living in a civilized way, namely, construction of Mizo language into writing and formation of alphabets for the Mizos, non-school education, training in medicinal practice and introduction and the use of medicine for cure of diseases, orphanage homes, upliftment in the health and hygiene of the society and other such works for social upliftment. The dedication of the missionaries for the upliftment of the Mizos helped in the awakening leading to the formation of an enlightened class above the lower stratum of the society.

*iv) The education system brought in by the English:* Fourthly, the British impact on education led to the emergence of the middle class in the traditional Mizo society. The Lushai, chief although came in contact with the people of the plains never realized the value of education; they had a language but no letter or number. It was the British who had acquainted the

---

<sup>35</sup> C.Nunthara, *Mizo: Society and Polity* (Indus Publishing Company, New Delhi, 1996), p.64

Mizos with formal education which was unknown to the Mizos before they came in contact with the British. The Christian missionaries had given all necessary efforts to educate the Mizos to which the British administrators extended ready approval with possible support of all kinds especially in financial terms. Those dedicated missionaries went from door to door to teach the Mizos the importance and value of education; they not only started several schools but also sent their wards to better institutions outside the Lushai Hills to be acquainted with higher knowledge. Not only the children of the chiefs but also the children of the commoners began to flock round the schools in the Lushai Hills.

The efforts of the Christian missionaries and the government has resulted a remarkable increase in the literacy rate of the Mizos and led to the spread of formal education among them. It caused to the withdrawal of the educated section of the Mizos from their livelihood and traditional ways of living. The styles of this educated class differ from their indigenous mode of living in thought, action and way of doing things. Thus, this section of people became a class by themselves distinct from the indigenous class of chiefs and the class of commoners, the ignorant mass.

v) *The influence of the World Wars:* In the fifth place, it may be worth mentioning that the extensive tour made by the Mizos outside Mizoram and abroad during the World Wars led to the emergence of the middle class. The Mizos have already been brought under the control of the British during the First World War. Throughout the First World War the Lushai Battalion had supplied to the Gurkha Brigade a total of 17 Indian officers, 36 NCO's and 1024 other ranks. Besides other fighting troops a labor corps of 2100 men was also raised without any difficulty and went to France under Lt.Col.Playfair. The rough served in every theatre of the war in which the Gurkha Regiment were employed, Viz. in France, Egypt, Gallipoli, Mesopotamia, Iraq, North Persia and 69 NWEF of India.<sup>36</sup> This 27<sup>th</sup> Labor Corps has earned a good name for itself under Playfair and D.E.Jones during their

---

<sup>36</sup> Brigadier, Varghese, C.G., V.S.M (Rtd.) and R.L. Thanzawna, M.C.S. (Rtd.). *A History of the Mizos Vol.-I* (Vikas Publishing House, New Delhi, 1997), p.340

service in France and their value very much appreciated. They did splendid work in the face of aerial and artillery attack, by loading ammunition day and night. Out of 2100 men who originally set out 2029 men had come back to Aizawl in 1918.<sup>37</sup>

In the Second World War also the Mizos made a remarkable contribution. About 5 percent of the entire male population of the Lushai Hills served with the Armed Forces during the war.<sup>38</sup> Over 3000 Mizo youths voluntarily join the Assam Rifles, Assam Regiment, Indian Hospital Corps and Observer Corps. Even the Mizo girls, trained in the mission hospitals were sent abroad who rendered admirable services in the Second World War.<sup>39</sup>

The Mizos who were deployed by the English outside the Lushai Hills and abroad during the World Wars had returned back with new outlook. Their contact with the people of different communities, cultures, societies and administration had given them many new ideas. They have discarded many of their former way of life and adopted better living standard which they learned from other communities. The people who went abroad were greatly influenced and fascinated by the outside world, as a result a uniform standard cannot be maintained among the Mizos. It is therefore evident that the World Wars had great impact on the social life which awakens the Mizos to form a new class in the society different from the indigenous class of chiefs and the class of commoners.

vi) *Better methods of communications:* For administrative purposes the British had divided the Lushai Hills District into two sub-divisions: Aizawl sub-division, with its headquarter at Aizawl, which is also the headquarter of the district and Lunglei sub-division with its headquarters at Lunglei.<sup>40</sup> For the administrative conveniences the British administrator had created road links for communication and brought in other amenities of modern living at its headquarters. These roads were also utilized by the people who in the

---

<sup>37</sup> *Ibid.*, p.341

<sup>38</sup> *Ibid.*, p.350

<sup>39</sup> Chitta Ranjan Nag, *op. cit.* p.20

<sup>40</sup> Director of Art and Culture, *op. cit.* p.47

past had to walk on foot for long distances and to whom the use of vehicles remained unknown. These newly constructed roads greatly eased the life of the people, it helped them to move easily from one place to another modernizing their outlook and sharing their ideas, and it also helped the farmers to sell their products at more reasonable prices.

The educational system has also helped in providing better means of communication. The only verbal communication was now replaced by writing messages and sending letters. The knowledge of foreign language and the existence of newspapers and magazines had further enhanced the knowledge of the people, moulding their life style and behaviour. Thus, better method of communication led to the rise of the middle class among the lower class of the people.

*vii) Growth of villages:* The desire for living permanently in one place was guaranteed because of the security of life, provision for livelihood, mass education and growth of the church. The government took necessary measures to put an end to the traditional Mizo raids, attacks and wars which brought about the security of life to the Mizos. This led to the growth of the villages because people felt secure by making their settlement permanently in a particular place. The commoners also started shifting to their headquarters where life seems to be more secure and comfortable compared to the life led by them in the wild jungles. However, the populations in the district headquarters have started increasing at a very fast rate. This led to the rise of towns in the Lushai Hills. The class of commoners, who have shifted to their headquarters, have started finding out other means of livelihood other than that of subsistence farming. They were attached to petty trades and white collar jobs in Government offices and Christian missions. The life style of these people became slightly change from their indigenous living which led to the formation of the new class lower than the privileged class but higher than that of the commoners.

On the whole the occupation of the Lushai Hills by the British led to the emergence of a new class among the Mizos at the beginning of the 20<sup>th</sup> century. The traditional checks and balances counteracting against the

formation of classes became inoperative among the Mizos after they came in contact with the British and plain people. The Mizo middle class took a concrete shape with the emergence of the white collar employees, the political elites and the religious elites. The spread of Christianity together with that of education automatically led to the up gradation of great number of commoners. The influx of many people to the headquarters of the administrative units led to a change in their life style. The heterogeneous effect of administrative policy of the British, urbanization, spread of Christianity and philanthropic works of the missionaries, spread of education, effect of world wars, modern means of communication like newspaper led to the emergence of the middle class. The new economic policy based on educational attainment, government services, contract works and other new occupation resulted in a broad class distinction among the Mizos under the colonial rule. By the dawn of Indian independence the middle class had grown larger and gained strong momentum in all fields of modern living, although the indigenous social stratification also continued to be in existence. The rise of this middle class became the bedrock of democracy at the grassroots level in the following decades in Mizoram.

### ***2.16: Growth of Political Consciousness among the Mizos***

The Lushais lived in splendid isolation before they came in contact with the English. They were happy and content with their own social and political organizations and were self-sufficient with their scarce resources. Shortage of jhum land and grazing ground for their animals frequently led to the inter-tribal rivalries but there were no evidence of external interference in their political life. They used to swoop upon the neighbouring territories for plunder and indulged in raids because it was very much profitable for the chiefs. In the society there remained certain horrible customs but the people were habituated to this social life and remained content. A social commoner has to pay several taxes from the product of the land and as a result the chief would offer him political protection. Under these circumstances the Lushai politics was developed.

The invasion of the British to the Lushai Hills had brought various changes which had great impact on their political, economy and social life in many ways. Though the colonial power had recognized the existing chieftainship the traditional chiefs in their village administration came to depend much heavily upon the Superintendent, who became the centre of administration. He was the chief executive, Chief Judge and Chief of Military Police. His words and orders became the law of the land because he was equipped with all type of modern weapons and security by which the chiefs were easily suppressed.

The political administration of the Assam Government had no access into the Lushai Hills because the Lushai Hills was declared to be a backward area under of the Government of India Act, 1919 on January 3, 1921<sup>41</sup> and was also made an excluded area under the government of India Act, 1935.<sup>42</sup> Therefore, the problem of the Lushai Hills was never discussed in the State Legislature or the Provincial Legislature. In those days the Mizos were not allowed to form any political party or organization and sending of representatives in the State Legislature was a beyond imagination. The Lushai Hills was cut off from the political arena of India. Not only the Legislature even the bureaucracy had no entry into the Lushai Hills. The Superintendent was not only the Chief Judge, who settled disputes among the Mizos but was also armed with the power of Inner Line Regulation that legally banned the entry of non Mizos into the Lushai Hills. Therefore, the entry of the Lushai Hills by the non-Mizos depended upon the will of the Superintendent who rarely permitted the people of the plains coming from India to enter the Mizo Hills. Thus, political awakening was not known to the Mizos who were isolated from the rest of the Indian Administration.

It is well-known that the British had consolidated their supremacy in the Lushai Hills not for the purpose of economic gain but to suppress the activities of the Mizos who were known to them as head-hunters.

---

<sup>41</sup> V.Venkata Rao, *A century of Tribal Politics in North-East 1874-1974* (S.Chand and Company, New Delhi, 1974), p.52

<sup>42</sup> *Ibid.*, p.81

The pace of economic development in the Lushai Hills district during the British period had been very slow because the administrators had taken no responsibility for the welfare of the people. The chiefs paid insignificant revenue to the government and the administration also spent very little for the economic upliftment of the Mizos and its financial condition was very bad. In those days, expenses meant administrative expenditure and nothing else. Expenditure for the cause of the welfare of the subjects was more or less unknown.<sup>43</sup> As there was not a single representative of the Mizo in the Assam Assembly, the economic problem of the Lushai Hills had no room for discussion in the Provincial Legislature. The newly emerging middle class who had learnt the situation prevailing in the neighbouring land and other parts of the country were dissatisfied with the economy of the people in the Lushai Hills. This was mainly responsible for the growth of political consciousness among the Mizos.

Till the time of the First World War practically no political uprising has taken place in the Mizo Hills. The Mizos who have been sent abroad during the First World War came back with different outlook, making friends with the people of the outside world and exchanging their ideas and thoughts. After their experiences with the outside world, the young Mizos became conscious of their political rights and liberty of the people and were dissatisfied with the form of administration given to them in the Lushai Hills. In 1920, after their experiences during the First World War a group of people at Aizawl had expressed their intention to form an organization and demanded inclusion of the Lushai Hills under the Government of India Act of 1919.<sup>44</sup> In 1924 a group of Mizos led by one Telela, of Kulikawn, Aizawl demanded that representation of the Lushai Hills to the Assam Legislature should be allowed. Telela and Chawngbawia, another of the group, met Rev. U.M. Nicholas Roy in Shillong and discussed political and administrative reforms in the Lushai hills. On their return to Aizawl they were arrested under the orders of the Superintendent.<sup>45</sup> This ended the first attempt of Mizos to join the political process of the country but

---

<sup>43</sup> Dr. Suhas Chatterjee, *Mizoram Encyclopaedia, Vol-I* (Jaico Publishing House, Bombay, 1990), p.19

<sup>44</sup> Brigadier C.G. Verghese, *op. cit.*, p.346

<sup>45</sup> Animesh Ray, *op. cit.*, p.49

have been easily suppressed by the government. Although, their activities were easily suppressed it holds an important position in the political history of the Mizos because it make headway to the emergence of political consciousness among the Mizos.

The spread of education also plays an important role for the growth of political consciousness among the Mizos. The young Mizos who were granted Liberal Scholarships by AC. Mc.Call, the superintendent of the Lushai Hills (1939-40) were send to several places for the pursue of higher education. Education gave them a new dimension, their attitude to life and values have changed. The newly educated young Mizos attached themselves to several respectable jobs under the colonial administration and Christian Missions. Moreover the English has created a new educated class who could help in the governance and the maintenance of the colonial rule. However these new educated middle class in the Mizo Society became increasingly aware about their civil rights, conscious of the dignity of man and their rightful place in the society and the nation which paved the way for the growth of the political consciousness among the Mizos.

On the eve of the Indian independence great political awakenings have started taking place in the Lushai Hills District. The Home Rule movement gained strong momentum not only in the plains but also in the hilly region of the country and the wave of political activities had greatly influenced the educated youths of the region including the Lushai Hills. In their preparation for independence all the tribals in the Assam province including the Mizo were also worried with what form of administration was to be given to them when the British left them and were engaged in drafting a Constitution suitable for their administration. At this stage, they were also acquainted with the knowledge of the dignity of man, liberty of the people and the democratic ideas and principles. They have learned the importance of taking active part in politics and started organizing themselves in order to achieve their political aspirations. In this way the political movement in India had a great influence for the growth of political consciousness among the Mizos.



The hills woke up from their age old slumber with the construction of roads and railways under the British administration. The volumes of road traffic largely increased in the Lushai Hills because the administrators were of the view that good communication facilities were indispensable for the maintenance of law and order. With better transport facilities, trade and commerce flourished and mobility of the population also helped cast away many narrow superstitions of the tribal community. Those roads allowed the entry of the non-Mizos with a new civilization sowing the seed of political consciousness among the Mizos.

In 1943, the Superintendent Mc.Call was replaced by Mc.Donald who has made a careful examination of the Mizo culture and their political activities. After acknowledging the grievances of the commoners he had felt the necessity of including the representatives of the commoners in the Durbar. By the end of the 1945, he had made an order that the chiefs and the commoners should have equal representation in the Durbar. The first election in the Aizawl sub-division was held on 14<sup>th</sup> Jan., 1946 at Aizawl where 26 representatives were elected.<sup>46</sup> Thirteen of them were elected from the chiefs and the other thirteen from the commoners. In Lunglei sub-division, the first election was held in July 1946, where 14 representatives were elected.<sup>47</sup> The chiefs have elected seven representatives and the Commoners have elected the other seven representatives from among themselves. The Durbar which consists of 40 members was now called the District Conference and their meeting was presided by the Superintendent. This was a great landmark in the political process of the Mizos and a bold step on the part of the Superintendent who had authorized the common man to participate in the political process of the Lushai Hills.

On January 18, 1946 the elected members of the District Conference from Aizawl District held its first meeting under the Chairmanship of the Superintendent and resolved that the chief should not expel any villagers from his village unless a resolution to expulsion has been made by the elders of

---

<sup>46</sup> H.Vanthuama, *Mizoram politics Chanchin, 1952 Hmalam* (Zotlang Press, Aizawl, 2001), p54

<sup>47</sup> *Ibid.*, p.14

the villagers who were elected by the villagers for the said purpose. Secondly, every family in the village should pay paddy tax (*Fathang*), in case, the family does not cultivate it should be paid in terms of money (Rs. 2 per annum).<sup>48</sup> During this period the District Conference became the most important forum of the Mizos which became an advisor of the administration and future set up of the Lushai Hills.

Though the District Conference was formed at the good will of the Superintendent it lost the support of the representatives of the Commoners who were of the opinion that only 300 chiefs and 1.5 lakhs of Mizo people having the same number of seats is definitely injustice. They also thought that District Conference did not represent the Mizos and wanted to give greater authority to the Mizo Union, the newly formed political party and thus boycotted the meeting of the District Conference which was held on November 8, 1946 at the Office of the Superintendence.

### ***2.17: Emergence of Political Parties during the Colonial Period***

The Lushai Hills, being an excluded area, under the Government of India Act, 1935, the Mizos were not permitted to have any political activity till they were granted by the Superintendent in 1946 under the appeal of the educated elites. Being an excluded area, the Act of the Federal Legislature or the Provincial Legislature have no effect in the Lushai Hills unless it acquired the assent of the Governor-General who has the power to amend or repeal the Act according to his will.<sup>49</sup> They were divided and given to the charge and control of different regional authority just for the sake of administrative convenience. Therefore the political activities in the Lushai Hills could not gain strong momentum. With the emergence of the middle class and growth of political consciousness among the Mizos, the necessities of forming a political organization was felt to unite all the Mizo tribes in and around the Lushai Hills. The spread of Christianity and education set the process of modernization and as

---

<sup>48</sup> Ibid., p.16

<sup>49</sup> M.L.Brose, *Historical and Constitutional Documents of Nort-Eastern India 1824-1973* (Concept Publishing Company, Delhi, 1979), p.180

result new educated elites began to emerge. The educated elites enjoyed greater advantage in terms of co-operation and interaction and earned great confidence and support from the masses. Thus, the idea of forming political parties like that of other nation in the plain was felt necessary by the educated elites.

### ***2.17.1: The First Political Party (Mizo Union)***

In the Lushai Hills, regional political parties commenced their career in 1945 just before independence. With the permission of the Supdt.Mc.Donald, R.Vanlawma organized the youths and educated people in the Lushai Hills District and formed a political party named “Commoners Union” on April 9, 1946. To enlist the support of the elites and the enlightened chiefs it was renamed as “Mizo Union” on April 25, 1946.<sup>50</sup> Mr.Saprawnga and Mr.Dengthuama were the founder members of this political party. Adhoc Office Bearers were appointed and those were- President: Pachhunga, Vice President: Lalhema, General Secretary: R.Vanlawma, Treasurer: Thanga and Fin. Secretary: Lalhmingthanga.<sup>51</sup> They had taken up all the responsibility till the first General Assembly where the first General Election was held.

The factors responsible for the formation of the Mizo Union were several. First, the administration of the district both civil and criminal jurisdiction was concentrated in the hands of the Superintendent who, being a foreigner, never understood the sentiments and feelings of the people. Secondly, the Superintendent was not based on the satisfactoriness of the governed. Beside the Superintendent there were the chiefs who were semi-sovereign rulers. So long they carried on the orders of the Superintendent to his satisfaction the British did not wish to interfere in the administration. Some of the chiefs turn out and plunder the common man. The progressive elements in the Lushai hills demanded the abolition of chieftainship. Thirdly, the Lushai Hills was not represented in any Legislature or in the Council of Ministers. The administration therefore did not understand the aspiration of the people. Everything depends

---

<sup>50</sup> H.Vanthuama, op.cit., p.21

<sup>51</sup> Ibid., p.54

upon the sense and values of the Superintendent. Nicholas Roy thought that unless the Lushai Hills was represented in the Legislature, its lot would not improve, having this in mind, he advised the Lushais to agitate for the introduction of reforms in the Lushai Hills. To agitate for reforms, an organized body was necessary. Thus came into existence the Mizo Union.

The Mizo Union held its first General Assembly at Aizawl Boy's M.E.School on September 24 where fresh elections of office bearers were held. It elected Lalhema as its President, R.Vanlawma its General Secretary and Lalbuaia its Treasurer.<sup>52</sup> The Mizo Union was divided into three divisions and several Councilors were appointed for each division.

In its first General Assembly, the Mizo Union resolved to demand that a chief should rule the village not through the 'Upas' or elders appointed by him at his discretion, but elected by the people. The Superintendent was requested to have two-third of the District conference's representatives elected by the common people and the rest by the chief. The members of the party thought that having equal number of representatives was not fair as the commoners were much greater in number than that of the chiefs. The party deliberated on the future set up of the country and declared: "In the event of India attaining complete and unqualified independence the Mizo are opposed to the retention of their district as a political area under independent India, but wish to be included in the Provincial Legislature. Excepting on the concurrent subjects, no legislature should apply directly to the hills and they reserve all rights and privileges of their internal administration with a local legislature and executive body."<sup>53</sup> The party has also suggested that the Lushai Hills District should cover all the areas inhabited by the Mizo tribes which may include the Mizo inhabited areas of Manipur, Tripura and Chittagong Hill Tracts and surrounding plains.

On January 25, 1947, the Constituent Assembly of India appointed an Advisory Committee on minorities, tribal areas, etc., under the Chairmanship of Sardar Vallabhai Patel. A sub-committee was appointed for the

---

<sup>52</sup> P.Lalnithanga, IAS (Retd), *Political Development in Mizoram* (Lengchhawn Press, Aizawl, 2006), p.8

<sup>53</sup> Animesh Ray, *op., cit.*, p. 152

North Eastern tribal area under the chairmanship of Gopinath Bordoloi. The members co-opted for the Lushai Hills were Saprawnga and Khawtinkhuma, representatives of the Mizo Union. The Mizo Union submitted its memorandum to the Bordoloi Sub-Committee and demanded the following: (1) The Mizo inhabited areas of the neighbouring district should be included in the Lushai Hills District, (2) Lushais should be called the Mizos, (3) Internal administration should be left to the Mizos, (4) Liberal financial assistance, should be given to the Mizos.<sup>54</sup>

In course of time there arose conflict among the members of the party owing to the differences in their opinion in policy matter and that some of their policies are not acceptable by the ruling class. The radicals in the party adopted a radical programme, the abolition of the chieftainship, representation of the Lushais in the Assam Legislative Assembly and finally the improvement in the economic and social conditions of the people. The programme had a tremendous impact on the commoners and as a consequence, the Mizo Union became immensely popular particularly with the commoners. All the political activities and public opinion in the Lushai hills at the initial period were carried out under the initiative of the Mizo Union. The party earned great support from the people and dominated the Mizo politics at the initial stage of India's independence.

But later on, in 1974 the party merged itself with the Indian National Congress with a hope of having cordial relationship with the Central government. This brought an end to the Mizo Union, the most popular political party which brought remarkable changes in the political history of the Lushai Hills.

### ***2.17.2: The Second Political Party (United Mizo Freedom Organization)***

Meanwhile, under the initiative of Lalmawia, a retired army officer from Burma another political party called United Mizo freedom Organization (UMFO) was formed on July 5, 1947 with Lalbiakthanga as its

---

<sup>54</sup> *Ibid.*, p.153

President and Rev.Zairema as the Vice President.<sup>55</sup> It attracted the chiefs, the dissatisfied Mizo Union members and those who disliked the pro-India anti chief anti-British stance of the Mizo Union. The party was essentially in opposition to the Mizo Union and it was formed with a view to provide an alternative to the first Mizo political party. The aims and objectives of the party were to secure a government which would assure the people unfettered freedom, establish democratic form of Government, autonomy to begin with and independence when conditions were favourable, development of the country, promotion of understanding in the people, finally reform of administration gradually.<sup>56</sup> It is also known as '*Zalen Pawl*' which means an organization of the privilege class.

The party was at first open to join any country or to remain independent or a British colony. Later on under the leadership of Lalmawia the party resolved that it would be a greatest advantage of the Mizos to join Burma. The reason given for these view were that (a) Burma being smaller than India, the Mizos might have a larger voice in the affairs generally; (b) Mizos participation in public affairs may have greater scope in Burma; (c) Mizos are very close to Burmese ethnically; (d) Mizos would have greater autonomy in Burma; (e) It was said that the draft Constitution in Burma had a provision for the possibility of opting out of Burma by any of the hill people after ten years.<sup>57</sup> But, the policy of joining Burma could not gain strong momentum owing to the fact that the Lushai Hills was legally within the province of Assam under the British rule and that the Mizos had no choice other than to join India.

Since the UMFO's objectives of uniting the Lushai Hills cannot be realized Lalmawia hit upon another plan, the formation of the Hill State within the Indian Union comprising all the hill areas in the North East India. This idea receive support from the EITU Later on Lalmawia join the EITU and the UMFO was dissolved.

---

<sup>55</sup> V.Vekata Rao, H.Thansanga and Niru Hazarika, *A century of Government and Politics in The North-East, Vol.III. Mizoram* (S.Chand and Company, New Delhi, 1987), p.139

<sup>56</sup> Ibid., p.139

<sup>57</sup> Lalchungnunga, *Mizoram: Politics of Regionalism an National Integration* (Reliance Publishing House, New Delhi, 1994), p.80

Till recently, many political parties had survived or vanished in Mizoram but the Mizo union and the United Mizo Freedom Organisation were the only political parties which emerged in the Lushai Hills during the British regime.

### ***2.18. Civil Disobedient Movement***

The Lushai Hills was characterized by great confusion and disorder even before the formation of the first political party because there were many commoners who were dissatisfied with the behaviours of the chiefs and had been looking for an appropriate forum through which they could work together in their objectives of abolishing chieftainship. The common people felt that they had enough concerning mass organization and mobilization which were most essential in the emerging political situation. They had realized that safeguarding the oppressive rule of the chiefs in the Lushai Hills would bring in more vulnerable to the more undesirable alien rule because there was no cordial relationship or mutual co-operation among the Lushai chiefs. Further, they were divided and unorganized in matters concerning the common problem of the whole tribes.

The resentment against the indigenous class of the chiefs and the strong bureaucratic administration of the superintendent became crystallized immediately after India achieved independence. The commoners-chiefs antagonism developed into an extreme form during the tenure of Supdt.L.L.Peters who had served a notice on August 28, 1948 stating that any rebellion against the chiefs or the privileged class will be seriously dealt with, according to the law.<sup>58</sup> Therefore, the commoners who have acted against the will of the chiefs have to face severe punishment even for small reasons, in the hands of the Superintendent. This has aggravated the tension between the upper class and the common people. As a result, the leader of the Mizo Union resolved that the only solution for their intolerable sufferings would be to let L.L.Peter leave the soil of the Lushai Hills. They gave this information to the Governor of

---

<sup>58</sup> H.Vanthuama, *op., cit.* p.130

Assam. The leaders of the Mizo Union sent a message to every village stating that if L.L.Peter was not sent away from the Lushai Hills by till December 28, 1948 the Mizos should stop giving co-operation to the government and that everybody should stop paying taxes in any form to the chiefs and disobedience to the Government's order must be carried on without any violence.<sup>59</sup>

The middle class dominated Mizo Union Party launched agitation and non-cooperation in the form of Civil Disobedience Movement which started from December, 1948 and continued up to February, 1949. This movement was in the form of non-cooperation, with the administration of the Superintendent, by way of protest against the chiefs and for establishing the rule of the people at the grassroots level. During the movement the then District Superintendent L.L. Peters openly sided with the chief and the Mizo Union leaders faced severe punishments from the District Administrators.

The supporters of the Mizo Union came out with appeals to the people to stop payment of any customary dues to the chiefs and songs bearing anti-chiefs feeling were sung throughout the Lushai Hills. The agitators left no stone unturned to convince the people that this movement was to secure for the commoners the rightful place in the society and in the governance. The Mizo Union turned into a mass strike, covering the whole Lushai Hills. There was great public disloyalty and disrespect for the chiefs and the commoners had refused to pay taxes and denied to work under force labour. Allured by the political situation, the people could not resume their work and marched the streets; they stoned at the house of the privileged class and even threatened to kill them.

The Mizo Union leaders such as:- Mr.H.Vanthuama, Mr.Lalbuaia, Mr. Thanhlira, Mr.Hrangaia, Mr.Saprawnga, Mr.Bawihchhuaka and many others were arrested under the order of the Superintendent of the Lushai Hills District which turned the situation from bad to worse. People in large numbers from different parts of the Lushai Hills gathered in procession at Aizawl shouting the slogan, "Let Peters go home, Mizo Union for our land, we

---

<sup>59</sup> Ibid., p.144



want justice". The Superintendent tried to suppress the movement by punitive action but the result was contrary and the movement grew stronger. On December 29, 1948, Mr.Thanhlira, Mr.Vanthuama and Mr.Lalbuai, the President, General Secretary and Treasurer of the Mizo Union were sent to Tezpur Jail.<sup>60</sup> They were the first three known political prisoners among the Mizos. Several other Union Leaders were also sent to different Jails in Assam. The Superintendent had sent Ex-Capt. Lalrinliana, son of Kelsih chief, B.M. Roy Asst. Superintendent and Mr. Liton accompanied by Assam Rifles in various parts of district for investigation. They had inflicted severe punishment to the rebellion commoners but the punitive action taken by them stirred up the movement which made it stronger.

In Lunglei Sub-Division, the movement gained strong momentum; the people marched in the streets, though the Sub-Divisional Officer had served an order to disperse the people from the crowded streets, no attention was paid to him. The mob was at last dispersed by the police with the help of the Assam Rifles who had flogged the participants causing serious injuries. Many Union leaders were caught and sent to jail, severe punishment were inflicted upon them. More than hundred people among the commoners were wounded, some of them seriously and few among them were admitted in the Hospital.

Sensing that the administration in Mizoram was on the verge of collapse, the Governor of Assam deputed Nari Rustumji, one of his advisers on Tribal Affairs to Mizoram to study the situation. He visited Mizoram and reached there on January 21, 1949, met Mizo chiefs and the Mizo Union leaders separately. Studying the entire situation he arrived at the conclusion that the Superintendent's siding with the chiefs was not proper. He assured the people the implementation of the Sixth Schedule at the earliest and his intervention in the affairs of the Lushai Hills District administration in a situation of extreme crisis brought an end to the Civil Disobedience Movement initiated by the Mizo Union.

---

<sup>60</sup> Ibid., p.147

Under the initiative of Nari Rustumji, an agreement was signed between the Superintendent and the Mizo Union. The agreement states that: (a) The fines imposed due to the movement should be paid back to the people (b) Corporal punishments inflicted upon the people must be decided by the court. (c) The people from now on will act according to the wishes of the administrator<sup>61</sup>. The agreement was signed on January 28, 1949 by R.Dengthuama, Vice President Lunglei Mizo Union, who was released on bail and Mr.L.L.Peters, the Superintendent of the Lushai Hills. All the people who were prosecuted because of the movement were also released after the agreement was signed. The Superintendent was also replaced by S.Barkataki, an Assamese, who was the first Indian Superintendent of the Lushai Hills.

### ***2.19: Conclusion***

Meanwhile, the Constituent Assembly had approved the provisions of District Council and Regional Council, which were inserted in the Sixth Schedule of the Constitution. Accordingly, the Government of Assam enacted Assam Autonomous District (Constitution of District Council) Act, in 1951. The Mizo District Council for the Mizos and Pawi-Lakher Regional Council for the Pawi-Lakher and Chakma Tribes, were set up in 1952 and 1953 respectively. The Lushai Hills District (Village Council) Act was passed in 1953 to establish the Village Council. Similarly, the Pawi-Lakher Regional Council (Village Council) Act was passed in September, 1954 to streamline the village administration in the Pawi-Lakher region. This led to the abolition of chieftainship in the Mizo Hills and the dream of the commoners for establishing the rule of the people at the grassroots level had been achieved. The chiefs were paid compensation, some of the chiefs utilized the money received wisely, but majority of them squandered it and left a trail of misery for their dependents. This was a bold and socialistic step taken by the Mizo Union, keeping with the provision of the Democratic Indian Constitution.

---

<sup>61</sup> *Ibid.*, p.156.

The Mizo District Council which was allotted three seats in the Assam Legislative Assembly worked for 20 years and was abolished in 1972. Under the provision contained in the section 6 of the North-Eastern Areas (Reorganization) Act, 1971 (Act 81 of 1971) the Mizo Hills District of Assam became Union Territory of Mizoram on January 21, 1972 with a 33- member Legislative Assembly and two Parliamentary seats- one for Lok Sabha and the other for the Rajya Sabha<sup>62</sup>. After the historic political accord between the Government of India and Mizo National Front on June 30, 1986 the State of Mizoram Bill was passed by the Parliament on August 7, 1986 (Act 34 of 1986). By this Act, the Union Territory of Mizoram became the 23<sup>rd</sup> State of the Indian Union on February 20, 1987 with 40 member Single Chamber Legislative Assembly, 3 Districts, 9 Sub-Divisions, 3 Autonomous District Councils and 301 Village Councils.<sup>63</sup>

---

<sup>62</sup>Chitta Ranjan Nag, *op. cit.* p.138

<sup>63</sup>*Ibid.*, p.142

## CHAPTER III

### *Evolution of Grassroots Democracy: History of Village Council System*

#### **3.1: Introduction**

Democracy has been practiced and experienced by the people of Mizoram only few years before India got her independence. The then Superintendent A. McDonald had organized a District Conference to aid and advice him in managing the affairs. The Lushai Hills which was divided into 20 circles would send two representatives each in the District Conference, one representing the commoners and the other representing the chiefs. The first election to the members of the District Conference was held on the 16<sup>th</sup> January, 1946 at Aizawl. After the formation of the District Conference the Mizos got the permission for organizing into a political party by the Superintendent which was granted on the 9<sup>th</sup> April 1946.<sup>1</sup> Consequently, the Mizo middle Class had started forming the first Political party in the Lushai Hills which was known as Mizo Union, about which we discussed in the previous chapter. The Mizo Union, since its formation had started taking all necessary steps in order to have better political and administrative set-up in the Lushai Hills looking ahead for certain reforms for their future political set-up. The desire for enjoying political rights by the leader of the Lushai Hills has been fulfilled and the Mizos were awakened from their deep slumber of “Backward-Track” or “Excluded Area”.

---

\* This Chapter is an edited version of my article published in Jagdish K. Patnaik (Ed.) *Mizoram: Dimension and Perspectives*, (Concept Publishing Company, New Delhi – 110059, 2008) p. 281.

<sup>1</sup> Chaltuahkhuma, *Political History of Mizoram* (David Memorial Press, Aizawl, 2001), p. 53.

On the eve of the Indian independence an Advisory Committee on minorities, tribals, etc. was formed under the chairmanship of Sardar Vallabhai Patel by the Constituent Assembly of India on the 25<sup>th</sup> January 1947. The advisory Committee has appointed a Sub-Committee called the Bordoloi sub-committee after the name of its Chairman Gopinath Bordoloi, the Premier of Assam, to aid and advice the Advisory Committee on the affairs of the North Eastern tribal areas. Being an excluded area the Lushai Hills had no representatives in the Constituent Assembly. So, the Sub-Committee of the Constituent Assembly invited the Mizo Union (the only political party in the Lushai Hills) to send their representatives for serving the co-opted members. Accordingly, the Mizo Union after a meeting had nominated Mr.Saprawnga and Mr.Khawtinkhuma, the then President and Vice-President of the Mizo Union to join the Sub-Committee as co-opted members.<sup>2</sup>

The Bordoloi Sub-Committee was to make a spot visit of the hill areas and make a study of the hopes and aspirations of the hill people in the “Excluded Areas” and “Partially Excluded Areas” when the British Government decided to transfer power to the people of India. The Sub-Committee had visited the hill areas and reached Aizawl on the 17<sup>th</sup> April 1947, there they had a long discussion on how the Lushai Hills would be governed when the British had left India with the leaders of the Mizo Union and the representatives of the District Conference. The most important points which they have discussed were that there should be a District Council elected by the people, the Mizos should have at least 3 representatives in the Assam Legislative Assembly, there should be one minister in charge of the tribal areas and that the District Council should look after the primary education, Inner Line Regulation and all civil and criminal cases should be taken care by the District Council according to the Customary law of the tribals. Further, the Mizo Union in its memorandum submitted to the Bordoloi Sub-Committee, demanded the following: (i) The Mizo inhabited areas of the neighbouring districts should be included in the Lushai Hills District, (2)

---

<sup>2</sup> Briadier C. G. Verghese, V.S.M (Rtd.) and R. L. Thanzawna, M.C.S. (Rtd.), *A History of the Mizos, Volume-I* (Vikas Publishing House, Pvt. Ltd., New Delhi-110014, 1997), p.356

Lushai should be called Mizos, (3) Internal administration should be left to the Mizos and (4) liberal financial assistance should be given.<sup>3</sup> There was a sharp difference of popular opinion among the Mizos regarding the future of the Lushai Hills.

### ***3.2: Recommendations of the Bordoloi Sub- Committee***

The Bordoloi sub-committee noted the anxiety of the hill people about their land and their fear of exploitation by the economically advanced people, especially the money lenders. The Committee recommended for the Autonomous District Council to be constituted democratically with the power of legislations over the occupation and use of land other than reserved forest and the cultivation of jhum. The District Council should have the power to make law on the use of land, village forest, and agriculture. The District Council should be entrusted to provide administration of justice. The Committee also recommended for the Provision of Regional Council in the District to protect the distinct culture and dialect of smaller tribes. The Committee was not keen to allow the Lushai Hills District to enjoy the status of being “Excluded Area” as it felt that there was a much advancement of the area.<sup>4</sup> It also suggested that the tribal of the region should enjoy uninterrupted freedom in the practice of their respective customs, inheritance, social organizations and way of life.<sup>5</sup>

### ***3.3: Formation of the District Council***

The report of the Bordoloi Committee was placed before the Constituent Assembly for discussion. There was a criticism against the recommendations for creation of the District Council and Regional Council in the hill districts of Assam on the ground that it might sow the seed of separatist tendency among the Indians. Such a vast power in the hands of the tribes should

---

<sup>3</sup> Animesh Ray, *India- The Land and the People, MIZORAM* (National Book Trust, India, New Delhi, 1993), p. 152

<sup>4</sup> S.N. Singh, *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* (Mittal Publications, New Delhi – 110059, 1994), p.132

<sup>5</sup> Chitta Ranjan Nag, *Post-Colonial Mizo Politics, 1947-1999* (Vikas Publishing House, New Delhi- 110014, 1999), p.35

lead to chaos, anarchy and disorder throughout the country and the creation of such council would jeopardize the interest of the whole country. Dr. Ambedkar had defended the creation of the District Council in the Constituent Assembly. He pointed out the differences between the tribes in Assam and other parts of the country, who have been Hinduised and assimilated into the Hindu society among whom they lived. But the tribes of Assam developed their own culture and language or dialect and their own religion. Their internal organization, laws of inheritance and marriage, fundamentally differ not only from those of the plains but also from their own immediate neighbouring tribes.<sup>6</sup> Moreover, the hill areas are the frontier of the country which should be well protected and the political aspirations of the people in these areas should be satisfied.

After a long deliberation, the committee submitted its report to the Chairman Advisory Committee on Fundamental Rights and minorities Sardar Vallabhai Patel for approval; it was later on forwarded to the President of the Constituent Assembly with some amendment. The constituent Assembly after much debate and deliberation finally approved the provisions of District Council and Regional Council, which were inserted in the Sixth Schedule of the Constitution. The District Council had been given wide and extensive law making power with respect to the administration of their areas under the provision of paragraph 3 of the Sixth Schedule of the Constitution. The District Council is also empowered to regulate trading and money lending by non-tribals in the district. The Inner Line Regulation introduced by the colonial power was also upheld. A regional autonomy had thus emerged to enable the hill people to safeguard their way of life, to participate in the political life of the country and the administration of their own area, and to develop themselves according to their own genius and tradition.

Mizoram, the then Lushai Hills was incorporated into the state of Assam in 1947 when India independent Act came into force. The central government immediately informed the matter to the Mizo Union which accepted

---

<sup>6</sup> V. Venkata Rao, *A Century of Tribal Politics in North-East India, 1874 1974* (S.Chand & Company Ltd., New Delhi, 1976), P.184

the incorporation of the district into Assam state in accordance with the provision of the Sixth Schedule. The Government of Assam enacted the Assam Autonomous (Constitution of the District Council) Act, in 1951.<sup>7</sup> The central government under the provision contained in the Sixth Schedule of the Constitution, Article 244(2) and 275(1) has created six autonomous districts in Assam: United Khasi and Jaintia Hills, Garo Hills, Lushai Hills, Naga Hills, North Cachar Hills and Mikir Hills.<sup>8</sup> There was to be a District Council for each autonomous district, the Governor would divide the areas divided by them into an autonomous region. On the basis of this provision an autonomous region, the Pawi-Lakher Regional Council was created in Mizoram. In this way, the Mizo District Council for the Mizos and Pawi-Lakher Regional Council for the Pawi and Chakma tribes were set up in 1952 and 1953 respectively.<sup>9</sup> The member of the District Council and the Regional Council were to be elected for a term of five years. The entire Mizo District administrations including the District Council was controlled and looked after by a department known as Tribal Areas Department (TAD) under Government of Assam headed by a Tribal Minister.<sup>10</sup>

The Strength of the Mizo (Lushai) Hills District Council at the beginning of its inception was 24 which consist of 18 elected members and 6 nominated members to ensure the participation of every section of people in the society. The nominated members of the Lushai Hills District Council consists of one representative of the government, women's representatives, two representatives from the chiefs, one representative from the commoners and another representative from the smaller tribes.<sup>11</sup> The newly created Pawi-Lakher Regional Council also consists of 12 members including 2 nominated seats. The creation of the Autonomous District Council within the state of Assam fulfilled the aspiration of the Lushai, now called the Mizos to a great extent. With the introduction of these Councils, the post of Superintendent was abolished and the

---

<sup>7</sup> S.N. Singh, *op. cit.*, p.145

<sup>8</sup> K.M. Zakhuma, *Political Development in Mizoram from 1946 to 1989* (Offset printers and paper works,2001), p.137

<sup>9</sup> S.N., Singh, *op. cit.*, p., 145

<sup>10</sup> P.Lalnithanga IAS (Retd.) *Emergence of Mizoram* (Lengchhawn Press, Aizawl, 2005), P.28

<sup>11</sup> K.Lawmzuala, *Mizo District Council Kha* (Lengchhawn Press, Aizawl, 2002), p.22



whole area of Lushai Hills was placed under a “Deputy Commissioner”, with much curtailed powers, and the Chief Executive Members of the District and Regional Councils.

### ***3.4: Legislative Power of the District Council***

Under the Sixth Schedule of the constitution, the District Council has been vested with the power to make laws with respect to-

- the allotment, occupation or use, or setting apart, of land which is a reserved forest, for the purpose of agriculture or grazing or for any other purposes likely to promote the interests of the inhabitants of any village or town, subject to the power of compulsory acquisition of any land for public purposes by the Government of Assam;
- the management of any forest not being reserved forest;
- the use of any canal or water-course for the purpose of Agriculture;
- the regulation of the practice of jhum or other forms of shifting cultivation;
- the establishment of village or town committees or councils and their powers;
- any other matter relating to village or town administration, including village or town police and public health and sanitation;
- the appointment or succession of chiefs or headman;
- the inheritance of property;
- marriage and
- Social customs.

The District Council or Regional Council is also empowered by the Constitution to establish Village Councils for the village administration; make appointment of members and presiding officers of the Village Councils and courts and to appoint officers for the administration of laws made under paragraph 3 of the Sixth Schedule. The Council may also appoint officers, if necessary, to administer the law made by the Councils.

### ***3.5: Abolition of chieftainships***

The supremacy of the chiefs was a great nuisance to the commoners because some of the chiefs had utilized their power arbitrarily. The traditional tax and privileges given to the traditional chiefs was a great burden to the commoners. As Christianity and missionary activities were opposed to the interest of the traditional elites, the new privileged class became wholly dominated by the commoners and posed a challenge to the traditional elites. In this way the British rule gradually loosened the traditional holds resulting in a declining tendency of chief's traditional powers. A new set of rulers based on democratic principle was envisaged by the people. Later on, the refusal of the chiefs to join the Mizo Union party had created a bitter atmosphere of political rivalry causing a strained relation between the traditional elites and the new privileged class.

In the first election of the Lushai Hills District Council, out of 18 elected members the Mizo Union, greatly supported by the commoners has got 17 seats and only 1 seat was won by the UMFO, supported by the traditional elites. The District Council, soon after its formation, began to make laws on various subjects aimed at bringing about the development of Mizoram. It passed several laws on different subjects within a short period and made commendable work in matters of legislation. The first session of the District Council was convened on the 23<sup>rd</sup> June, 1952 and the session continued till the 10<sup>th</sup> July 1952.<sup>12</sup> Armed by the Sixth Schedule of the Constitution which had empowered them to pass law, majority of the members entertained a revengeful attitude towards the chiefs and expressed their views in favor of the abolition of chieftainship in the Lushai Hills. Accordingly, its first piece of legislation called the Lushai Hills (Chiefs Abolition) Act, 1952, was passed by the District Council with effect from January 1, 1953.<sup>13</sup> Accordingly the entire existing chief within the District Council were to be abolished and all their powers and their rights to

---

<sup>12</sup> Dr. Sangkima, *Mizos: Society and social Change* (Spectrum Publications, Guwati:Delhi, 1992), p.175

<sup>13</sup> *Ibid.*, p.175

receive customary gifts were automatically abrogated. The chiefs were, however, allowed to function as rightful chiefs until another body was formed as substitute.

The chiefs were now reduced to mere figure heads in the Mizo society. They were no more looked upon as absolute ruler by the people. The District Council enjoyed the right to exercise overall powers on the chiefs. The District Council in its memorandum of April 3, 1953 justified the abolition of chiefship and accused the chief of exercising their power arbitrarily and blamed them as the cause of formation of the political party in 1946.<sup>14</sup> Accordingly the Government of Assam Legislative Assembly passed a bill which became an Act, known as The Assam (Lushai Hills Acquisition of Chief's Rights) Bill, 1954.<sup>15</sup> The Act mainly deals with the compensation to be given to the chiefs and the settlement of their land. It further empowered the District Council to administer all the chiefs' land. With these as many as 255 chiefs in the Lushai Hills and 50 chiefs in the Pawi-Lakher Regional Council were abolished on April 1, 1956 respectively.<sup>16</sup> In this way the oldest institution of the Mizo Society came to an end, the system of chief-ship so long in vogue was done away with and the right and interest of the Chiefs were taken over by the District Council. This paved the way for the creation of a democratically set up institution at the grassroots level.

### ***3.6: Formation of the Village Council***

With the formation of the District Council the whole administrative set up of the Lushai Hills was changed enabling the people to participate in the formation of the Government through adult franchise. Now with the extinction of the Chieftainship, the Village Council elected through franchise was to be formed in order to substitute the hereditary chiefs, who had all the administrative powers and responsibility for managing the affairs of the villages in the Mizo traditional society. The proposed new system of forming the Village Council was discussed at length in the District Council's sessions. The

---

<sup>14</sup> Ibid., p.177

<sup>15</sup> R. Vanlawma, *Ka Ram leh Kei, (My Country and I)* (Lengchhawn Press, Aizawl, 1989.), p.231

<sup>16</sup> V.H.Khuma, *Political History of Mizoram* (Omnipresent Offset, Ramhlun North, Aizawl), p.89

first was the enactment of the Lushai Hills District (Village Council) Act, 1953 (The Lushai Hills Act No. V of 1953). The Governor of Assam gave his assent to the Act on November 29, 1953 and the same was published in the Assam Gazette, dated the 9th Dec., 1953.<sup>17</sup> The Act empowered the District Council to form a Village Council in every village within the jurisdiction of the Lushai Hills District Council. Accordingly the District Council had started taking all necessary steps for the formation of the Village Council. It also provided that the number of the Village Councils would vary from village to village depending upon the number of houses. The Village Councils were divided into various groups in accordance with the Constituency of the District Council. Hrangaiia, an Executive Member of the Lushai (Mizo) Hills District Council was appointed as a member in charge of the Village Council.

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.<sup>18</sup> 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 follower, 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. Hrangaiia and F.Sangkunga, Mr.Thanhlira MP were appointed to inaugurate various Village Councils of different Circle where the newly elected members were to be present.<sup>19</sup> 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 the 16<sup>th</sup> August 1954, where the President and Vice President were elected. The elected President had to select a person from amongst the villagers, who will act as a Secretary during the tenure of the term and the appointment will

---

<sup>17</sup> Dr .Sangkima, *Mizos: Society and Social Change* (Spectrum Publications Guwahati: Delhi, 1992), p.177

<sup>18</sup> K. Lalrinzuali, DLAO, *Paper presented on 27<sup>th</sup> Oct., 2004 at the 4<sup>th</sup> Mizoram Village Council Association General Conference*

<sup>19</sup> *Notification No. E 4290/V-3 Dated: the 7<sup>th</sup> May, 1954 of the Lushai Hills District Council*

be given by the Executive Committee of the District Council.<sup>20</sup> 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 adults of the village in accordance with the rules made by the District Council under the Act. After completing all the formalities the Village level administration which so long rested 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 fixed 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 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 a 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 of villages was introduced. The change in the composition of the ratio of the

---

<sup>20</sup> Notification No. E 6155/C-11 Dated: the 9<sup>th</sup> August, 1954 of the Lushai Hills District Council

Village Council membership with the number of household was revised due to the proportionate increase of village population after the introduction of grouping scheme which reads:

- *For villages not exceeding 100 houses, there shall be 4 members*
- *For villages between 101 and 200 houses, there shall be 5 members*
- *For villages between 201 and 300 houses, there shall be 6 members*
- *For villages between 301 and 400 houses, there shall be 7 members*
- *For villages between 401 and 500 houses, there shall be 8 members*
- *For villages between 501 and 600 houses, there shall be 9 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 villages not exceeding 100 houses, there shall be 4 members; For villages with more than 100 houses, but not exceeding 200 houses there shall be 5 members;*
- *For villages with more than 200 houses, but not exceeding 300 houses there shall be 6 members;*
- *For villages with more than 300 houses, but not exceeding 400 houses there shall be 7 members;*
- *For villages with more than 400 houses, but not exceeding 500 houses there shall be 8 members;*
- *For villages with more than 500 houses, but not exceeding 600 houses there shall be 9 members;*
- *For villages with more than 600 houses, but not exceeding 900 houses there shall be 10 members;*
- *For villages with more than 900 houses, but not exceeding 1200 houses there shall be 11 members;*
- *For villages with more than 1200 houses, but not exceeding 1500 houses there shall be 12 members;*
- *For villages with more than 1500 houses, but not exceeding 1800 houses there shall be 13members;*

- *For villages with more than 1800 houses, but not exceeding 2100 houses there shall be 14 members;*
- *For villages with more than 2100 houses there shall be 15 members;*

The Lushai Hills District (Village Councils) Act, 1953 was again amended 1999 to change the condition for the number of members of the Village Councils in Mizoram. According to the amendment, the numbers of members of the Village Councils with the number of households were as follows:

- *For Village not exceeding 200 houses, there shall be 3 members*
- *For Village with more than 200 houses but not exceeding 400 houses, there shall be 5 members*
- *For Village with more than 400 houses but not exceeding 700 houses, there shall be 7 members*
- *For Village with more than 700 houses but not exceeding 1500 houses, there shall be 9 members*
- *For Village with more than 1500 houses, there shall be 11 members.*

Later on, in 2006 the criterion for the number of members of the 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 household 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*

At its inception out of 410 villages only 288 Village Councils were constituted in the Lushai Hills District. In the Pawi-Lakher Regional Council there were 72 Village Councils out of 123 villages.<sup>21</sup> The numbers of Villages having Village Council in Mizoram keeps on increasing

---

<sup>21</sup> Dr.HC.Thanhranga, *Village Councils in Mizoram*, (Lengchhawn Press, Aizawl, 1994) p.3

with the passage of time and more villages have been recognized by the District Council. The latest record maintained by the state government had shown that there are 556 Village Councils, looked after by the state government with 2036 members. The following table may indicate the number of Village Councils and its members in each district looked after by the state government.

*Table 2.1*

*The number of Village Council and its members in the General Election held on 24th and 25th February 2006:*

Sl. No.	Name of the Districts	Number of Village Councils	Number of members of the Village Councils
1	2	3	4
1	Aizawl District	166	664
2	Lunglei District	132	457
3	Champhai District	100	350
4	Mamit District	72	244
5	Kolasib District	44	168
6	Serchhip District	42	153
7	Total	556	2036

*Source: Results of General Election to Village Council 2006, Issued and Published by Directorate of Local Administration*

Besides, the above mentioned number of Village Councils and its members there are other Village Councils which were looked after by the District Council which got the right to make their own laws as empowered by the Sixth Schedule to the Constitution. Though nominated seats have been abolished under the state government in 1999 the three Autonomous District Councils still continue to have nominated seats within their jurisdictions which indicate that the District Councils have got enormous power in looking after the Village Council. The nominated members are usually appointed by those persons capturing majority seats and in the drawn Village Council nominated seats usually go to those persons who belong to the majority party in the District Council. The following table may indicate the number of Village Council and number of its elected member in each Autonomous District Councils within the state of Mizoram.



Table 2.2

The Number of Village Council and number of its members under  
The Autonomous District Councils:

Sl. No.	Name of the District Council	No. of Village Council	No. of member of the Village Councils
1	2	3	4
1	Lai(Pawi)Autonomous District Council	77	209
2	Mara(Lakher) Autonomous District Council	70	240
3	Chakma Autonomous District Council	65	305
4	Total	212	754

*Source: Secretariat of the District Council Affairs,  
Government of Mizoram.*

From Table 2.1 and 2.2 we have come to know that in the whole state of Mizoram there are 768 Village Council and 2790 elected members.

The Administrator or the District Council has got the power to abolish a Village Council if the number of household of the village has, in his opinion, is too small to have a Village Council of its own. In such a situation the villages shall be merged with the nearest village having a Village Council.

### **3.7: Composition of the Village Council**

The composition of the Village Council includes 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. The President and Vice President of the Village Council are elected by the members of the Village Council from amongst the elected members of the Council.<sup>22</sup> The Secretary is appointed by the Government on the recommendation of the President from amongst the villagers. The

---

<sup>22</sup> Sub-Section (1) of Section 7 of the Lushai Hills District (Village Council) Act, 1953

appointment of the Village Crier 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 takes the charge of the Village Writer and has no right to cast his vote when decisions are taken. He records the proceedings of the meetings and publishes notices, orders and proceedings. Similarly either the President or the Vice-President is not 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 instructions 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 be 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 acts as a Treasurer of the Village Council and all local fund and development fund were take 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 the 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 be vested in him.

*The Secretary:* The Secretary of the Village Council is the substitute of the 'Khawchhiar' or Village Writer in Mizoram since October 15, 1954; they were in charge of all the responsibility of the Village Writer during

the colonial period.<sup>23</sup> The Secretary 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, notifications, 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 of 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 acts 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 on his behalf.

*The 'Tlangau' or Village Crier:* The Village Crier always holds an important position in the Mizo villages from time immemorial. The Village Crier 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 persons required by the Village Council or Village Court to attend its meetings. He shall carry 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.

### ***3.8: Qualification to be a member of the Village Council***

A member of the Village Council should be a member of a Schedule Tribe, he must have attained the age of 25 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

---

<sup>23</sup> Executive Department Order No.EV.202/v-4, Dt: 28th Sept., 1954. of the District Council, Mizo District.

be convicted by any court or imprisoned three years before.<sup>24</sup> A person who has been employed as a government servant on regular basis cannot be elected as a member of the Village Council.

### ***3.9: 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 a period not exceeding 18 months.<sup>25</sup> 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 Village Council for the remaining period of the term.<sup>26</sup> 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 its dissolution by the members in the meeting and all necessary actions may be taken. But under the government of Mizoram discussion about the Village Council were never made in the Assemblies as the 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 Councils were conducted smoothly in 1954, 1957, 1960 and 1963 respectively. 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 return of normalcy in political situation, political leaders reactivated political parties and the District

---

<sup>24</sup> Section 4 of the Lushai Hills District (Village Council) Act, 1953.

<sup>25</sup> Section 5 of the Lushai Hills District (Village Council) Act, 1953

<sup>26</sup> Section 25 of the Lushai Hill District (Village Council) Act, 1953

Council reassumed its normal functions. The fifth Village Council election was thus held in 1971 after a lapse of eight years.

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 continues 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.<sup>27</sup> The President also has to forward the resignations of other members 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 members or “acting in a manner prejudicial to the interest of the state.”<sup>28</sup> 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.

### ***3.10: 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 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 bonafide residents and entitled to vote in the election to Village Council, in accordance with clause (g) of Rule 2 of the Mizoram (Election to Village Councils) Rules, 1974 as Amended. The administrator shall appoint a Registration Officer for each district for the Village Council and may appoint one or more persons as Assistant Registration Officer to assist the

---

<sup>27</sup> Sub-Section (4) & (5) of Section 7 of Lushai Hills District (Village Council) Act, 1953.

<sup>28</sup> Ibid., Sub-Section (10)

Registration Officer in the performance of his function.<sup>29</sup> 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.<sup>30</sup> The Registration Officer, Assistant Registration Officers and Polling Officers are usually appointed from among the teachers of the concerned village. The Returning officer has been empowered to appoint a substitute to a Polling Officer in case of illness or any unavoidable circumstances and inform the Registration Officer accordingly. 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.<sup>31</sup> The Administrator shall, by notification in the Gazette, fix the date or dates for such election in each constituency simultaneously or consecutively according to convenience.

Any person whose name is included in the electoral roll of the constituency and 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 notified in this behalf by the Returning Officer in the 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 the 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.<sup>32</sup>

Election to the Village Council is conducted by symbol system. Each candidate should select a symbol out of those prescribed by rules. They are chicken, cock, cage, lantern, hen, house, horse, axe, spade, pen, kettle,

---

<sup>29</sup> Sub-Rule (1) of Rule 4 of the Mizoram (Election to Village Councils) Rule, 1974 as Amended.

<sup>30</sup> Ibid., Sub-Rule (4)

<sup>31</sup> Ibid., Rule 37

<sup>32</sup> Rule 13 of The Mizoram (Election to Village Council) Rules, 1974 as amended in 1990

sickle, men's smoking pipe, Mizo hat, umbrella, etc. The number of election symbol is 60 in accordance with the notification served by the Local Administration Department before the Village Council election of 2006.<sup>33</sup> If more than one candidate selected same symbol, the Returning Officer shall decide by draw of lot to whom the symbol shall be assigned.

As regards the arrangement of voting there should be one or more polling stations for the same constituency depending upon the number of voters.<sup>34</sup> 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 the election of a member to constitute a Village Council cannot be held due to any reason considered unavoidable by the administrator or 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.

---

<sup>33</sup> DLAO, Local Administration Department, Aizawl ; District, *Notification No-B-12020/11/2005-DLAO(A)*.

<sup>34</sup> Rule 17 of The Mizoram (Election to Village Council) Rules, 1974 as amended in 1990.

### ***3.11: Powers and Functions of the Village Council***

The Mizo Chiefs from time immemorial had governed their villages with unwritten laws on the advice of the 'Upas' or elders, which they think is most suitable for the villagers. Later on, these unwritten laws developed into 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 customs 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.<sup>35</sup> 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 with several modifications.

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 has been discussed below:

#### ***3.11.1: 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 jhumland for the Purpose of Shifting Cultivation*:- The first important executive function of the Village Council is the distribution of Jhumland within its jurisdiction. Jhumming or Shifting Cultivation being the most important source of livelihood for the villagers in Mizoram and

---

<sup>35</sup> Mizo Customary law, 2006, Introduction.



administering the jhumland always plays an important role in administration of the villages. The Lushai hills District (Jhumming) Regulation, 1954 had empowered the Village Council to distribute jhumland 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.<sup>36</sup> 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 draw of lots. The privileges given to the President, Vice-President, and members of the Village Council to select the jhum site were suspended since 1958.<sup>37</sup> This 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 Jhumland is punishable with a fine of Rs.500 and failure of cultivating the selected site is punishable with a fine of Rs.100.<sup>38</sup> The Village Council therefore 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 jhumland, the final decision will be made by the Government or officer in charge of it.<sup>39</sup>

(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 village are to render without any reward 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

---

<sup>36</sup> Directorate of Local Administration Department, Government of Mizoram, *Village Council Kaihruaina Bu. p.12*

<sup>37</sup> Mizo District Council, *Executive Order No.12 of 1957*.

<sup>38</sup> Section 10 of the Lushai Hills District (Jhumming) Regulation, 1954, (as amended in 1996).

<sup>39</sup> *Ibid.*

works, cleanliness or sanitation, helping out the poor and needy, etc. cannot be carried out by the government alone but can be carried out by the collective labour under the 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 age 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 from 'hnatlang' without any reason thereof, are punishable with a fine of Rs.50.<sup>40</sup>

*(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 animal should get them register and the registration fee of an animal is 50paise and that of a young animal is 25paise.<sup>41</sup> The Village Council was to maintain the registration fee and accounts of the register that may be checked by the officer in charge from time to time.<sup>42</sup>

The Village Council should see that no animal in the village was a nuisance to the neighbours or villagers and every animal should have their own homes. The owner of any animal caught in the street may be fined with a sum of Rs.50 and if any animal destroyed somebody's property, the owner of the animal had to compensate the victim.<sup>43</sup> The Village Council has got the right to

---

<sup>40</sup> Section 9 of the Lushai Hills District (Village Council) Act, 1953. (as amended in 1996)

<sup>41</sup> Sub-Section (1) of Section 21 of the Mizoram Animal (Control & Taxation) Act, 1980 (as amended in 1991)

<sup>42</sup> Ibid., Sub-Section (3)

<sup>43</sup> Ibid., Sub-Rule (2) of Rule 21

auction any animal caught, if it was not claimed by the owner within a period of seven days, subject to proper notification.<sup>44</sup>

(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 of the Outbreak of Fire:-* The fifth important executive function of the Village Council is the Prevention and Control of fire within its jurisdiction as given in “The Mizoram (Prevention and Control of Fire in the Village Ram) Rules, 1983. The village Council was given the responsibility of preventing the outbreak of fire within its jurisdiction. In accordance with the office memorandum No.B 11011/19/91-FST dated Aizawl, the 8<sup>th</sup> Feb., 2000; all the villages 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 to appoint Fire Watcher for a period of two months i.e. from the 15<sup>th</sup> Feb., to the 15<sup>th</sup> 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 action.

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.

- a) The Village Council has to fix the period for clearing the jungles and cutting down tree for the purpose of jhuming every year.

---

<sup>44</sup> Ibid., Rule 23

- b) The Village Council should fix the date for burning down the jhum sites and the notice should be served three days before the fixed date.
- c) The Village Council should see that all preventive measure has been taken for the prevention of the outbreak of fire.
- d) Subsidiary shifting jhum cultivators should inform the Village Council seven days before they were going to burn their subsidiary jhum. The Village Council then will fix the date for burning down the subsidiary jhum.
- e) The Village Council will take all preventive measure for the outbreak of fire before the proposed subsidiary jhums were burnt down.

(vi) *Control and Protection of Forest:-* The sixth important function of the Village Council is the control and protection of Village Safety Reserve, Village Supply Reserve 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 has been protected to prevent the village from the outbreak of fire, to maintain the health of the villagers and to maintain the purity of springs and streams from which the villagers fetch water for domestic purposes. These reserve 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 for any other purposes unless permission has been obtained from the government.

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

*(vii) 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 members 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 developmental 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 incident that takes place in the village, the Village Council is responsible to inform the Government. The Village Council is to carry out 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.

### ***3.11.2: The Judicial Functions of the Village Council***

The most important function 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 Court is the lowest court of 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 a member of the Village Court.<sup>45</sup> The normal term of its member is of three years. 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 cases 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 assaults 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 concerned with the following:
  - a) The Lushai Hills District (Village Council) Act, 1953 as amended from time to time;

---

<sup>45</sup> Sub-Rule (1) of Rule 6 of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953

- b) The Lushai Hills District (House Site) 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) Act, 1980 and the Mizoram (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 an accused up to a sum of Rs.500 depending upon the crime he has committed.<sup>46</sup> 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.<sup>47</sup>

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.<sup>48</sup> 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 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.<sup>49</sup>

The Village Council, although it is the grassroots political institution, is very important in view of the fact that it is constituted in pursuance

---

<sup>46</sup> Rule 15 Sub-Rule 1 of the Lushai Hills Autonomous District (Administration of Justice) Rule, 1953

<sup>47</sup> Ibid., Sub-Rule (3) of Rule 15

<sup>48</sup> Sub-Section (1) of Section 10 of the Lushai Hills District ( Village Council) Act, 1953 as amended in 1996

<sup>49</sup> Rule 16 of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953

of the provisions of valid law. Under Section 43 of the state of Mizoram Act, 1986, all laws in force during the Union Territory of Mizoram, should continue to be in force in Mizoram until alter, repeal 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.

### ***3.12: Conduct of Business***

The Lushai Hills District (Village Council) Act, 1953 clearly 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 members in writing made a request to the President to call for a meeting.<sup>50</sup>

The resolution in the meeting of the Village Council is taken by the majority of votes. The President at the initial 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 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.<sup>51</sup> The President shall preserve order and have all powers necessary for the purpose of enforcing 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 day's meeting, if any person is ordered to withdraw for the second time from a meeting of the same

---

<sup>50</sup> Section 12 of the Mizoram (Village Council) Act, 1953

<sup>51</sup> Ibid., Section 13



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 publish all orders, notifications and records as may be necessary and such orders, notifications and records shall be signed by the President. All the resolutions passed by the Village Councils were informed to the villagers through the village Crier or '*Tlangau*'. All decisions in the meeting 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 extent depends upon the personality of its President.

### ***3.13: Financial Resources of the Village Council***

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

1. The Village Council was entrusted to collect '*Ranchhiah*' or Animal Tax of which fifty percent of the tax goes to the Village Council and the other fifty percent was given to the Government. This tax is the most important financial resources of the Village Council;
2. Another important financial resource of the Village Council is those fines which are 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 entrusts the Village Council for certain development works, such as; construction and

maintenance of roads and footpaths, sanitation works etc. Therefore various development funds and local funds are given into the hands of the Village Council which are 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 are meant to uplift or help the poor and the needy under various schemes.

The Village Council has not been 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 has to act as a Financial Secretary of the Village Council. All the Village Councils are given a cash/account book by the government in which the financial resources and expenditure of the Village Council are to be recorded properly. These cash book may be checked by those persons appointed by the District Local Administration Officer at any time and failure of maintaining cash book may lead to dissolution of the Village Council.

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

### ***3.14: The working of the Village Council under the District Council***

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 grassroots level, and created great enthusiasm among the people. The people have been well aware of the political changes and welcomed the new system of 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 formation of the Village Council brought in it vast changes regarding the administration of justice which was taken up by the representatives of the people, all cases relating to the native Mizo were taken care of by the District Council Courts and the Village Council Courts. While only those cases involving non-tribal were taken up in the courts of the Deputy Commissioner and his assistance.

However, in the Pawi-Lakher regions, there has not been any strong and antagonistic forces operating against the traditional elites; and the traditional rulers, to a large extent, continue to dominate the new councils. It was only after 1966 that political pressure began to take the shape and form of groupings based on clan membership in this region. Among the Chakmas, there has been little evidence of institutional changes in their political organization as a result of new political set up brought about in Mizoram. Thus, in the areas inhabited by the Pawis, the Lakhers and the Chakmas, there has been little change in the distribution of powers even though the institutional form of legitimate power came to be shifted from chiefship to the new Village Councils.

The Sixth Schedule to the Constitution had given enormous power to the Autonomous District Councils for the Administration of its own territories, therefore the state Government of Assam had little or no involvement in the village administration which was kept in the hands of the Lushai Hills (Mizo) District Council. The District Council had made all laws and regulation for the administration of the Village Council. All elections to the Village Council at the beginning were conducted by the District Council. It prepared the Electoral Roll and declared the Constituency of each Village Council. The District Council would fix all the necessary and important dates for the conduct of election; it also appoints the Presiding Officers, Returning Officers Registration Officers and all

other important persons for the conduct of Election; it announced the election results and appointed the President, Vice-President and Secretary of the newly elected member of the Village Council. The District Council has got the power to dissolve the Village Council and announce bye-elections according to its own law. Therefore, the Village Council has worked according to the laws which were made by the District Council and disobedience of law may lead to suspension or dissolution of the Village Council. Under the District Council the state government of Assam or the bureaucrats had little or no involvement in the village administration or working of the Village Council. The District Council was greatly responsible for the smooth functioning of grassroots democracy in the Village Councils.

*i) The First Term of the Village Council under the District Council:* The First General Election to the Village Council within the Lushai Hills District Council was held in 1954 in which only the two existing political parties in the Lushai Hills, Mizo Union and United Mizo Freedom Organization (UMFO) have 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 the 1<sup>st</sup> October 1954 had revealed that there were 315 Village Council in the whole District.<sup>52</sup>

*ii) The Second Term of the Village Council 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 result of the Village Council as given by the Mizo District Council Notification on June 10, 1957 had revealed that there were 384 Village Councils in the District Council.<sup>53</sup>

*iii) The Third Term of the Village Council under the District Council:* The Third General Election to the Village Council was held in

---

<sup>52</sup> Zoram Hriattirna, 15<sup>th</sup> October 1954.

<sup>53</sup> Zoram Hriattirna, 15<sup>th</sup> June, 1957.

1960. In this election people having loyalty to 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 this election too.<sup>54</sup>

*iv) The Fourth Term of the Village Council 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 Government 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 MNF's armed revolt in 1966. The administration in the Mizo Hills District faced a serious threat. Due to the 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.<sup>55</sup> In order to check the atrocities of the MNF in the District on the one hand and to assure safety and security of the loyalists as also for the development of the district on the other, the grouping of villages' scheme was carried out. Under the scheme villagers in the far flung and isolated places were brought to different places mainly along the roadsides. The bigger villages with bigger number of population came under the name "protected and Progressive Villages" commonly known as PPVs. In Aizawl Sub-Division there are 79 group centres and in Lunglei Sub-Division there are 29

---

<sup>54</sup> R. Vanlawma, *Ka Ram leh Kei (My Country and I)* (Lengchhawn Press, Aizawl, Third Edition 1989), p.267

<sup>55</sup> Chitta Ranjan Nag, *Post Colonial Mizo Politics, 1947-1998* (Vikas Publishing House, New Delhi, 1999), p.80

group centres.<sup>56</sup> The normal political activities were suspended for over three years and the terms of the existing District Council and the Village Councils had been extended. However, during this period many members of the Village Council have resigned themselves and many new members were also appointed by the District Council as the prevailing situation of the Mizo Hills was not favorable for conducting election. There were also some Villages who appointed their own members of Village Council without the knowledge of the District Council.

When normalcy returned into the Mizo Hills, the fifth election to the District Council was held on the 23<sup>rd</sup> April 1970 in which Mizo Union was defeated for the first time by the Congress, which became the main rival of the Mizo Union. The newly elected District Council, soon after its formation began to take steps in order to conduct the election of the Village Council in which there was a great tussle between the Mizo Union and the Congress.

v) *The Fifth Term of the Village Council 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 rolls were revised thoroughly, those villages which were used as PPV centres were the 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 centers and those people who are willing to be member of the Village Council were also given the opportunity of contesting the election and be elected as a member of the 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 Council 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 United Mizo

---

<sup>56</sup> Mizoram District Gazetteers, 1999. p.232.

People's Party which captured 27 Village councils.<sup>57</sup>

During this period villages in the Lushai Hills were characterized by great famine as it was impossible for them to continue their daily works of Jhum cultivation on which the economy of the villagers totally depended. The government had supplied rations but those were not sufficient to meet the crisis. In order to solve the problem villagers were allowed to move back to their own villages and resume their works but they were not given the permission to settle there permanently. They were allowed to go back to their villages only for economic purposes because the economy of the people greatly depended upon jhum cultivation and forming of big villages would give them great problem as they had to walk long distance for their daily works. These reoccupied villages were not given the status of a village but they were known as '*Thlawhbawk*' which means a temporary sub-village created for the sole purpose of jhumming in a certain area for a specified period. They were allowed to stay there only few seasons to resume their cultivation and later on move back to their grouping centres. Though many of the '*Thlawhbawks*' have large population yet they still remained under the administrative control of the Grouping Centres.

The main reason why the people had greatly supported the Indian National Congress in this election was poverty of the people brought about by the MNF uprisings and its after effect. The people believed that being a Congress member, which was the dominant all India party, could perhaps save them from economic hardship and atrocities of the security forces, which had brought great sufferings to the people. They thought that better relationship with the central government was the only means of bringing peace and prosperity in the Mizo Hills. Moreover, the increasing aversion to the Mizo Union as a result of the party's failure to achieve results, also helped the Congress in gaining support, apart from the fact that the Mizo Union was an anti-MNF party.

---

<sup>57</sup> District Local Administration Officer, LAD, Aizawl, *Village Council Election Result Bu (1954-2006)*

### ***3.15: The Working of the Village Councils under the Government of Mizoram.***

*Administrative set-up after the formation of the Government of Mizoram:* Following the turning of Mizo District Council into Union Territory of Mizoram, the Mizo District Council and Pawi-Lakher Regional Council were abolished in accordance with the provision of the North-Eastern Areas (Reorganization) Act, 1971 and simultaneously three other Autonomous District Council were created on April 2, 1972 to safeguard the interests of minority tribes which were Pawis, Lakhers and Chakmas. These newly created Autonomous District Councils were name after the three minority tribes which were: the Pawi (Lai) District Council, the Lakher (Mara) District Council, and the Chakma District Council with their headquarters located at Lawngtlai, Saiha and Chawngte (Kamalanager) respectively. The three newly formed District Councils enjoyed the same powers and functions as provided in the Sixth Schedule of the Constitution of India. Further, for the convenience of administration, the Government of Mizoram had also divided the Union Territory into three districts; Aizawl District with it's headquarter at Aizawl, Lunglei District with its headquarter at Lunglei and Chhimtuipui District with its headquarter at Saiha.

The Village Councils under the erstwhile Regional Council became the Village Councils of the Pawi, Lakher and Chakma District Council in the manner that such village as would fall under each of the Pawi, the Lakher and the Chakma District Council till new Village Councils for each of the of three District Councils were elected. The first Village Council election under the Pawi District Council was held in 1974 and 41 Village Councils were constituted. After this, the number of Village Councils was increased and in 1976 the Pawi District Council held 54 Village Councils. The total Village Councils under the Lakher District Council in 1974 was 43. Similarly, the number of the Village Councils under the Chakma District Council was 24.<sup>58</sup> These District Councils were given full autonomy within their own jurisdictions to manage the affairs of the Village Council. The government of Mizoram has little or no control over the

---

<sup>58</sup> Dr. HC.Thanhanga, *Village Councils in Mizoram* (Lengchhawn Press, Aizawl, 1994), p.4



management of the Village Councils which falls within the jurisdiction of the three autonomous District Councils.

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 adopted in the area specified by the Act, under the Dissolution of Mizo District Council (Miscellaneous Provisions) Order, 1972. The adaptation has made certain changes, such as: the term “District Council” and “Executive Committee” has been replaced by “Administrator.” The newly created three District Councils also adopted 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 two sets of Village Councils in Mizoram now, one administered by the government of Mizoram and another by the three District Councils of Pawis, Lakhers and Chakmas. We shall make a study of those Village Councils which were administered by the state government.

### ***3.16: Formation of the Local Administration Department***

The new Government then started organizing different departments, creating new directorates and inducting Directors to manage them. Plans for smooth functioning of various departments were made with the abolition of the District Council after the inauguration of Union Territory; there was a particular department to look after the Village Council in place of the former District Council. A new department to look after the Village Councils was made by the Government of India, New Delhi known as Local Administration Department (LAD). To head the new Local Administration Directorate, the Additional Deputy Commissioner was given an ex-officio designation of Joint Secretary, Local Administration Department. In that capacity, for all practical purposes he functions as Director.<sup>59</sup>

---

<sup>59</sup> P.Lalnithanga IAS (Rtd.) Former Director of LAD, *an Article in Local Administration Department's Magazine, 1991-1992*. P.15

The Village Council affairs being replete with politics and the Local Administration Department being for all practical purposes the successor of the District Council, problem faced by various Village Councils, like boundary disputes between villagers and demarcation of village boundary all went to the Joint Secretary, Local Administration Department for solutions. The task of looking after the Village Council was a challenging one. A Minister in charge of the Village Council and the Department of Local Administration was given an independent charge in the Union Territory of Mizoram.

### ***3.17: The Village Council under the Local Administration Department***

The working of the Village Council under the Government of Mizoram has been greatly influenced by the bureaucrats and officers who were looking after the department. However, it has been slowly characterized by inadequacies of being a local self government because it is now the bureaucrats of the state government and not the representatives of the people, who decide the number of members of the Village Council. They reorganize by abolishing, amalgamating, or bifurcating the village councils without their consent. The concerned department now decides the date for the election of the Village Council, and makes all important appointments. The bureaucrats and officers decide the dissolutions and make all the arrangements for the conduct of election and appointing all important officers in charge of the election. In these way grassroots democracy in Mizoram has been greatly influenced by the bureaucrats and the spirit of the founding fathers of the local-self government has been gradually declining

*i) The First Term of the Village Council under the Government of Mizoram:* The First General Election to the Village Council under the Union Territory of Mizoram was held on the 7<sup>th</sup> and 5<sup>th</sup> May, 1975, which was conducted for the first time by the Local Administration Department. In these election there were 163 Village Councils exceeding the previous number only by 5. Among the 163 Village Councils 50 of them have got 3 members, 37 of them have 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 all the Village Councils looked after by the Government of Mizoram.

*ii) The Second Term of the Village Council under the Government of Mizoram:* The Second General Election to the Village Council 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 the government of Mizoram were dissolved by the Lt. Governor of the Union Territory of Mizoram, with effect from November 19, 1979.<sup>60</sup> The dissolved Village Councils were placed under the charge of their respective Sub-Divisional Officers, Block Development Officers, and Administrative Officers including Circle Assistants. 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 Council was conducted on 15th February in Lunglei District and on the 24<sup>th</sup> February in Aizawl District.<sup>61</sup> 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 has got majority seats in 63 Village Councils and Congress (I) Party has got majority seat in 59 villages, the rest were won by the Independents and few were drawn. 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 army in Mizoram.

A remarkable incident in the history of the Village Council had taken place in 1982. On the 1<sup>st</sup> March 1982, the central government had

---

<sup>60</sup> The Mizoram Gazette, *Notification No. LAD/VC-1/78/Vol. II/121*, the 19<sup>th</sup> Nov., 1979.

<sup>61</sup> Chaltuahkhuma, *Political History of Mizoram* (David Memorial Press, Aizawl, 2001), p.289

granted permission to the villagers to move back and settle permanently in their original villages. They were also permitted to reorganize the Village Councils which was celebrated with great joy on the 11<sup>th</sup> March 1982. After making all necessary arrangements, by-election of Village Councils to these villages were held on the 24<sup>th</sup> February 1983.<sup>62</sup> The villages which were recognized only as '*Tlawhbawk*' 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.<sup>63</sup> The Congress had captured the second largest number of the Village Councils getting majority seats in 30 villages and the few remaining were divided among independent 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 indicates that the reoccupied villages were very thinly populated and moreover all the villagers did not return back to their villages after the grouping of villages. The villages which have got only three members were those villages which have got only less than one hundred households and that two or more villages may form one Village Council. Therefore it does indicate that Villages in Mizoram during this period were very thinly populated.

*iii) 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 the 1<sup>st</sup> and 2<sup>nd</sup> November 1984 and its result was declared on the 14<sup>th</sup> December 1984. In this election the number of Village Council had increased in great number because of the reorganization of the Village Councils. Altogether, 306 Village Councils have been elected in Aizawl District and 112 Village Councils have been elected in Lunglei District. In this election most of the Village Councils were captured by the Congress (I) which shows that the election of the Village Councils is greatly influenced by state politics. Those political parties which have got the

---

<sup>62</sup> Ibid., p.293

<sup>63</sup> Calculated from, *Village Council Election Result (1954-2006)*, DLAO., LAD., Aizawl.

largest number of seats in the Assembly of the Union Territory are 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 members of the Village Councils and those parties in power in the Assembly of which the people were very much aware of.

*iv) The Fourth Term of the Village Council under the Government of Mizoram:* The Fourth General Election of the Village Council under the Government of Mizoram was held on the 5<sup>th</sup> 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 by-election to 16 Village Council on the 15<sup>th</sup> July 1988 because these Village Councils were dissolved by the Department due to failure of administration.

*v) The Fifth Term of the Village Council under the Government of Mizoram:* The Fifth General Election of the Village Council under the Government of Mizoram was held on the 25<sup>th</sup> October 1990 in which there was a great tussle between the Congress (i) and the MNF. In this election, there were 14 villages of which the results were withheld because election materials were stolen by anti social elements in 14 villages and election for these villages were again held on 30<sup>th</sup> November. The Congress (I) has got 151 Village Councils among 349 Village Councils in Aizawl District and the MNF has got 110 Village Councils. There were 29 drawn Village Councils 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, by-election to some of the Village Councils were held on the 7<sup>th</sup> May 1992. The department had conducted by-election 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, who had demanded the creation of their own District Council causing great disturbances in the demand area.

*vi) The Sixth Term of the Village Council under the Government of Mizoram:* The Sixth General Election of the Village Council under the Government of Mizoram was held from 1st May to the 4<sup>th</sup> May 1994 and its result was declared on the 3<sup>rd</sup> June 1994. In this election, elections to 358 Village Councils were held in Aizawl District and 121 Village Councils in Lunglei District.

*vii) The Seventh Term of the Village Council under the Government of Mizoram:* The Seventh General Election of the Village Council 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 on the 26<sup>th</sup> May 1997, which shows 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 meeting of the newly elected Village Councils was held on the 6<sup>th</sup> May 1997.

*viii) The Eighth Term of the Village Council under the Government of Mizoram:* The Eight General Election of the Village Council in Aizawl and Lunglei District was held on the 16<sup>th</sup> 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 seat the numbers of elected members increased in great number in this election.

*ix) The Ninth Term of the Village Council under the Government of Mizoram:* The Ninth General Election of the Village Council under the Government of Mizoram was held in 2002 on the 30<sup>th</sup> and 31<sup>st</sup> October. In Aizawl District elections were held in 164 villages, in Mamit District elections were held in 67 villages and in Serchhip District election were held in 40

villages. The election in Aizawl, Mamit and Serchhip District were conducted by District Local Administration Officer, Local Administration Department, Aizawl and his staffs with the help of those persons appointed for the purpose. In Lunglei District elections were held in 129 villages, in Champhai District elections 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. Many political parties such as Mizo National Front, Indian National Congress, Mizo Peoples Conference, Zoram Nationalist Party, etc. had participated in this election. The overall result of this election had revealed that there was a great struggle for power between the INC and MNF in this election.

*x) The Tenth Term of the Village Council under the Government of Mizoram:* The Tenth General Election of the Village Council in Mizoram was conducted by the concerned department on the 24<sup>th</sup> and 25<sup>th</sup> February 2006. Out of 556 Village Councils elections were held in 553 villages, in which there were 2036 seats. The District Local administration Officers, Local Administration Department of the concerned district conducted the elections. The MNF party was greatly supported by the people in this election, out of 553 Village Councils MNF has formed 337 Village Councils which is more than 60 percent of the total Village Councils. It may also be noted that out of 2036 seats only 33 Female candidates were elected.

### **3.18: Conclusion**

From the above discussion we may say that the working of grassroots democracy has undergone great change during the five decades of its existence. Originally embodied with great powers and authority under valid laws, now the Village Council has been transformed into a mere figurehead. The District Council had made great achievement in establishing the Village Council, in the form of Local- self government penetrating the spirit of democracy at the grassroots level. The District Council in its meetings made long discussion for the welfare of the Village Councils and took great responsibility in looking after

the Village Council. The dissolution and by-elections, creation of new Village Councils and solutions of its problems were discussed in its meetings.

Since Mizoram got its own government as a union territory and later as a state, the responsibility of looking after the Village Council had been taken up by the Local Administration Department. The problems of the Village Councils and its solution were never discussed in the Assemblies. The destinies of the Village Council are in the hands of the bureaucrats and government officials, who are embodied with great powers to look after the functioning of the Village Council. The Village Councils are to carry out the Notification and Orders which were frequently served by the Government or higher authorities, failing which might lead to inefficiency of the Village Council calling for serious actions, even to the extent of dissolution of the Councils without the consent of the Council. In fact, the state government controls the activities of the Village Councils that makes the latter enjoy minimum autonomy.

It may also be important to note that in order to look into the welfare of the Mizoram Village Councils “Mizoram Village Welfare Committee” was set up on the 26<sup>th</sup> February 1992. Later on the Committee was transformed into “Mizoram Village Council Association” on the 22<sup>nd</sup> August, 1997. The most important objectives of the Association were to uphold the dignity of the Village Councils, and that Mizo Culture and way of life may be well protected. All the Village Councils under the Government of Mizoram were expected to affiliate themselves in the Association. Till recently no remarkable achievement was made by the Mizoram Village Council Association which may be due to the lack of support from the government, in whose hands all powers of local administration are vested.



## CHAPTER IV

### *Panchayati Raj and the Village Council System: A Comparative Study*

#### ***4.1: Introduction***

The inclusion of Part IX or the new Panchayati Raj system in the Indian Constitution and its compulsory adaptation by the Indian states led to the existence of great uniformity among the Indian states at the grassroots level of her democracy. However, the Indian states, which possess diverse features cannot be expected to have uniform local administration, keeping this in view relaxation has been given to several states by the Seventy-third Constitution Amendment Act, 1992. As such, the state of Mizoram has been exempted from the compulsory adaptation of the new Panchayati Raj system and the Village Council system continues to exist in Mizoram. This led to great dissimilarities in the working of grassroots democracy in the state of Mizoram and other Indian states covered by the new Panchayati Raj system.

The Panchayati Raj institutions and the Village Council system are the basic level and the most important foundation of our democratic system in India and Mizoram. They play the most important role in the working of our democracy at the grassroots level enabling the rural masses to participate freely in the functioning of the developmental activities of their own village. They are an important instrument for decentralization of power which ensures direct participation of the people in the local administration. It is through them that the villagers could directly participate in discussing the matters relating to their administration, development, necessities and so on through direct participation. The Panchayati Raj system is the form of local government in the

rural areas of India other than the states of Meghalaya, Mizoram and Nagaland while the Village Council system is the form of local government in Mizoram both in the rural and urban areas. In this chapter we shall make a comparative study of the Panchayati Raj system as endorsed by the Seventy-third Constitution Amendment Act, 1992 and the Village Council system which is the prevailing form of grassroots democracy in Mizoram.

#### ***4.2: Panchayati Raj Institution and Village Council: Their formation and Rightful Place in the Constitution***

The Panchayati Raj institutions existed in different forms in different states before the adoption of the New Panchayati Raj system. After the middle of the 20<sup>th</sup> century there was a strong momentum for the revision of the working of the Panchayats in all the states of India and all the important political parties made it as one of their most important principles. After the passing of a resolution by majority of votes in both the houses of the Parliament the Panchayati Raj system has been inserted in the Indian Constitution.

The Bill for the formation of the Panchayati Raj institutions in its present form has been introduced as the 72<sup>nd</sup> Constitution Amendment Bill in September 1991.<sup>1</sup> The Lok Sabha passed the Bill on the 22<sup>nd</sup> December 1992 and was passed by the Rajya Sabha on the day that followed. By the time the bill has been passed its sequence changed to 73<sup>rd</sup> Constitution Amendment Act. After certain ratification by more than half the State Assemblies, the President gave his assent on the 20<sup>th</sup> April 1993 and came into force on the 24<sup>th</sup> April 1993.<sup>2</sup> After the completion of all formalities the Constitution (Seventy-third Amendment) Act, 1992 has been inserted in Part IX of the Constitution. Since then, the Panchayati Raj system has got its rightful place in the Indian Constitution and its formation became mandatory all over the Indian states other than a few exceptional states in the north-east. In order to empower the Panchayati Raj institutions the addition of Eleventh Schedule (Article 243G) has

---

<sup>1</sup> George Mathew, *Panchayati Raj in India- An Overview: Status of Panchayati Raj in the States and Union Territories Of India, 2000* (Concept Publishing Company, New Delhi, 2000), p.9

<sup>2</sup> Ibid., p.10

been made after the Tenth Schedule in the Constitution. The Eleventh Schedule has clearly mentioned the functions and responsibility to be allocated to the Panchayati Raj institutions.

It may be well-recognized that the formation of the Village Council, unlike the Panchayati Raj system did not have anything to do with the Parliament but has merely got the assent of the Governor of Assam, Lushai Hills being apart of Assam during the period. Thus, the Village Council system has been introduced as a form of local government in the Lushai Hills with the permission of the Government of Assam. The establishment of the Village Council led to the elimination of chieftainship which has been in practice for a long period among the Mizos.

The Village Council system has been formed by the District Council which was empowered to constitute a village council or courts under the Sixth Schedule of the Indian Constitution.<sup>3</sup> The Lushai Hills District Council made certain laws in regard to the formation of the Village Council after the abolition of Chieftainship in 1953. The formation of the Village Council was discussed at length in the District Council Sessions which led to the enactment of the Lushai Hills District (Village Council) Act, 1953 (The Lushai Hills Act No.V of 1953). It received the assent of the Governor of Assam on 29<sup>th</sup> November 1953 and the same was published in the Assam Gazette on 9<sup>th</sup> December 1953.<sup>4</sup> All these led to the formation of the Village Council in all the villages within the jurisdiction of the Lushai Hills District Council which later on came to be known as the Government of Mizoram.

#### **4.3: Structure**

The Indian Constitution has provided three-tier structure for the Panchayati Raj system in all the states, Panchayats at the village, intermediate and district level.<sup>5</sup> It also provided that the Panchayats at the intermediate level

---

<sup>3</sup> Part 4 (1) of the Sixth Schedule to the Constitution of India

<sup>4</sup> Dr. Sangkima, *Mizos: Society and Social Change* (Spectrum Publications, Guwahati: Delhi, 1992), p.177

<sup>5</sup> Article (243B) (1) of the Constitution (Seventy-third Amendment) Act, 1992

may not be constituted in a state having a population not exceeding twenty lakhs.<sup>6</sup> Besides the three tiers structure, the Seventy-third Constitution Amendment has provided for the Constitution of the Gram Sabha which will exercise certain powers and functions at the village level.

*The Gram Sabha:* Every Panchayat is to constitute a Gram Sabha which is an organ of direct democracy. The Seventy-third Constitution Amendment says: “A Gram Sabha may exercise such powers and perform such functions at the village level as the Legislature of a State may, by law provide.<sup>7</sup> It is not the representatives of the people but the peoples themselves and it may be rightly called the representatives of the villages. It is a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of a panchayat at the village level. It is through the Gram Sabha that the villagers have the opportunities to share their views participate in the working of the Panchayati Raj institutions. The constitution does not mention how frequently the meetings of the Gram Sabha should be conducted for this reason the numbers of meetings of the Gram Sabha varies from one state to another. All the states invariably provide for the institution of the Gram Sabha but the powers and function assigned to them may not be always the same in different states.

Similar to that of the Gram Sabha, the villages in Mizoram has developed the system of ‘*Vantlang Rorel Inkhawm*’ which may means a public gathering though nothing about it has been mention in the Lushai Hills District (Village Council) Act, 1953. ‘*Vantlang Rorel Inkhawm*’ is usually represented by the head of the family or in his absence any member of the family whose decision may be accepted by the whole family. It is the practice of the members of the Village Council to summon ‘*Vantlang Rorel Inkhawm*’ when there is an important matter for discussion or when the members of the Village Council think that the matter could not be decided by the members alone. It is an important body through which the Village Council discusses with the villagers on important issues regarding the administration of the village and seeks advice

---

<sup>6</sup> Article (243B) (2) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>7</sup> Article (243A) of the Constitution (Seventy-third Amendment) Act, 1992

from the villagers in performing their duties. With the modernization of the Mizo Society however the popularity of '*Vantlang Rorel Inkhawm*' had started diminishing.

*The Village Panchayat:* The lowest level of the Panchayati Raj institutions is constituted at the village level and may be known as the Village Panchayat. The Village Panchayat may be formed by a village or a group of villages depending upon the pronouncement made by the Legislative Assemblies of the concerned state. It is the first stage of the peoples' representatives and acts as the executive body of the Gram Sabha.

On the other hand, the Village Council System which may be known as the unique feature of Mizoram has no tier structure. The members of the village Council are the only democratically set up institution at the local level in Mizoram. It is the only statutory body which has got its representatives at the village level to manage the affairs of the villagers. The Village Council system may have three to six members depending upon the number of households in the village. The elected members shall form an Executive Body who will be responsible for the working of the Village Council.

*The Block Panchayat:* The second tier of the Panchayati Raj Institutions is constituted at the Block level. It is known by different name in different states which may be due to the diversity of language.

In case of the Village Council, though no tier structure has been constituted democratically the Block Development Committee exists in Mizoram at the Block level. The Presidents of all the Village Council within the Rural Development Block are members of the Block Development Committee which makes it moderately democratic. But the meeting of the Block Development Committee is held on a very rare occasion which is normally once in a year.

*The District Panchayat:* The District Panchayat is the apex body of the Panchayat Institutions which is constituted at the District level. The District level Panchayat is known as Zilla Parishad or Zilla Panchayat in most of

the states. The allocation of function for the district Panchayat may vary from state to state.

In case of the Village Council system, there is no representatives' body at the District level but the Government of the State has placed the District Local Administration Officers to look into the administrative affairs of all the Village Councils within its area. The office of the District Local Administration Officers issues all important notification and orders which are related to the working of the Village Council.

#### ***4.4: Composition***

The Constitution (Seventy-third Amendment) Act, 1992, has mentioned that the legislature of a state may, by law, make provisions with respect to the composition of the Panchayats; provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such a Panchayat to be filled by elections shall, so far as practicable be the same throughout the state.<sup>8</sup> It also states that all seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable be the same throughout the Panchayat areas.<sup>9</sup>

It further states that the Legislature of a State may, by law, provide for the representation: (a) of the Chairpersons of the Panchayat at the village level, in the Panchayat at the intermediate level or, in the case of a state not having Panchayats at the intermediate level, in the Panchayat at the district level; (b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the District level; (c) of the members of the House of the People and the members of the Legislative Assembly of the State within the Panchayat area representing the constituencies which comprise wholly or partly a Panchayat

---

<sup>8</sup> Article (243C) (1) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>9</sup> Article (243C) (2) of the Constitution (Seventy-third Amendment) Act, 1992

area at a level other than the village level in such a Panchayat; (d) of the members of the Council of States and the members of the Legislative Council of the State, where they are elected as electors within- (i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level; (ii) a Panchayat area at the district level, in Panchayat at the district level.<sup>10</sup>

*The Gram Sabha:* If we look into the composition of the Gram Sabha in the state like Bihar, Karnataka and Rajasthan, all the adult residents of a village or a group of villages are its members.<sup>11</sup> In other states it consists of all the voters in the area which means that all the persons whose name appear on the electoral rolls for the state Legislative Assembly. Therefore a Gram Sabha is composed of all the adult citizens of a village or group of villages rather than their representatives, this enables them to participate directly in the working of the Panchayati Raj institutions.

The membership of a Gram Sabha varies from state to state ranging from 250 to 5000 members. In case of the Mizo villages, there is no definite qualification to be a member of “*Vantlang Rorel Inkhawm*”, it is usually attended by the head of the family and in his absence one among the members of the family, whose decision is acceptable by the members of the family may attend the meeting. The members to attend the meeting may also depend upon the agendas to be discussed in the meeting.

*The Village Panchayat:* The lowest of the Panchayati Raj institutions which may be called the Village Panchayat is composed of the elected members of the Gram Sabha which forms the Executive Committee of the Gram Sabha. The members are elected by means of adult franchise through secret ballot. The number of its members varies from one village to another depending upon the number of population. In all the states, one-third of the seats are reserved for women. Special representation for the Schedule Caste and Schedule Tribes also exists in all the states depending upon the number of their

---

<sup>10</sup> Article (243C) (3) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>11</sup> SR.Maheshwari, Local Government in India (Lakshmi Narain Agarwal Educational Publishers, 2006), p.80

population. The Chairperson of the Panchayats at the village level may either be appointed by the government or elected from the members of the Village Panchayat depending upon the law provided by the Legislature of the respective State. The Head of the Panchayat is known by different name in different states, he is known as the Sarpanch or Pradhan in most of the states.

On the other hand, the Village Council is composed of all elected members who were elected by the villagers on the basis of adult franchise. The elected member varies from three to six depending upon the number of households in the village or the group of villages forming the Village Council. The composition of the Village Council did not mention anything about the reservation of seats in the Village Council. This shows that the fittest persons who has acquired all the qualification to be a member of the Village Council and is willing to become a member of the Village Council will be elected as its members. The Village Council is headed by the President who is elected by the members from amongst themselves and is substituted by the Vice-President in his absence. The Secretary of the Village Council is appointed by the government on the recommendation of the President and can be dismissed whenever the President considers it necessary.<sup>12</sup>

*The Block Panchayat:* Though there is no uniformity in constituting the Panchayati Raj institution at the intermediate level it may be mentioned here that the Block Panchayat or the Panchayat Samiti is composed of the primary members, ex-officio members, associate members and co-opted members. The primary members include all the members directly elected by the voters of all the constituencies falling within the area of the Block Panchayat. The Chairpersons of the Village Panchayats within the area of the Block or Panchayat Samiti are made the ex-officio members of the Block level Panchayat. The members of the State Legislature and of Parliament who have been elected from the area cover by the Block are the associate members; these associate members are not allowed to cast their vote in the decision making process of the

---

<sup>12</sup> Sub-section (2) of Section 7 of the Lushai Hills District (Village Council) Act, 1953



Panchayats.<sup>13</sup> It also appoints a specified number of women, persons from Schedule Castes and Scheduled Tribes as its members and they are called co-opted members. The Head of the Panchayat at the intermediate level is called a Chairperson, President or Pramukh in most of the States. The Block level Panchayat, in its first meeting, elects two of its members as Chairman and Vice-Chairman.

As discussed earlier, the Village Council System exists only as a form of a single tier structure in Mizoram but at the block level there exists a Block Development Committee (B.D.C.) which in many ways is similar to that of the block level Panchayat institutions. The Block Development Committee is composed of: (a) all the Presidents of the Village Council within the area of the Rural Development Block; (b) a representatives from all the units of the '*Mizo Hmeichhe Insuihkhawm Pawl (M.H.I.P.)*' which means Mizo Women Federation within the area of the Rural Development Block; (c) a representatives from all the units of the Young Mizo Association (Y.M.A.) within the area of the Rural Development Block; (d) member of the State Legislative Assembly elected from concern Rural Development Block. Besides these elected members, the Sub-Divisional Officer (Civil) of the concerned Rural Development Block acts as a Chairman of the Block Development Committee and the Block Development Officer (B.D.O) acts as a Secretary of the Committee. The meetings of the Block Development Committee are also to be represented by one Junior Engineer (J.E.) or one Assistant Engineer (A.E.) from the department of the District Rural Development Agency (D.R.D.A.). So, it may be rightly said that the Block Development Committee like that of the Block Panchayat is composed of the elected representatives of the Village Council, representatives of women, representatives of the youths, members of the State Legislatives Assembly and other ex-officio members appointed by the State Government.

It may also be noted here that though the representatives of non-governmental organizations such as Young Mizo Association and Mizo Women Federation of all the villages within the Block area are made a member

---

<sup>13</sup> SR.Maheshwari., *op., cit.*, p.92

of the Block Development Committee, the meetings were seldom attended by them because the agenda for the meetings were made known to them before the meetings of the Block Development Committee. The agenda for the meeting were first discussed at the village level and the decisions made by this meeting were then forwarded to the Block Development Committee by the President of the Village Council. Further, the members of the Block Development Committee include the members of the Village Councils and non-governmental organizations only within the rural areas as decided by the government of the state. It may be noted here that though the Tlangnuam Block Development Office has been located within the city of Aizawl, its members includes those representatives of the people in the surrounding villages of the city which may be called the rural areas; however, the members of the Village Council and the members of other non-governmental organizations within the city which may be known as the urban areas are not members of the Tlangnuam Block Development Committee. These are some of the exceptions found in Mizoram.

*The District Panchayat:* The uppermost tiers or the District level Panchayat is composed of all Presidents of panchaya samitis in the district; all the members of the Parliament (both the Lok Sabha and Rajya Sabha) representing the constituencies falling within the area of the District Panchayat; all members of the State Legislature (including members of the Upper House, if it exists) elected from constituencies within the area of the District Panchayat; a representatives of co-operative society, normally the president of the district cooperative society; certain specified number of Schedule Caste and Schedule Tribes and some co-opted members possessing experience in administration in public life or rural development.<sup>14</sup> Its composition shows that it is less democratic because of its ex-officio and co-opted membership. The number of its members varies from place to place. The Head of the District Panchayat is known by different name, such as, Chairperson, President, Pramukh or Adhyaksha. He is elected by the members from among themselves.

---

<sup>14</sup> SR.Maheshwari., *op., cit.*, p.110

In the Village Council System of Mizoram not a single representative from the villages has been sent at the district level. There is no democratically set up institution at the District level. However, it may be mentioned here that there are three Autonomous District Councils in Mizoram which are all located in the Southern part of the State. These Autonomous Districts are created under the Sixth Schedule on the basis of linguistic and cultural diversity and as a means to protect the interest of the minority communities. The Autonomous District Councils are: the Chakma Autonomous District Council meant for Chakma tribes, the Mara Autonomous District Council meant for Mara tribes; the Lai Autonomous District Council meant for the Lai tribes. These Autonomous Districts are given wide and enormous Powers and functions within their jurisdictions under the Sixth Schedule of the Constitution. The Autonomous District Councils elect their own representatives and these representatives are known as the Members of the District Council. They manage the affairs of the Village Council within their area and pass all the law in relation to the Village Council. This led to various differences in the working of the Village Council within the areas of the Autonomous District Councils and the Village Council working under the Government of Mizoram. It may also be important to note here that the working of the Village Council within the areas of the three Autonomous District Councils may not be always the same because the Autonomous District Councils are empowered to make their own laws within their respective jurisdiction by the Sixth Schedule of the Constitution.

#### ***4.5: The President***

In every Village Panchayat there shall be a President or a Sarpanch and the Vice-President or Up-Sarpanch who is appointed by the state Government or directly elected by the voters from a person qualified to be elected as a member of the Panchayat. He is the Executive Head of the Institutions and all business in the Panchayats is transacted in his name. The efficiency of the Panchayati Raj institutions to a great extent depends upon the

aptitude of the President. In the absence of the President, the Vice-President takes over the charge of the President. The office of a President of the Village Panchayats or any other level shall be reserved for Schedule Caste, Schedule Tribes and women in accordance with the decision made by the State Legislature or the prescribed authority.<sup>15</sup> He can be removed from his office if motion of no-confidence is passed against him.

In case of the Village Council the President and Vice-President are elected by the members from among themselves.<sup>16</sup> The State Government will later on give appointment to the President and Vice-President in accordance with the decisions made by the elected members. The President and Vice-President of a Village Council are remunerated by the State Government and are considered to be a public servant.<sup>17</sup> The President presides over all the meetings of the Village Council. He is the executive head and all business is carried out in his name. He is also the Treasurer of the Village Council fund.<sup>18</sup> He is responsible for the smooth functioning of the Village Council and he is empowered to disqualify other members in the meetings of the Village Council on reasonable grounds. The efficiency of the Village Council strongly depends upon the aptitude of the President. The Vice-President takes over the Charge of the President in his absence. The President of the Village Council may be removed from his office by the State Government for the misconduct of his duties or on reasonable grounds. He may also give his resignation to the State Government with his own desire if he wants to resign from his office. However, the President of the Village Council cannot be removed from his office by means of no-confidence motion.

#### ***4.6: The Secretaries and other staffs***

The Seventy-third Constitution Amendment did not mention anything about the appointment of the Secretary and other Staffs of the

---

<sup>15</sup> Article (243D) (4) of the Constitution (Seventy-third Amendment) Act, 1953

<sup>16</sup> Sub-section (1) of Section (7) of the Lushai Hills District (Village Council) Act, 1953

<sup>17</sup> Sub-section (8-A & 9) of Section (7) of the Lushai Hills District (Village Council) Act, 1953

<sup>18</sup> Section 15 of the Lushai Hills District (Village Council) Act, 1953

Panchayati Raj institutions. But it is well known that these institutions cannot function by the representatives of the people alone. The appointment of the Secretary of the Village Panchayat is left to the Panchayats in concurrence with the Panchayat Samiti in conformity to the standard of the qualifications laid down by the State Government or the prescribed authority which shall make all necessary arrangements for carrying out the duties of the office of Secretary of Village Panchayats. The Secretary of Gram Panchayat is responsible for keeping and maintenance of the records of the Panchayats. The other staffs were also appointed by every Panchayat with the approval of the prescribed authority. The justification, methods of recruitment, salaries, leave, allowances and other conditions of service including penalizing matters of such officers and staffs shall be prescribed by the concerned authority.

The Secretary of the Village Council is appointed by the State Government on the recommendation of the President of the Village Council. The Secretary of the Village Council is to make a record of all the proceedings of the Village Council. He also acts as a Financial Secretary of the Village Council. The remuneration of the Secretary is decided by the Government together with that of the other members of the Village Council. The Secretary of the Village Council remains in his office as long as he is in the good book of the President or he may give his resignation to the President if he has the desire to resign from his office. Another important figure in the office of the Village Council is the '*Tlangau*' who is also appointed by the State Government on the recommendation of the President. This shows that the President of the Village Council has great authority in the appointment of the Staffs of the Village Council. Moreover, the Secretary of the Village Council and the Crier remains in the office at the good will of the President.

#### ***4.7: Women Participation***

The Constitution Seventy-third Amendment Act provides for the reservation of seats in the working of the new Panchayati Raj system. It says that not less than one-third of the total number of seats reserved for

scheduled Caste and Scheduled Tribes shall be reserved for women belonging to the Schedule Castes and Scheduled Tribes.<sup>19</sup> It further says that not less than one-third (including the number of seats reserved for women belonging to the Schedule Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.<sup>20</sup> It also provides for the reservation of seats for women in the offices of the chairperson in the Panchayats at different level as decided by the law provided by the State Legislature.<sup>21</sup> All these statements shows that in the working of the Panchayati Raj system women has been given wide and enormous opportunity to participate in the working of the Panchayati Raj system. It is believed that their participation will give a great opportunity for women to expose the hidden potential in them.

In the working of the Village Council reservation of seats for women has not been provided and their participation is very low. It is a well known fact that the political system in Mizoram to a great extent is dominated by men who desire to grab all powers in their hands. Women were hardly given party ticket to try their fortune in the working of the Village Council leading to a very low rate of women participation. In the latest Village Council General Election under the government of Mizoram which was held in February 2006, out of 2036 elected members only 33 women can enrol themselves which constitutes only 1.6 per cent of the total number of elected members. Out of 556 Village Council President four of them are women which constitutes 0.7 per cent of the Village Council Presidents.<sup>22</sup> Though their participation is very low, it has been better in comparison with women's participation at the initial stage. However, it may be well recognized that at the village level various committees are formed by the Village Council with the recognition of the state government for the welfare of the people in which the representatives of Mizo Hmeichhe

---

<sup>19</sup> Article (243D) (2) of the Constitution (seventy-third Amendment) Act, 1992

<sup>20</sup> Article (243D) (3) of the Constitution (seventy-third Amendment) Act, 1992

<sup>21</sup> Article (243D) (4) of the Constitution (seventy-third Amendment) Act, 1992

<sup>22</sup> Records of the Secretariat (Village Council Wing), Government of Mizoram

Insuihkhawm Pawl (Mizo Women Federation) are appointed to be a member in most of the committees. This shows that the participation of women in the working of Village Council or local self-government has not been fully deprived of though their involvement is very low.

#### ***4.8: Membership***

The Constitution Seventy-third Amendment has provided for the disqualification of a member of the Panchayats. It says that a person shall be disqualified for being chosen as, and for being a member of a Panchayat if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned provided no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years. It also says that a person shall be disqualified to be a member of the Panchayat if he is so disqualified by or under any made by the Legislature of the State.<sup>23</sup> If any question has arises as to whether a member of a Panchayat has become subject to any of the disqualifications mention above, the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may by law provide.<sup>24</sup>

The provision for the qualification to be a member of the Village Council has been clearly provided in the Lushai Hills District (Village Council) Act, 1953. It says that a person shall be qualified to be a member of the Village Council if he is a member of the Schedule Tribe; if he has attained the age of twenty-five years on the qualifying date; if he is a voter in the village where he desired to contest; if he is not a members of a Village Council elsewhere; if he is of sound mind and is not convicted by any court or imprisoned three years before.<sup>25</sup> Further, a person who has been employed as a government servant on a regular basis cannot be elected as a member of the Village Council.

---

<sup>23</sup> Article (243F) (1) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>24</sup> Article (243F) (2) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>25</sup> Section 4 of the Lushai Hills District (Village Council) Act, 1953

#### **4.9: Election**

For the purpose of election, the entire Gram Sabha is divided into wards with each ward electing one panch or member of the Panchayat. The number of members of the Village may consist of not less than five and not more than thirty-five members. The Seventy-third Amendment fixes the minimum age for contesting the election of the Panchayat to twenty-one years. It also provides a provision for the constitution of the State Election Commission consisting of a State Election Commissioner who is appointed by the Governor.<sup>26</sup> The State Election Commission is to supervise, direct and control the preparation of electoral rolls for the Panchayats and is responsible for the conduct of all elections. It further provides that subject to the provision of the constitution the Legislature of a State may by law, make provisions with respect to all matters relating to, or in connection with the election to the Panchayats.<sup>27</sup>

The Seventy-third Amendment has also proclaimed a bar to interference by courts in the electoral matters. It says that the validity of any rule relating to the delimitation of Constituencies, made or purporting to be made under New Panchayati Raj Act shall not be called in question by any court. It also says that no election to any Panchayat shall be called in question except by an election petition to such authority and in such manner as is provided for, by or under any law made by the Legislature of the State.<sup>28</sup> However, the election of all the members of Panchayats at the village level is direct but the mode of election of the Chairmen of the Village Panchayat is left to the state government to decide. As regards the election for the chairpersons at the intermediate level and district level, it has been provided that they will be elected indirectly by and from amongst the elected members.

In case of the Village Council, the villages are not divided into wards and the candidature is open to any of the villagers provided he acquires the desired qualifications. All the members of the Village Council are directly elected by villagers on the basis of adult franchise The State Government

---

<sup>26</sup> Article (243K) (1) of the Constitution (seventy-third Amendment) Act, 1992

<sup>27</sup> Article (243K) (4) of the Constitution (seventy-third Amendment) Act, 1992

<sup>28</sup> Article (243O) of the Constitution (seventy-third Amendment) Act, 1992



shall appoint a Registration Officer in each district for the Village Council and may appoint one or more persons as Assistant Registration Officer to assist him in the performance of his function. The Registration Officer shall appoint Returning Officers, who will also function as Presiding Officers and also Polling Officers who will conduct the election of each Village Council. No civil courts shall have jurisdiction to question the legality of any action taken or any decision given by the Returning Officers or by any other persons appointed in connection with the Village Councils elections. A candidate is to furnish a security deposit of Rs.25 to the Returning Officer along with his application. Election to the Village Council is conducted by symbol system as prescribed by rules. The Returning Officer shall fix the hours of polling votes and each voter shall be given as many ballot papers as equal to the number of seats to be filled up. After the election, the counting of votes will be carried out by the Returning Officer and those persons appointed to assist him in counting votes and the list of elected candidates shall be published in the State Gazette.

#### ***4.10: Reservation of Seats***

The new Panchayat system has laid down provisions for the reservation of seats for the Schedule Caste, Schedule Tribes and Women. It has mentioned that in every Panchayat the number of seats reserved shall bear, as many as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Schedule Castes in that Panchayat area and of the Scheduled Tribes on the Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat. Further, not less than one-third of the total number of seats reserved for Schedule Castes and Schedule Tribes shall be reserved for women belonging to Schedule Caste or Scheduled Tribes. Among the unreserved seats for Schedule Castes and Schedule Tribes one-third of the total number of seats shall be reserved for women. In case of the offices of the Chairpersons in the Panchayat reservations may also be made for Scheduled

Castes, Scheduled tribes and women as the Legislature of the State may by law provides.

In the working of the Village Council System reservation of seats has not been provided. It may be noted here that the Village Council was constituted by the Autonomous Lushai Hills District Council more than fifty years back, when in those days the Lushai Hills enjoyed a special statue under the Sixth Schedule, which has protected the customary laws and culture of the people in the Lushai Hills. As such the laws have been provided in order to provide special privileges for the tribals permanently residing in the Lushai Hills. Therefore, a person to be elected as a member of the Village Council must be a person belonging to Schedule Tribe which means that all the seats in the Village Councils are reserved for Schedule Tribes. It also mentioned that a person to be elected as a member of the Village Council must be a voter in the village where he desires to contest the election of the Village Council which means that all the seats in the Village Council were reserved for the villagers themselves.

#### ***4.11: Tenure***

The Seventy-third Amendment Act, has provided that every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for a period of five years from the date appointed for its first meeting. The election for the new Panchayat must be completed before the expiry of its duration. If the Panchayat is dissolved before the expiry of its duration of five years, the election for the dissolved Panchayat must be completed within six months and the newly elected Panchayat will hold its office for the remaining tenure, but if the remaining period of the dissolved Panchayat is less than six months, it is not necessary to hold any election for constituting the Panchayat for such period.

The Lushai Hills District (Village Council) Act, 1953 has clearly mentioned that the term of the Village Council is three years from the date of its first meeting. The term of the Village Council may be extended or shortened for a period not exceeding eighteen months depending upon the

circumstances. If for any reason, a Village Council is dissolved the Government is empowered to appoint its Circle Assistants or some other Officers to look after the administration of the dissolved Village Council. If the State Government considers it necessary, an election to the dissolved Village Council may be conducted and the newly elected Village Council may remain in the office for the remaining period of the term.

#### ***4.12: The Finance Commission***

The Seventy-third Amendment Act provides for the establishment of the Finance Commission for reviewing the financial position of the Panchayats. It empowers the Governor of the State to constitute a Finance Commission within one year from the commencement of the Seventy-third Amendment Act, 1992 and there after at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayat. The composition of the Commission, the qualification for the appointment of its members and the manner in which they shall be selected shall be determined by the Legislature of the State.

The Finance Commission shall make its recommendation to the Governor in regard to the principles which should govern: (i) the distribution between the State and the Panchayat of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this part and the allocation between the Panchayats at all levels of their respective shares; (ii) the determination of the taxes, duties, tolls and fees which may assigned to or appropriated by the Panchayats; (iii) the grants in aid to the Panchayats from the Consolidated Fund of the State; The Finance Commission is also to take measures needed to improve the financial position of the Panchayats; and to review any other matter referred to the Finance Commission by the Governor in the interest of a sound finance of the Panchayats. The Commission has been given freedom to determine its procedure and shall enjoy such powers as the State Legislature may confer upon it. The recommendation of the Commission shall be placed by the Governor along with an explanatory

memorandum as to the action taken thereon, before the Legislature of the state. The establishment of the Finance Commission gives proper channel for the Central Government to interfere in the financial stipulation of the Panchayati Raj institutions through the Governor of the State.

In Mizoram, no such provision for the establishment of the Finance Commission has been provided and there is no separate arrangement to look after the financial situation of the Village Council. This is one of the important reasons that make the Village Council handicapped due to the paucity of funds and to worsen the condition no step has been taken by the concerned authority to improve the fiscal condition of the Village Council. It may be noted here that the fiscal involvement in the working of the Village Council is much low in comparison to the fiscal involvement in the working of the Panchayati Raj institutions.

#### ***4.13: Audit of the Account***

The Panchayats are required to maintain the accounts which are subject to audit. The provision regarding the maintenance of accounts and auditing are determined by the respective State Legislatures. In most of the States there exists a separate and independent Audit Organization under the control of the State Government to look after the audit of accounts of Panchayats. The Audit Organization consists of such officers and staff, to be appointed by the State Government, as the State Government may deem fit from time to time. The manner of the auditing of the Panchayat accounts, payment of audit fees and action on such audit report shall be as prescribed by the concerned authority.

In case of the Village Council system, all the Village Councils are to maintain an Account or Cash book where all the expenditure or amount received is to be recorded. This Account or Cash book is to be sent to the office of the District Local Administration Officer after a lapse of every three months for examination. The auditing of the accounts is to be carried out by the Circle Assistant or a person appointed by the District Local Administration Officer.

#### **4.14: Conduct of Business**

*The Gram Sabha:* The meeting of the Gram Sabha is mandatory. The frequency for the meetings of the Gram Sabha is decided by the respective State Legislatures which causes great variation in the number of its meetings. The Gram Sabha meets once in a year in the states of West Bengal and Madhya Pradesh, two-times in the states of Andhra Pradesh, Gujarat, Maharashtra, Rajasthan, Uttar Pradesh, Karnataka and Kerala, three times a year in the states of Tamil Nadu and four times a year in the states of Bihar and Assam.<sup>29</sup> The functions conferred to the Gram Sabha by most of the states are examining annual statement of account and audit; considering proposals for fresh taxation; selection of schemes, beneficiaries and locations; mobilising voluntary labours; giving assistance in the implementation of development schemes; considering the budget prepared by the Gram Panchayat; scrutinising the existence of schemes, etc.<sup>30</sup> The Chairperson or the Sarpanch usually presides over the meetings of the Gram Sabha and decisions in its meetings are usually taken by means of vote. It is these meetings of the Gram Sabha which enable direct participation of the people in managing the affairs of their own villages in the rural areas sustaining the true spirit of democracy and local self-government.

The convening of '*Vantlang Rorel Inkhawm*' is not mandatory. Its meeting may be summoned by the President of the Village Council whenever he feels it necessary. Its meetings are presided by the President of the Village Council and in his absence the Vice-president. The Secretary of the Village Council is to record all the proceedings of the meetings. Decisions in the meeting of '*Vantlang Rorel Inkhawm*' are usually taken by means of votes. It is through the meetings of the '*Vantlang Rorel Inkhawm*' that the members of the Village Council consulted the villagers on important issues regarding the administration of the village and the maintenance of justice in the village.

*The Village Panchayat:* The Seventy-third Amendment has mentioned that the Chairperson of a Panchayat and other members of a

---

<sup>29</sup> SR.Maheshwari, op. cit. p.80

<sup>30</sup> Ibid., p.81

Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.<sup>31</sup> The Panchayats like any other democratically set-up institutions are a deliberative as well as the executive body and it transacts its business by passing resolutions. Resolutions in the meeting of the Village Panchayats are made by means of majority of votes. The Chairman of the Village Panchayat is to cast his vote in case of tie. The Chairman or the Sarpanch of the Village Panchayat presides over and conducts the meetings of the Panchayat and exercises control over its administration by maintaining law and order. He exercises the powers that are delegated to him by the Panchayat. The Village Panchayat is to have at least one meeting in a month or the members of a Panchayat can request the Chairman to call for a special meeting.

In case of the Village Council, the Lushai Hills District (Village Council) Act, 1953 clearly describes how the meetings of the Village Council are to be carried out. The President presides over the meeting of the Village Council and in his absence the Vice-President. The number of meetings to be carried out by the Village Council is nowhere mentioned but the President can summon the meeting whenever the necessity for it arises or if two-third of the members 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 a majority of vote. The President at the initial stage does not cast his votes but acts as a tie breaker.<sup>32</sup> No person other than the members of the Village Council is allowed to speak or take part in the deliberation of the Village Council. The President shall preserve orders and may direct any member whose conduct in his opinion is disorderly to withdraw or suspend from the meeting. In the meetings of the Village Council the Secretary has no right to cast his vote when decisions are taken but may share his opinions on certain topics with the permission of the President. The Secretary shall record all the proceedings of the meeting and with the approval of the

---

<sup>31</sup> Article (243C) (4) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>32</sup> Sub-section (2) of Section 13 of the Lushai Hills District (Village Council) Act, 1953

President he shall publish all orders, notifications and records as desire by the Village Council.

*The Block Panchayat:* The meetings of the Block Panchayat or the Panchayat Samiti are Presided by its Chairman or President and in his absence the Vice Chairman or the Vice-President and in case of their absence, one among its members may be elected to presides over the meeting. The Panchayat Samiti ordinarily meets at least six times each year for the transaction of its business and not more than two months are allowed to elapse between any two consecutive meetings. A meeting of the Panchayat Samiti is either ordinary or special. Any business can be transacted at ordinary meetings unless required by the Act or the Rules made there under to be transacted at a special meeting. The date for the meeting is fixed by the Chairman and notice of every meeting specifying the time and place thereof and the business to be transacted is dispatch to every member not less than ten clear days before an ordinary meeting and four clear days before a special meeting. A meeting of a panchayat Samiti may be adjourned and its business can be transacted on the following meeting with the permission of the majority of the members present.

The Block Development Committee ordinarily meets once in a year. The Sub-Divisional Officer (Civil) of the concerned Rural Development Block presides over the meetings of the Block Development Committee and the Block Development Officer acts as a Secretary of the meetings. In the absence of the concerned Sub-Divisional Officer, the Block Development Officer presides over the meetings of the Block Development Committee and appoints one of its staffs as a Secretary. The Secretary of the Block Development Committee records all the proceedings of the meetings and the decisions made therein may be distributed to all the members. The meetings of the Block Development Committee discuss how the Rural Development Schemes such as: SGSY, EAS, IAY, PMGY, PMRY, JRY, IRDP, MIP, NLUP., etc as sanctioned by the Central or State Government are to be implemented in the area and makes selection of the beneficiaries under various schemes. The proposed beneficiaries as selected by the Village Councils are finalized in the

meetings of the Block Development Committee. The Block Development Committee has got the power to accept or reject the proposals made by the Village Councils.

*The District Panchayat:* The meetings of the Zila Parishad or the District level Panchayat like the other tiers is presided by its Chairman, who exercises administrative, supervision and control over the Chief Executive Officer and other Officials of the Zila Parishad. The Zila Parishad meets once in three months. Its special meetings can also be held when requested in writing by one-third of its members. The Chairman has to call such a special meeting within fifteen days of such a request.

In the working of the Village Council system, there exists no institution similar to that of the District Panchayats. But mention may be made of the Autonomous District Councils whose meetings were presided by the Chief Executive Member. Similar to that of the State Legislative Assemblies decisions in the meetings of the Autonomous District Councils are taken by majority of votes. The meetings of the District Council discuss all the important issues regarding the welfare of the people, developmental works and the maintenance of justice within their respective jurisdiction.

#### ***4.15: Administrative Powers and Functions***

The Legislature of a State may endow the Panchayats with such powers and authority as may be necessary to enable them to functions as institutions of self-government and such law may contain provisions for devolution of powers and responsibilities upon the Panchayats at the appropriate level, subject to conditions as may be specified therein, with respect to: (a) the preparation of plans for economic and social justice and (b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule.<sup>33</sup> The development role of the Panchayati Raj institutions has been incorporated in

---

<sup>33</sup> Article (243G) of the Constitution (Seventy-third Amendment) Act, 1992



the Eleventh Scheduled of the Constitution. It includes various subjects such as agriculture, land reforms, minor irrigation, animal husbandry, fisheries, social forestry, small scale industries, rural housing, drinking water, roads, rural electrification, poverty alleviation programme, primary and secondary education, technical training or vocational education, cultural activities, health and sanitation, family welfare, women and child development, social welfare, welfare of the weaker sections, public distribution system and maintenance of community assets and other important matters associated to the welfare of the rural masses.<sup>34</sup>

The functions assigned to the Panchayats at the three tiers are more or less the same throughout the country. The Gram Sabha is held responsible for the annual statement of the accounts and the audit report of the Village Panchayat, the programme for the succeeding year, the taxation proposals and any other schemes of a developmental nature involving community services and voluntary labors. The Village Panchayat as an executive of the Gram Sabha several performs several functions regarding the administration of the village which include – rule making, rule implementation, financial functions and even minor judicial functions. The rule making and its implementation may cover a wide range including civic administration, cultural, social and developmental activities from sanitation, conservatory, crop experiment, promotion of cottage industries, registration of births and deaths, etc. The Village Panchayat is empowered to make general orders and has the power to enquire and report about the misconduct of petty officials. It has also the power of the Village Panchayat to name streets and number houses. The Block Panchayats are assigned the duties of doing everything necessary to step up agriculture production, Animal Husbandry and Fisheries, Health and Rural Sanitation, Communication including construction, repairs and maintenance of inter-village roads., Social Education, Co-operation and other miscellaneous functions, etc. The powers and functions assigned to the District Panchayats vary from state to state. In most of the states the District Panchayat is held responsible

---

<sup>34</sup> Eleventh schedule of the Constitution (Article 243G)

for the general supervision over the working of the Block Panchayats and advises the Government on the implementation of the developmental schemes.

The powers and function of the Village Council is similar to that of the Village Panchayats to some extent because the administrative affairs of the village are entrusted to the Village Council which is the only local body authorized by the Government to manage the local affairs. The Village Council is entrusted with the duty of distributing jhumland for the purpose of shifting cultivation which is the most important source of livelihood for the villagers. The next important function of the Village Council is enforcement of collective labour and voluntary services which may include developmental works, cleanliness and sanitation works. The third function of the Village Council is the control of animals and taxation of animals. The fourth function of the Village Council is the allotment of house sites for the villagers. The fifth function of the Village Council is the prevention and control of the outbreak of fire. The sixth function of the Village Council is control and protection of reserve forest. The seventh function of the Village Council is the maintenance of the health and hygiene of the villagers. Besides, the above mentioned responsibility the President of the Village Council has to carry out all the important duties assigned to him by the state government through various notifications and orders and it acts as a link between the State Government and the villagers on important matters.

It may also be important to note here that most of the developmental functions and assistance given to the poor for their economic improvement under various schemes assigned to the Village Councils are entrusted to them by the Rural Development Department which had empowered the Village Council to a large extent; however these duties are not assigned to the Village Councils in the urban areas. Moreover, most of the powers and functions of the Village Councils given above are carried out in the rural areas because the livelihood of the people in the urban areas does not depend upon agriculture and allied items. Therefore, great disparity lies between the powers and functions of the Village Councils in the rural and urban areas.

#### **4.16: Judicial Powers and Functions:**

The Seventy-third Constitution Amendment did not mention anything about the judicial function of the Panchayats, but in order to carry out its important functions the Panchayat institutions have to be equipped with certain judicial powers. For this purpose the Village Panchayats are to maintain their own courts which will safeguard their administrative powers. The Lok Adalats or local courts try offences not punishable with imprisonment for more than two years or which the Government may by notification declare to be triable by such Panchayats. The Nyaya Panchayats both civil and criminal suits and in most of the states it can impose a fine up to Rs. 50. The power to hear civil suits to a certain extent varies from state to state. The Panchayats in Rajasthan, for instance, hear civil suits of up to Rs. 250.<sup>35</sup> In some other states, the Panchayat courts have the powers of a law court as well, for example, summoning witnesses, callings for records, maintaining dignity of courts, judicial immunity, etc.

The Panchayats are also empowered to try cases regarding the recovery of moveable property or the value of such property, money or goods sold on contract or the price there of, compensation for wrongfully taking or injuring moveable property. The importance of local courts and its achievement in dealing with petty cases has been increasingly recognized by the states in India.

The Village Council from the initial stage has been empowered to organize Village Courts for the administration of justice. The Village Council after every election is to form a Village Court which will try civil cases if both the parties were tribal and the nature falling within the purview of the village or tribal laws and customs.<sup>36</sup> It is also empowered to try criminal cases falling within the purview of the tribal laws and customs and offences of petty nature, simple assaults and hurt, affront and affray of whatever kind, drunken or disorderly brawling, public nuisance and simple cases of wrongful

---

<sup>35</sup> S. Baluchamy., *Panchayati Raj Institutions*, (Mittal Publications, New Delhi-110059), 2004, P.9

<sup>36</sup> Rule 14 (a) of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953

restraints.<sup>37</sup> It has also the power to decide cases concerning the laws regarding the Lushai Hills District (Village Council) Act, 1953, the Lushai Hills District (House Site) Act, 1953, the Lushai Hills Administration Of Justice Rules, 1953, The Lushai Hills (Jhumming) Regulation, 1954, The Mizo District (Forest) Act, 1955, The Mizoram Animal (Control and Taxation) Rules, 1982 and The Mizoram (Prevention and Control of Village Fire in the Village Ram) Rules, 2001. It also has the power to decide cases concerning the inheritance of property in accordance with the customary law. It may also be important to note here that the President of the Village Council sometimes acts as a witness in the courts for incidence which occur in their respective villages.

The existence of the Village Courts has enhanced the power of the villagers because it is due to the existence of Village Court that the villagers can make their own laws in order to maintain justice and bring peace and harmony in the village. The Village court has got the power to fine an accused up to a sum of five hundred rupees depending upon the crime he has committed. The person convicted by the Village Court cannot be sent to jail but has the right to send an accused person to higher court.

It may also be noted here that the Panchayats and the Village Councils may undertake the organization of village volunteers' force for the maintenance of watch and ward services for securing peace and harmony in the village and for the safety of the villages and the villagers.

#### ***4.17: Sources of Income***

The new Panchayati Raj institution has been equipped with various financial resources which enables the institutions to engage itself in the socio-economic development of the rural areas. The Constitution (seventy-third Amendment) Act, 1992 has clearly mentioned that “The Legislature of a State may, by law (a) authorized a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to

---

<sup>37</sup> Rule 14 (b) of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953

such limits; (b) assign to a Panchayat such taxes, duties, tolls, and fees levied and collected by the State Government for such purposes and subject to such conditions and limits; (c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State; and (d) provide for constitution of such Funds for crediting all moneys received, respectively, by or on behalf of the Panchayats and also for the withdrawal of such money therefrom, as may be specified in the law.”<sup>38</sup> Accordingly, most of the State Legislature empowered the Village Panchayats to collect taxes on property, cess on land revenue or rent, tax on animals and vehicles and professional tax. It also gets income from non-tax resources such as markets, cattle ponds, tanks, waste lands, orchards and other remunerative assets. The main sources of income of the Block Panchayats consists of a share in the land or local cess and duty on transfer of property, community development grants and funds allotted by the State Government or District Panchayat for specific schemes. The main sources of income of the District Panchayat includes the funds allocated to them by the Central or State Government; share in the Land Revenue; funds for the development of cottage; village and small scale industries; income from trusts, loans, donations and contributions from the public or organizations and institutions etc.

The source of income of the Village Council is very insignificant in comparison with that of the Panchayati Raj institutions. The most important financial resource of the Village Council is the animal tax of which fifty percent goes to the treasury of the Village Council and the other fifty percent goes to the treasury of the State Government as a consolidated fund of Mizoram.<sup>39</sup> Another important financial resource of the Village Council is those nominal fines which were collected by the Village Courts from the people as a penalty for the crimes they have committed or for breaking laws. It may also be mentioned here that if there is a cordial relation between the Village Council and the State Government the Village Council may be entrusted to carry out certain development work, such as: construction and maintenance of roads and

---

<sup>38</sup> Article (243H) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>39</sup> Sub-section (3) of Section 20 of the Mizoram Animal (Control & Taxation) Act, 1980

footpaths, sanitation, etc. Sometimes development works are handed to them but it strongly depends upon the relationship between the party in power at the state and the party in power at the village level because there is no definite principle on how the development works would be carried out.

#### ***4.18: Control of the State Government over the Institutions***

The State Government has a very tight control over the Panchayati Raj institutions. The Seventy-third Amendment had given great responsibility to the State Legislature in looking after the smooth functioning of the Panchayati Raj institutions. It is left to the State Legislature to determine the size and territorial Jurisdiction of the Panchayati Raj institutions, control over the staffs and control over the property and documents of the Panchayati Raj institutions, their composition and electoral procedures, their functions, the methods of settlement of disputes in the Panchayati Raj institutions. It is left to the State Government to review, modify or reject the proposals put forth by the Panchayats through the government officers. The State Government is empowered to remove the Panchayat members under prescribed procedures, conduct periodic inspections, and execute the no-confidence motions passed by the Panchayat bodies and even supersede and dissolve these bodies. The State Government determines principles regarding the fiscal policy of the Panchayati Raj institutions in terms of taxes, fees, loans and grants. It determines their budgets and lays down rules regarding the nature and forms of account to be maintained. The audits of the Panchayats are also left to the State Government. The State Government has the power to suspend the resolutions made by the Panchayats if it considers that the implementation of the resolution may cause danger to public life, health or property. It is also the State Government which provides technical guidance to the Panchayat bodies and all the plans and schemes of the Panchayat bodies have to be approved by the State Governments. The Panchayati Raj institutions are also controlled by the State Government through political parties because elections to these bodies are fought on party lines. In case the party in power at the Panchayat level belongs to the party in

power at the state level, the State Government will facilitate its control over the panchayat bodies more effectively.

Similar to that of the Panchayati Raj institutions the Village Councils in Mizoram are also very tightly controlled by the State Government. The situation is even more comprehensive in case of the Village Council because no proper guidelines for the formation of the Village Council have been sanctioned by the Constitution and its workings heavily depend upon the laws sanctioned by the State Government. It is the State Government which determines the size and territorial jurisdiction of the Village Council and has the authority to create new Village Councils. It is the State Government which conducts its elections. The State Government decides the number of Village Council members, their remuneration and has the power to amend the rules which governs the working of the Village Councils. It is the State Government which has got the authority to dissolve the Village Council and is empowered to dismiss the President of the Village Council and his staffs on reasonable grounds. It is the State Government which has got the power to take the final decision on all important matters regarding the working of the Village Council. There is no proper channel to carry out the developmental activities regarding the improvement of the villages which makes the members to fall at the mercy of the government servants. The Block Development Officers are authorized to review, modify or reject the proposals put forth by the Village Councils and take the final decision on important matters regarding the beneficiaries of various schemes and plan proposals. Moreover, the Village Council is financially handicapped and the meager source of their income is not sufficient to maintain their own affairs. The audit of the accounts has to be carried out by the government servants who have to give the reports to the state government. The members of the Village Council are considered public servants and are expected to carry out all the notifications and orders handed to them by the higher authority in the performance of their duties. This may be the reason why the members of the Village Councils are sometimes described as sub-servient to the government officers. Above all, the working of the Village Councils are greatly influenced by the party in power at

the state; in case the political party in power at the state is similar to that of the party in power at the Village Council better harmonization is generally maintained between the State Government and the Village Council; and this cordial relations would surely enhance the power of the Village Council in their management of local affairs.

#### ***4.19: Conclusion***

From the above comparative examination it may be clearly observed that the Panchayati Raj system and the Village Council system have got wide and enormous dissimilarities, though both the system have functioned as democracy at the grassroots level with the people electing their own rulers forming the local governments. The capability of the Panchayati Raj institutions from various dimensions are much wider than that of the Village Councils which may be recognized in terms of their creation, decentralization of administrative, financial and political powers, contribution towards strengthening the planning process at the micro level and over all rural development and improvement of the access of the rural poor masses to the highest level of decision-making bodies. The Panchayati Raj institutions are the creation of the Constitutions whereas the Village Council system is the creation of the Autonomous District Council when Mizoram was merely a part of Assam. Since Mizoram was elevated into a Union Territory and a full-fledged State the Lushai Hills District (Village Council) Act, 1953 was plainly adopted without proper revision or modification relevant to the changing circumstances.

The Panchayati Raj system was provided with proper administrative structure which enables proper division of power which is not possible in case of the Village Council. The mandatory creation of the Gram Sabha makes it possible for the involvement of more people in the working of the Panchayat Raj system making democracy much more significant at the grassroots level which is not possible in the case of the Village Council. It is due to the existence of various tiers beginning from the Gram Sabha that decentralization of power is possible in the working of the Panchayati Raj system which is not found



in the case of the working of the Village Council system. It is through them that administrative power has not only been decentralized but it also provided the decentralization of political power, which is the main objective or essence of democracy. The Panchayati Raj institutions have better chances to bring in social and economic development in the rural areas because the Constitution has clearly described the functions to be carried out by the Panchayats social transformation of the rural area can also be greatly determined by the members of the Panchayats who are at the reach of the poor rural population.

On the other hand, economic and social transformation of the poor tribesmen in Mizoram is beyond the scope of the Village Council. The Village Council System fails in decentralization of power which is the main objectives of local-self government. It is entrusted with the minimal or insignificant power of administrative, political, judicial, planning and developmental sphere. These make it impossible for the Village Council to create a significant impact at the village level or provide leadership to the villagers. The meager financial resources and failure in the devolution of powers and responsibilities makes the Village Council less dynamic.

The Panchayati Raj institutions are constituted only in the rural areas whereas the Village Councils are institutions meant to administer the rural areas as well as the urban areas in Mizoram. The problems and necessity of the people in the rural and urban areas have got lot of differences and most of the social and economic problems in the urban areas are beyond the scope of the Village Council. The Village Council system, in fact, was established in those days when Mizoram was a land of villages. With the forthcoming of many towns and urban area the need for the establishment of separate form of administration in towns and cities similar to that of other states of the country is necessary for the social and economic development of the people of the state.

The Panchayati Raj system has welcomed the participation of all sections of the people in the society through reservation of seats whereas the Village Council System allowed the participation of the Schedule Tribes only in its working. In case of the Panchayati Raj system the involvement of women is

made compulsory through the reservation of seats and their participation ensures the extinction of gender discrimination which is beyond the scope of the Village Council. It is through the Panchayati Raj institutions that the Schedule Caste, Schedule Tribes, men and women interact freely in looking after the affairs of the people and their own village. This may be called a silent revolution because it provides room for the participation of all section of the people in the society leading to social transformation in every area. However, this is beyond the scope of the Village Council system which is meant only for the tribals. Moreover, the absence of reservation of seats for women also diminishes the interest of half of the population which discourages social transformation trough the working of democracy at the grassroots level.

## CHAPTER V

### *The Village Council System and their relationship with other Grassroots Organizations in the Village*

#### **5.1: Introduction**

The local-government which exists in the form of the Village Council system in Mizoram as sanctioned by the Lushai Hills District (Village Council) Act, 1953 does not work by itself. It has been working hand in hand with other non-governmental organizations since its inception. These non-governmental organizations play an important role in the administration of the villages and in uplifting the social- economic conditions of the masses, rendering their services to the poor and the needy in the villages. They have got their branches in all the villages within the state of Mizoram and their services were spread in every part of the state. Moreover the leader of these organizations were elected for a fixed period which provide a training ground for young politicians in the field of democracy similar to that of the Village Council providing greater scope for the people to participate in achieving the socio-economic goals.

The most important grassroots organizations other than the Village Council, which are popularly known as NGOs that play an important role in the working of the local administration in Mizoram may be discussed as below:

#### **5.2: The Young Mizo Association (YMA)**

The Young Mizo Association was started as ‘Young Lushai Association’ on June 15, 1935.<sup>1</sup> Its important objectives were to encourage the

---

<sup>1</sup> Constitution of Young Mizo Association, 2006 Revision. p.1

bachelors to utilize their leisure hours in a better manner, promoting the health and welfare of the people and it should be organized in such a manner which would promote Christianity. The association would organize sports and entertainments. All the people who were committed to lead a Christian life were admitted to be a member of Young Lushai Association with a payment of 8 annas (50 paise).<sup>2</sup> The Young Lushai Association from the beginning of its formation plays an important role in bringing about social development in the Mizo society. All the activities which were taken up by the association were conducted in such a manner as to promote the social activities of the people at the grassroots level. The first General Conference of the YLA was held on 23<sup>rd</sup> to 24<sup>th</sup> October 1941 at Aizawl.<sup>3</sup> The theme of the conference was '*Kan tihtur*' which means 'Our duty' and speeches on various topic such as- our duty to ourselves, our duty to our family, our duty to our motherland, our duty to our nation etc. were delivered by various persons. This shows that the association became an important training ground for the young Lushai nation in doing social services for the common good of the people and modernization of the society.

During the 1940's there was a great political awakening among the people in the Lushai Hills which felt the need for the change of Lushai into Mizo on the ground that it covers more tribes than that of the Lushai and this is more appropriate term for the people living in the then Lushai Hills. Therefore, on the 7<sup>th</sup> October 1947 the Young Lushai Association was changed into Young Mizo Association by the Central YMA Committee.<sup>4</sup> It is a non-political voluntary organisation having its own Constitution with a maxim that 'YMA helps the needy'. The Constitution of YMA clearly stated its aims and objectives which are: - i) Useful occupation of leisure time, ii) All round development of the Mizoram and iii) Promotion of good Christian life. It also held that each YMA member should aim to be self disciplined and righteous, good manager of the family, just and truthful, tolerant, polite, chivalrous and useful, socially active, respectful of religion, preservation of culture and lastly abstain from liquor and

---

<sup>2</sup> C. Vanlallawma, *YMA History 1935-1995* (New Aizawl Press, Aizawl), 1998. p.9

<sup>3</sup> *Ibid.*, p.18

<sup>4</sup> *Ibid.*, p.33

drugs. It was registered on 14<sup>th</sup> May, 1977 with the Mizoram Government as per Society Registration Act 1860 (Act XXI of 1860) under Sr. No. 4 of 1977. <sup>5</sup>

The Annual Report 2005-2006 has recorded that the Young Mizo Association has got 747 branches, 49 Group, 1 Sub-Headquarter and about 3.5 lakhs members.<sup>6</sup> The branches were not confined only within the state of Mizoram but are spread in the neighbouring states of Assam, Meghalaya, Manipur, Tripura and Nagaland which are inhabited by Mizos. It has got its headquarter at Aizawl and a sub-headquarter at Lunglei. The Central YMA has got 8 Office Bearers who were elected for a term of two years; it has got 46 Central Executive Committee members. The Central YMA has got various sub-committee which are assigned different works, they are- Culturer Committee, Disaster Management Committee, Finance Committee, Health & Medical Education Committee, Kumpuan Committee, Land, Building & Youth Centre Committee, Legal Committee, Literature Committee, Press Committee, Project Committee, Recreation Committee, Resource Committee, Science & Environment Committee, Sports Committee and Training & Youth Affairs Committee. These various sub-committees reveal the various activities of the Young Mizo Association which plays an important role in the Mizo society after the extinction of Bachelors' dormitory.

The Young Mizo Association plays an important role not only in modernization of the traditional Mizo society but also takes an important part in executing the Government policies and programmes at the grassroots level. It is due to the achievement made by the YMA that the Mizo society has undergone significant changes though political growth and consciousness had touched them only few years before India got her independence. The traditional Mizo Society which has been characterized by all forms of superstitious belief had been transformed into a peace loving society within a few decades. When Mizoram has got its own government in 1972, the State Social Education Officer had requested YMA to make survey on the illiterate adults and provide them

---

<sup>5</sup> Central Young Mizo Association, *Constitution of Young Mizo Association*, 1994. p.2

<sup>6</sup> The 61<sup>st</sup> YMA General Conference Annual Report

educational facilities. This is how the YMA help in promoting education to the illiterate masses.

It may be worth mentioning that when UNO declared 1981 as a 'Year of handicapped' it had taken several steps in order to help the handicapped and when UNO declared 1985 as a 'year of Youths' the YMA celebrates it with grandeur in the presence of the state Chief Minister and Chief Secretary on 12<sup>th</sup> January 1985.<sup>7</sup> In 1992-93 the association was awarded the greatest award for environment protection known as "Indira Gandhi Paryavaran Puraskar (IGPP)", it was achieved in pursuance of the 'Year of Protection of Wild-life' declared by YMA in 1992-1993. In this way YMA had adopted certain years in order to quicken or achieve its aim and objectives- the year 1983 and 1991 were declared as a 'Year of Sanitation', 1984 as a 'Year for the Protection of Public Property', 1994-1995 as a 'Year for the Reformation of Social Life, 1995-1997 as a 'year of literacy', 1998-2002 and 2004 as a 'Year of protecting Mizo culture and nationality', 2003 as a 'year of self-sufficiency' and 2005-2007 as a 'Year of fighting against drug-abuse and intoxicants'. In pursuance of these declarations the Young Mizo Association had organized competitions on drama, essay writing, poetry, slogans, song composition etc. It also organized social work and public gathering where papers were presented by various resource persons, and certain research and surveys were also carried out to make the declarations great success.

From the above discussions we can realise the fact that YMA plays a very important role in uplifting the socio-economic conditions of the people in Mizoram as it spread all over the state with all the youths registering themselves to be a member. We cannot expect to have a good village administration in the villages of Mizoram without the existence of this important organisation. The members of YMA are the hands and limbs for the Village Council who could not run the village administration by themselves with their poor financial resources and few members. It is a fact that the strength of village administration to great extents lies in the hands of the Young Mizo Association

---

<sup>7</sup> C.Vanlallawma, *Ibid.*, p.89

in the villages, as such, a cordial relationship between the two should always be maintained for the sustenance of grassroots administration in Mizoram.

The Young Mizo Association, since its formation carries out the important activity of disposing away dead bodies in the villages of Mizoram. From time immemorial it was the custom of the Mizo to burry their dead bodies which were traditionally performed by the relatives of the deceased persons but with the modernization of the Mizo society the system became unfavourable because the Mizo were no more isolated from other tribes and people of the plains. YMA being the largest voluntary organization having the largest number of members, voluntary social-works are often organized in the name of YMA when the need for it arises in the villages or the society.

In many cases, the government entrusts the YMA for developmental work. It being a non-political organization the strength and unity of the people lie within it. In the month of January 2009, however, the Central Executive Committee (CEC) of Central YMA in its meeting decided in its financial rules for not allowing the acceptance of developmental works from the government unless the permission is awarded by the CEC of Central YMA. This is expected to put a check on some contractors of the YMA branches who were taking advantage of the responsibilities given to them by the government agencies.

YMA, though, a voluntary organization often takes law into its own hand and punished the people who act against the wishes of its members, incur corporal punishment, fines and other forms of penalty. In the remotest areas of the state where there are no government servants to protect the villagers, it takes the responsibility of protecting the villagers from various dangers and unlawful restraint. In case, of natural calamities and unforeseen disaster, it is the Young Mizo Association, which remains the hope of the people.

Besides the above voluntary works, the YMA has to perform many other important functions in running the village administration and has to send its representatives in various committees at the village level as appointed by the President of the Village Council. In all the villages a representative of YMA

is always an important Committee member of the Village Forest Defence Committee (VDFC), Selection Committee of BPL/AAY families, Village Level Clean Mizoram Committee, Village Level Fire Prevention Committee, Village Water and Sanitation Committee, Village Education Committee, Village Level Health Committee, Village Level Disaster Management Committee, Village Vigilance Committee and Reception Committee. All these important village level committees may not exist in all the village of the state and some of the villages may have got many other important village level committees where YMA always holds important positions. It may not be incorrect to say that the strength of the village lies in the hands of the Young Mizo Association. The Village Council may make certain laws regarding the administration of the village but the execution of the laws often lies in the hands of the YMA whose members would execute them voluntarily without expecting any reward.

Another important role play by the Young Mizo Association is that the President of the YMA in every village/branch is a member of the Block Development Committee. This shows that the Branch President of YMA represents the village in the Block Development Committees together with the president of the Village Council. The Block Development Committee discusses various matters which are related to Centre or State Government Schemes for the socio-economic development of the rural areas. The Integrated Rural Development Programmes includes: Employment Assurance Scheme (EAS), Integrated Wasteland Development Programme (IWDP)/Hariyali, Indira Awas Yajona (IAY), Pradhan Mantri Gramodaya Yajona (PMGY), Swarnajayanti Swarozgar (SGSY), Sampoorna Gramin Rozgar Yajona (SGRY), Jawahar Rojgar Yajona (JRY), Border Area Development Programme (BADP), MIP, BAFFACOS, National Rural Employment Guarantee Scheme (NREGS), etc. It may also be noted here that the beneficiaries of the schemes or the propose work under the schemes are often discuss at the village level before the meetings of the Block Development Committee are conducted, as such, the resolutions of the village level meetings are forwarded by the President of the Village Council to be further examine by the Block Development Committee.



From the above discussion it may be clear that the Young Mizo Association carries out various important functions in the administration of the villages. People often failed to recognize the importance of the Village Council; though constituted under valid law because the YMA plays so an active role, it at times tends to eclipse the importance of the Village Council. In villages where there were cordial relationship between the Village Council and the Young Mizo Association, social and economic development is expected to grow faster. But in villages where there is a strained relationship between the two, socio-economic development is slow.

### ***5.3: The Mizo Hmeichhe Insuihkhawm Pawl (MHIP)***

Mizo Hmeichhe Insuihkhawm Pawl with (MHIP) is also known as a Mizo Women Federation. It is a voluntary organization of Mizo Women established on 6<sup>th</sup> July, 1974 with a motto “Service to others” and the federation has no political affiliation.<sup>8</sup> All Mizo Women, above the age of 14 residing in and outside Mizoram, willing to subscribe to its aim and objective can become a member of the federation with a payment of membership fee at local branch where she resides. The organization has been registered under Society of Registration Act, 1860 (Act XXI of 1986) on 6<sup>th</sup> June, 1977 bearing Registration No. 5 of 1977. The registration extends over the Headquarter, Sub-Headquarters, Block and the Branches.

The Mizo Women Federation has been established with a definite goal and its aim and objectives may be mention below:-

1. To inculcate a sense of responsibility and ability among women in nation building and developmental works.
2. To safeguard and uplift the status of women in the society and the family; to protect their right and honour.
3. To prepare women folk to attain self-sufficiency and to be able to impart knowledge in handicrafts, family hygiene and domestic utilities.

---

<sup>8</sup> Constitution of MHIP., 2006.

4. To take care of children for their healthy growth both mentally and Physically through Pre-Primary Schools, Balwadi, Crèches etc.
5. To provide and run recreational canters for children and make them learn by doing.
6. To take part in the developmental activities wherever suitable.
7. To educate illiterate adult woman and help find means to pursue education and suitable job to those in distress.
8. To bring together people from all works of life, be it unequal social status, different religious community and opposing political parties, for the development of Mizoram unitedly.
9. To abstain from violence.
10. To assist the government in their endeavor to achieve in the developmental works and
11. To fight against all kinds violation and crime against women.<sup>9</sup>

The Preamble to the constitution of MHIP also stands to avow to self-respect and control, to honour truth and abide by, to be polite selfless, hardworking and be helpful, to contribute for the welfare of the society, to show respect to religious practices, to keep oneself aloof from alcoholic and drug abuses, to strive for self-sufficiency, to remain aware of sex menace, and lastly, caring and serving with sympathy, the handicapped and disabled persons.<sup>10</sup>

The Office Bearers of MHIP consist of the President, Senior Vice President, Vice Presidents, General Secretary, Secretary, Joint Secretary, Assistant Secretary, Treasurer and Finance Secretary who are elected for a term of two years by the General Assembly in the month of April. The nine Office Bearers shall appoint 34 committee members which along with them shall constitute 'Headquarter Executive Committee'<sup>11</sup>. The Executive Committee if desires, shall appoint one patron and two Senior Advisers. At present, MHIP has

---

<sup>9</sup> MHIP General Headquarters, *Constitution of Mizo Women Federation, Chapter I (7)* (Zorin Compugraphics, Aizawl, 2006)

<sup>10</sup> Ibid., *Chapter I (8)*

<sup>11</sup> Ibid., *Chapter III (1)*

got 730 Branches, 7 Sub-Headquarters, 16 Blocks and 20 Joint MHIP.<sup>12</sup> All of them elect their own Office Bearers at each level for a fixed period.

In all the villages where MHIP has got its branch it has been the untiring supporter and major implementing agency of the Programme of the Central Social Welfare Board since its inception in 1976. Till recently the branches are implementing 143 units of Crèches programmes, and a good many other programmes under Condense Course of Education and other Vocational Training Programmes under the State and Central Government and more sanctions are on its way. It is also working in close co-operation with the other voluntary organizations, also plays an active role in co-operation with the state government and is a member of various committees in several department of the state government.

The MHIP as a voluntary organisation has endured untiring efforts in the local administration of the villages without expecting any reward from the people. It offers a helping hand to the Village Council wherever the need for it arises in the village. A representative of the organisation is always appointed as a member of various committees set-up by the Village Council at the local level and is always consulted by the government in various matters regarding the administration of the village. In the villages of the rural areas the President or one or two important Office Bearers of MHIP is a member of the Village Forest Defence Committee (VDFC), Selection Committee of BPL/AAV families, Village Level Clean Mizoram Committee, Village Level Fire Prevention Committee, Village Water and Sanitation Committee, Village Education Committee, Village Level Health Committee, Village Level Disaster Management Committee, MIP, NREGS, BAFFACOS, SSA Branch, etc. It may also be noted here that the number and name of the organisations set-up in all the villages of the state are not always the same and some organisations come and go depending upon the need of the society and the villagers. At the Block level the President of MHIP in all the villages are members of the Block Development

---

<sup>12</sup> General Secretary Report of the 16<sup>th</sup> General Assembly held at Vanapa Hall on 24<sup>th</sup> & 25<sup>th</sup> April, 2007.

Committee which discusses all important matters related to the policies and programmes of the central and state governments.

However, it may be interesting to note that it is through MHIP that Women can participate in the working of grassroots democracy in Mizoram and we cannot deny the fact that the Village Councils always maintain close relationship with MHIP in the performance of their duties as representatives of the people at the local level. The Office Bearers being elected by its members for a fixed period provide political education to the females residing in the villages and it is through this important non-governmental organisation that women can send their representatives in the working of democracy at the grassroots level.

#### ***5.4: The Mizoram Upa Pawl (MUP)***

Mizoram Upa Pawl (Senior Citizens Association of Mizoram) was founded as a non-governmental organization in 1957. At the beginning of its formation it was known as ‘Upa Lengkhawm Pawl’ by few pensioners of government servants. But later on, in 1961 the name of the association was transformed into ‘Zoram Upa Pawl’ adopting its own Constitution, specifying the aims and objectives as well as various others necessary provisions pertaining to the organization and its structure. It was registered under the Societies Registration Act XXI of 1860 in 1977 bearing a Registration Number SR-7 of 1977.<sup>13</sup> It was affiliated to the Federation of Associations of Senior Citizens (FASC) of India. In 1992, the name ‘Zoram Upa Pawl’ was transformed into ‘Mizoram Upa Pawl’ with an abbreviation ‘MUP’. The MUP has got its Headquarter at Aizawl, the state capital of Mizoram which has been staffed by the General Secretary, the office Superintendent, two Office Assistance and a IV Grade. The General Secretary Report of April 2006- March 2007 had reveals that MUP has got 6 Sub-Headquarters, 70 Area, 512 Units, and 50,500 Members and among them 10 Units are in Tripura and 1 Unit is at

---

<sup>13</sup> Article III of the Constitution of the Mizoram Senior Citizens Association,

Shillong. It may also be noted that those Units outside the state of Mizoram are called 'Mizo Upa Pawl' having the same abbreviation.

The Mizoram Upa Pawl is purely a voluntary organization with a motto "Be a blessing to many others" and it shall not involve in party politics. There shall not be any discrimination on communal or religious grounds. The aims and objectives of the association are the following:-

- (a) To make the senior Citizens to be able to meet their special biological, social and emotional needs so that they could continue to enjoy healthy and happy life.
- (b) To advice and assist public leaders.
- (c) As far as practicable to maintain and uphold the Mizo Customary laws, cultures, traditions and practices from ancient time and if necessary to help in amending or improving those which on careful examination are found no longer suit the present ways of life.
- (d) To offer opinions and advice to the concerned authorities in matters concerning economic development of the state.
- (e) To be very watchful of the political, social and economical life of the Mizos and to help guide the people from wrongful and undesirable trend towards more beneficial and honourable targets.
- (f) To offer advice whenever the association feels it necessary to the state government for efficient management of any of its machineries.
- (g) To be ready, when situation demands to work together with other voluntary organizations for a common good cause.<sup>14</sup>

In order to achieve its aims and objectives members of the MUP in every unit and area are actively engaged in finding out their fellow members in particular and the poor and the needy in general within their local limit and give them financial assistance from their own contribution and sometimes by physical works. To make themselves contented they always organize meeting in which recreational items such as solo, group singing, jokes,

---

<sup>14</sup> MUP General Headquarters, *Article IV Constitution to the Senior Citizens Association of Mizoram.*

recitation, cultural items chanting of old Mizo songs, games, dancing etc. which everybody could enjoy. Sometimes lectures are also given on various subjects such as health Education, Sanitation, care of the aged and how to rear a successful family. The MUP has started awarding 'Mizo Medal to those who posses extra-ordinary bravery, scholarship, and to those extra-ordinary social workers. It also starts MUP Charitable Trust in aid of those poor and destitute, who need kidney transplantation, suffering from cancer and other non-communicable disease etc. For this Charitable Trust each member of the Association contributes Rs.20/- every year and the amount of Charity Fund rose to Rs.10,00,000/- with the help of the Social Welfare Department during the year 2006-2007 which shows great successes.

In the political and economic fields the organization gives awareness to the general public of the need of having good and clean administration where the rule of law could reign and where economic self sufficiency is the main target. The MUP stands firmly against corruption and is committed to fight against all forms of corruption. It declared the year 2005 as a 'Year of Fighting against Corruption' which continues till today. The Association holds General Assembly every year in the month of March-April in which they discuss opinions and advice to be offered to the State Government on various spheres of development. The MUP always worked in good co-operation with other Non-Governmental Organizations such as- YMA and MHIP.

The MUP being the only important non-governmental organisation of senior citizens in Mizoram is always given an important position by the state government. It is a member of almost all state and district level committees formed by the state government. The President of MUP in every village is a member of the Block Development Committee which discusses important matters regarding the upliftment of the villagers through various schemes sponsored by the central and state government.

Like the other important non-governmental organisations the President of MUP is a member of all the village level committees organised by the Village Council in running the village administration. The President of MUP

may also appoint another person to represent the organization in various committees at the village level.

The MUP being an organisation which registers older persons who had retired from their daily works of life may not be expected to contribute much in the functioning of local administration. But their prompt advice is always sought by the members of the Village Council in the performance of their duties as village level administrator. The MUP, whose members had acquired great knowledge and experience, always play an important role in the working of grassroots democracy in Mizoram.

### ***5.5: Conclusion***

From the above discussion we can see that the three most important non-governmental organizations in the state play very important role in the working of grassroots democracy in Mizoram. Their representation in various committees at the grassroots level makes the village democracy more meaningful enhancing the spirit of democracy with various groups of people finding their place in the decision making process of the local self-government. In conclusion, we may say that the Village Council to function efficiently should have friendly relationship with the YMA, an important organization formed by youths embedded with great potential and strength; MHIP, an important organisation formed by female citizens constituting half of the population and MUP an important body of senior citizens armed with great knowledge and experience also work in tandem at the village for the effective functioning of democracy at the grassroots level.

## CHAPTER VI

### *Grassroots Democracy in Mizoram: A case Study of two Village Councils*

#### ***6.1: Introduction***

In order to find out the actual functioning of grassroots democracy in Mizoram, it might be important to make a case study of two Village Councils- one from the rural area and another from the urban area. We shall now examine the real working of the Village Council in the rural area of Mizoram.

#### ***6.2: North East (NE) Khawdungsei Village Council***

NE Khawdungsei is a village situated in the North East Corner of Mizoram which is 201 Kms. from Aizawl, the capital of the state. Administratively it is looked after by the Block Development Officer, Ngopa Rural Development Block which is within Champhai District and politically it is within Ngopa (Lengteng) Assembly Constituency. According to the Census Record of India, 2001, the number of household in this village is 326 and it has got a population of 1671 with 863 males and 799 females, among them 1283 persons were literates and the literacy rate is about 72 percent.<sup>1</sup> The first Primary School in the village was established in 1908 which was one of the oldest schools in the rural Lushai Hills other than those Primary schools in Aizawl and Lunglei. In 1923, with the permission of the British ruler the first Middle School in the village was established and it was run by the Chief's son Mr.Lalzidinga. Later

---

<sup>1</sup> Directorate of Census Operation, Mizoram, Government of India.



on, in 1928 the school was closed down on the ground that a chief could not become a teacher. It has got a High School which was inaugurated in 1972 under the initiative of Mr.NE Bora, the then Administrative Officer of NE Khawdungsei Grouping Centre and a private college which was inaugurated on the 26<sup>th</sup> November 1985 by Mr.Dr.H. Thansanga, the then Speaker of Mizoram Legislative Assembly. Besides these Educational institutions, the first Administrative Officer (AO), Mr.NC.Bora BA Bsc (Agri) with several staffs was placed at NE Khawdungsei by the Government of Assam in the month of October, 1970. The AO played an important role in running the administration of the village and acted as an important link between the villagers and the government during the most deplorable period of insurgency. At present NE Khawdungsei has two Presbyterian Churches and one Salvation Army Church and a Primary Health Centre. All the three important non-governmental organizations of the Mizo were also found in the village playing an important role in managing the affairs of the villagers.

Though historical evidence have proved that the land has been occupied by different group of people many years back, no proper records were to be found, the first ever known chief of the village under the British rule was Mr.Hrangchhuana of Sailo descendant. In 1917, during the First World War, the Chief Mr.Hrangchhuana had sent 40 men to France and was awarded Rs.40 by the British Government for sending the greatest number of men during the war. In this village different sub-tribe of Mizo, speaking different dialect had lived since many years back and the original settlers were known to be Mirawng, Changsan, Paite, Thahdo, Hmar and some other groups. In the administration of the village, the chief Mr.Hrangchhuana had appointed 12 elders to help him in his administration; they were substituted by one of their sons in case of death. Besides the elders, the chief had appointed representatives of various tribes who were consulted in settling disputes in the Chief's Court and in distribution of jhum lands. The last known representative of Hmar tribe was Mr.Ngulchawngmanga and that of Paite tribe was Mr.Thanglianmanga. The chief Mr.Hrangchhuana was succeeded by his son Mr.Lalzidinga who wanted to make

his chieftainship firm at Ngopa, the neighbouring village, therefore placed his brother Mr.Tawnvela in his place as a Headman, who ruled the Village till the chiefs were replaced by a democratically set up Village Councils.

The representatives of the people had started managing the affairs of the villagers at the grassroots level effectively since the 16<sup>th</sup> August 1954 in the Lushai Hills. Accordingly, the Village Council at NE Khawdungsei also formed its Executive on the same day. The first members of the Village Councils were: - Mr.Zadenga its President; Mr.Chhunbuaia its Vice President; Mr.R.Haungaia its Secretary; the other members were- Mr.Chhunga, Mr.Pachala, Mr.Thanglianmanga, Mr.Laldawla and Mr.Lawma; and Mr.Tawma was appointed as a Tlangau (Village Crier). Among them Mr.Zadenga, Mr.Chhunbuaia, Mr.Pachala, Mr.Chhunga and Mr.Thanglianmanga were elected members. All of them were associated to the Mizo Union Party, the first political party formed by the common people in the Lushai Hills, which played an important role in the abolition of chieftainship. Mr.Laldawla and Mr.Lawma were nominated members. The Secretary of the Village Council and Tlangau or Village Crier was also nominated by the elected President.

The First, Second and Third term of the Village Council went on functioning smoothly in NE Khawdungsei and it was continuously run by the Mizo Union Party. But the Fourth term of the Village Council which began from 1963 had to face serious problems due to the outbreak of insurgency which had shaken the whole District. Elections to the Village Council could not take place by the end of its term in 1966 and those members of the Council continued to take up the responsibility till they had withdrawn themselves in 1969. Since then, the District Council had appointed seven members to take charge of the Village Council every year till fresh election could be conducted in 1971, these member include those persons who had shifted to this village from the neighbouring village due to the grouping of village which involve roughly 75 percent of the population in the District. This village has been effected by the fourth and last phase of grouping called Extended Loop Area (as ordered in 1970 was completed under the Assam Maintenance of Public Order Act, 1953) and

involved the shifting of 19,000 population from 63 villages to 17 centers. The grouping operation of this category was initiated during 1968-69 and was completed in 1970.<sup>2</sup> The members of the Village Council nominated during this period were nominated only for a period of one year.

In 1971, when the grouping of villages was completed the election to the Village Council was conducted, the old Electoral Rolls were revised and those voters from the neighbouring villages, Chhiahpui and Khawkawn were also allowed to cast their votes and contest the election in this Grouping Centre. Election was held in the month of June and the representatives of the people once again started managing the affairs of the people enhancing the spirit of democracy. The second election in the grouping centre was held in 1975 and the third election could not be conducted owing to the tension between the MNF rebels and the Indian Government and the term was extended for an aggregate period of 18 months which lasted up to the 19<sup>th</sup> November 1979.<sup>3</sup> In the same year, the Circle Assistant (CA) of Ngopa Circle, Mr.Engliana, had taken charge of managing the local affair of NE Khawdungsei. He had appointed 5 members, Secretary and '*Tlangau*' to assist him in his administration. When the CA of Ngopa Circle had retired from his service on the 1<sup>st</sup> June 1980, the charge of the Village Council President was handed over to Mr.C.Sangkhuma, Administrative Officer, NE Khawdungsei, who had appointed 2 members, Secretary and '*Tlangau*' (Village crier) of the previous Village Council to assist him.

When the Government of Mizoram was looking forward for peace, the last election in the grouping centre of NE Khawdungsei was held peacefully in 1982. In this election, two members each were elected from the Congress party and the Peoples' Conference (PC) party and two members were nominated from the Peoples' Conference party who formed the executive. The significance of this election for the villagers is that the only woman member of this Village Council, since its inception till date has been elected in this election.

---

<sup>2</sup> C. Nunthara, *Mizoram: Society and Polity*, (Indus Publishing Company, New Delhi- 110027, 1996) pp.254

<sup>3</sup> The Mizoram Gazzete Extra Ordinary, Vol. III. Issue No. 64. Dated: 19.11.1979.

During this tenure the Government of India had given permission to the villagers to go back to their own village and settle permanently and renovate their own Village Council. Accordingly, the Village Council of Khawkawn and Chhiahpui were once again enlivened and by-elections to these renovated Village Councils were held on the 24<sup>th</sup> February 1983. In 1984, General Election to the Village Council was held in all the villages of Mizoram, since then, the functions of the Village Council in NE Khawdungsei went on smoothly until it was dissolved on the 28<sup>th</sup> September 1989 and an Advisory Board was set up with its President Mr. Lalzarliana, Circle Assistant of Local Administration Department, who had taken up the charge of the Village Council President till 7<sup>th</sup> December 1990.

In the 1990 General Election of the Village Council, election of NE Khawdungsei Village Council could not be conducted being a demand area of Hmar Peoples' Convention, a clan based Political Party which demands an Autonomous District Council for the areas which were occupied by the Hmars. For this reason an Advisory Board was set up with Mr.H.Remthanga, Administrative Officer as its Chairman, who had taken the charge from Mr.Lalzarliana. The former had appointed a Vice-Chairman, a Secretary and other three members to assist him in managing the affairs of the said village. On the 7<sup>th</sup> May 1992, together with some other villages, by-election of the Village Council was held in this village in which the Congress formed the Executive.

Though the 1994 Village Council election went on smoothly with the Congress Party once again forming the Executive Body, it was again dissolved in the month of August 1995, on the ground that there was no proper financial record maintained by the Village Council and the Government of Mizoram had once again placed the authority of the Village Council into the hands of an Advisory Board with Mr.Lalmuansanga, the Circle Assistant as its Chairman, who had taken the charge of the Village Council President and nominated few members to assist him. It may be interesting to note that the ruling Congress Party had dissolved the Village Council which was formed by the same political party. On the 9<sup>th</sup> August 1995, the Government of Mizoram had served a notice to appoint a Treasurer of the Village Council; accordingly,

one among the members, Mr.Chawngbuanga was appointed as the first Treasurer of the Village Council on the 11<sup>th</sup> September 1995. After three months the Government had arranged by-election to this Village Council on the 12<sup>th</sup> December 1995 and once again the elected representatives of the people had taken charge of the Village Council till the General Election was held in 1997.

Since 1997 the Village Council of NE Khawdungsei went on functioning smoothly, in 1997 the Executive was formed by the Mizo National Front (MNF), in 1999 it was formed by the Mizo Peoples Conference, in 2002 it was formed by the Indian National Congress and in 2006 it was formed by the Mizo National Front. Table 5.1 at the end of this chapter may give some idea about the present members of the Village Council of NE Khawdungsei.

The meeting of the Village Council are held whenever the members of the Village Councils feel it necessary. The present members of the Village Council, which had taken charge from February 2006 has got meetings for 35 times, counting from 28<sup>th</sup> Feb., 2006 till 25<sup>th</sup> Feb., 2007 which is a period of one year (as recorded in its minute book,) which is approximately three times in a month. The meetings were habitually held in the Village Council House and on certain occasions it was also held at the residence of the President and the Secretary. The Village Council has to discuss many important matters concerning the administration of the village. It has to regulate jhumming in the village on which the economy of the villagers greatly depends. About 90 percent of the households depend upon shifting cultivation which is of primitive type and very much uneconomical though, there were few government servants in the village. The Village Council has to decide which part of the forest will be cultivated every year, how much area will be enough for the whole villagers, which days will be most suitable for opening lots and how the jhum sites will be distributed and which day will be most favourable for burning down the trees which were cut down for the jhumlands. The Village Council also has to take all important measures in order to prevent wasting of lands and out breaking of fire in the forest.

Another important function of the Village Council in this Village is the Control and taxation of animals. It is the custom of the people living in Mizoram to domesticate various animals since ancient times. This domestic animal were also given an important place in the Mizo customs and all important animals such as mithuns, cows, pigs, hen, etc. played an important role in the religious ceremonies and ritual sacrifices, marriages, births and deaths which could not take place in the absence of these animals. For example, the price of a bride is counted in terms of Mithun. After the modernization of the Mizo society these animals still play an important role in the economy of people living in the villages since they add something to their to meager income. But these animals were sometimes a nuisance to the villagers since it can damage the crops and other things which are the means of livelihood to the villagers. Therefore certain laws have to be passed and some amended from time to time under the supervision of the Village Council.

Another important function of the Village Council in this village is the distribution of house sites. If any person in the village wants to build a new house an application has to be sent to the President of the Village Council indicating the proposed house site and discussion will be made in the meeting of the Village Council, then only permission may be granted to the applicant. A villager cannot make use of the land granted to him for any other purpose other than constructing a house. A person is obliged to construct a house within a definite period of six months and failure of it may cause cancellation of the allotted land. Though the Village Council is not entitled to distribute land other than for the purposed of house construction and shifting cultivation, in villages like NE Khawdungsei distribution of land for various purposes like that of Plantation under various schemes, running business, place of worship, rearing of animals or cattle has to be carried out by the Village Council. The state government was not involved in a remote place like this village where the cost and rent for land remain very low and it is the duty of the Village Council to maintain proper records of the land in the village.

The Village Council also has to perform an important duty of looking after the availability of water in the village. The village being situated on the hill top it has to face serious problem regarding the availability of water. The Village Council collects water fees from the villagers and the fees collected are utilized for maintaining the water pipe lines and engaging labourers. Besides the Village Level Water and Sanitation Committee, the Village Council set up a Village Water Committee who will look into the availability of water in the village and one among the members of the Village Council is appointed as a Chairman of the Village Water Committee and all the Presidents of the NGOs were its important members.

The Village Council of NE Khawdungsei also has got an important power or function of fixing prices of certain commodities or materials produced in the land so that fluctuation of prices to a great extent may be eliminated and uniformity of prices may be there in the village. It has to fix the price of forest products such as firewood, timber, bamboo and other building materials. It also fixed the price of paddy and other jhum products that may keep on changing after every year. It has to fix the price of daily wage earners depending upon their skills. The Village Council also has to fix the price of all types of meat whether they are domesticated or caught from the jungle.

The Village Council also has to make decision on various complaints made by the people like that of boundary disputes, village reserve forest, petty thefts etc. The Village Council also sometimes called a meeting of the villagers which will be attended by every head of the family or one member each from a family when there is an important matter to be discussed. Decisions made by these meetings called '*Vantlang Rorel Inkhawm*' (Village General Assembly) are taken by majority of votes and the law passed by the meeting of the villagers became a law of the village. In this manner the Village Council of NE Khawdungsei has developed the habit of consulting the villagers on certain matter regarding the administration of the village though it is not obligatory. This shows that the common people had greater chance of involving themselves in running the local affairs that may not be found in many other villages of the state.

This process gives more power to the people and the spirit of democracy has found a better place in this manner.

The Village Council in this village has been utilized by the government in order to fulfil its policies and programmes. The Local Administrative Department sometimes requests the Village Council to make work schedule in order of priority, for e.g. Construction of internal road, construction of step or bridges, etc. But the entire funds are not handed over directly to the Village Council, who has got only the duty to make minor plans. The works are usually carried out by party workers in the village who would usually earn a lot of money. For this reason, only very less money is utilized for the purpose of which it was sanctioned.

The Sub-Divisional Officer (C) or the Block Development Officer, who is a Chairman of the Block Development Committee had consulted the Village Council on various matters concerning the Integrated Rural Development Programmes such as: Employment Assurance Scheme (EAS), Integrated Wasteland Development Programme (IWDP)/Hariyali, Indira Awaaj Yajona (IAY), Pradhan Mantri Gramodaya Yajona (PMGY), Swanjayanti Swarozgar (SGSY), Sampoorna Gramin Rozgar Yajona (SGRY), Jawahar Rojgar Yajona (JRY), Border Area Development Programme (BADP), MIP, BAFFACOS, NREGS, etc. In this matter, the Village Council has got the power of nominating those people to be selected and the final decisions were made by those officers who were looking after different programmes. Moreover, disbursing of the funds under these schemes greatly depend upon the efficiency or morality of the officers. In this way, the members of the Village Council have got a power of involving themselves in helping out the weakest section of the people in the village through various schemes sanctioned by the government at the Centre and the State. Moreover, the President of the Village Council is also a member of the Block Development Committee. It may also be noted that before the implementation of various schemes sanction by the government, trainings were provided to the members of the Village Councils.



The NE Khawdungsei Village Council has been given greater responsibility with the implementation of the National Rural Employment Guarantee Act, 2005 in Champhai District as notified by the Government of the state. For this purpose the Block Development Officer had organized a Block Level Training for Village Councils of Ngopa Rural Development Block on the 22<sup>nd</sup> June, 2007. Under this scheme the most important role is played by the Village Council which is the implementing agency. It maintains a register of all works sanctioned, executed and completed. It is responsible in the selection of the works to be carried out with the help of the villagers, select the laborers and issue Job Cards, make public aware of the scheme and maintenance of social audit. The Village Council is assisted by the Administrative Assistant who is appointed by the State Government on contract basis from time to time. The Village Council maintains a record of Application Registration Register, Job Card Register, Employment Register, Asset Register, Muster Roll receipt Register and Complaint Register. The Village Council Court and the Social Audit forum shall provide a forum for public hearing for timely redressal of public grievances.

The Village council is also given the power to select certain families who were to be categorised as BPL/AAY family, in this matter the Village Council consulted the leaders of Young Mizo Association (YMA), Mizo Hmeichhe Insuihkhawm Pawl (MHIP) and Mizo Upa Pawl (MUP). A meeting was summoned by the Village Council for the purpose and the representatives of all these non governmental organizations were included in the meeting and the selection or nomination for the purpose was made in these meetings called for the purpose. In this manner the Village council of NE Khawdungsei has developed a habit of giving an important place to these important organizations, realizing that without their assistance the most important functions of the Village Council cannot be carried out effectively.

It may also be interesting to note that only one female member has been elected to the Village Council since its inception in 1954 which shows that the administration of the Village has been greatly dominated by

males. When a woman leader of the village was questioned on this matter, the reply was that women are willing to be a member of the Village Council and are ready to contest the elections but it is very difficult to get party tickets for woman as election are based on party system. Every organization, except those organizations meant for women are dominated by men and women has no place in the political field. Moreover when there is an important matter to be discussed or when a meeting of all the villagers are summoned by the Village Council, it will be attended by every head of the family, which means a male member. For this reason, women has got only few chances of involving themselves in local politics that may be up to the extent of casting their votes in the elections which shows that the Mizo democracy has been greatly dominated by men.

We may now discuss various organizations which make a great contribution and play an important role in the working of the Village Council in NE Khawdungsei:-

i) *The Village Defence Party (VDP)*: The first worth mentioning organization is the Village Defence Party. In 1970, the Village Council of NE Khawdungsei, with the decision made by '*Vantlang Rorel Inkhawn*' which may mean an 'Assembly of Villagers' has organized a party known as '*Zu Do Pawl*' which means a party fighting against alcoholic drinks. Later on, in 1977, the name of the party was transformed into Village Defence Party (VDP). The members of the VDP are appointed by the Village Council for a period of one year. The villagers give great support to the party as it holds an important place in defending the village from various crimes and the people also makes a complain to VDP when unwanted incident is found in the village. The Village Defence Party till today became an important organ of the Village Council and action was taken on those persons who broke the law regarding intoxicating drinks and drugs, thefts, etc. and fines were impose on the law breakers with the recognition of the Village Council, who gives great support in the activities of the Village Defence Party. In this manner the villagers solve various problems by themselves without the involvement of the government. The Village Defence Party in this manner holds an important place in the judicial

function of the Village Council. It may also be important to note that the village being far away from government court or police stations till recently the importance of VDP cannot be denied.

ii) *The Young Mizo Association (YMA)*: Another worth mentioning organization in the village is the Local Young Mizo Association which was set up in 1942. All the youths or the young people in the village are its members. The Young Mizo Association plays an important role in the administration of the village since its inception; and work hand in hand with the Village Council. The Village Council though armed with certain power cannot carry out all its function by itself; therefore many functions are handed over to the YMA. For instance, when there is an outbreak of fire in the village it is the members of YMA who carry out the immediate possible measures, the sanitation committee under the Village Council cannot carry out its function without the help of YMA. It is YMA who move from door to door and advice the people and make request to the people to furnish their homes with a place for defecating their waste. When the Village Council, in consultation with the Village Assembly had passed a resolution to control animals, the burden of carrying out the resolution has been handed over to the Young Mizo Association. In this manner, being an organization of the youths it is the hands and limbs of the villagers and the Village Council. We may say that the Village Council makes laws in consultation with the Village Assembly or '*Vantlang Rorel Inkhawm*' and the Young Mizo Association executes the laws.

The YMA of NE Khawdungsei has got an important function of disposing away the dead bodies and helps the family of the deceased in all possible ways by giving information to their relatives, collecting rice and firewood or whatever is important to the family during the mourning period and comforted them in their distress. The YMA has also carried out an important function of helping the poor and the needy in the village. Earlier to the government schemes for constructing houses for poor people in the rural areas, the YMA was engaged in building houses for the poor and needy. Since 1990's building materials were received by widows under IAY schemes from the

government but YMA continues to help in the form of labourers. Houses were constructed for those families who had lost their houses due to the outbreak of fire in the village. YMA also helps the poor and the needy in many ways, it helps the orphans and gives donation to orphanage homes in cash and kind, in this manner it became takes care of the weakest sections of the society.

Besides giving a helping hand to the poor and the needy, the YMA Branch, NE Khawdungsei also gives honour to those people who achieve great success during one's lifetime among the villagers. It honours those people who cultivate the largest quantity of paddy in a year, it gives honour to those people who achieve outstanding results in Board Examination and encouraging the students to have better results. All this creates unity and oneness among the villagers giving them a sense of pride and tranquillity in the village.

The YMA Branch, NE Khawdungsei has got a big recreation hall which has been utilized by the villagers for various purposes. The YMA Hall in this village has been located in the heart of the village where the house of the village chief Hrangchhuana had stood before. It has got 1032 members of which 596 were males and 436 were females.<sup>4</sup> It has got a library which has got about 1500 books. It publishes weekly magazine called '*Hmarchhak Eng*' since 1985, which became an important organ of the organization giving information to the villagers. It has a park which is about 60 acres where trees grow in abundant. The YMA of NE Khawdungsei branch has been divided into five sections namely, Ralngama section Zahunga section, Hrangchhuana section, Zumura section and Tumpanga section all name after the great men in the village during the chiefs period. At present it has got 6 office bearers directly elected by the members who appointed another 43 committee members, divided into various departments. The organization also has Val Upas or Advisers who help the members by giving them advice on various matters regarding the activities carry out by the youths of the village. The Young Mizo Association, NE Khawdungsei Branch has been appointed by the Village Council to be members of various Committees.

---

<sup>4</sup> Record maintained by the Secretary, YMA, NE Khawdungsei Branch.

*iii) The Mizo Hmeichhe Insuihkhawm Pawl (MHIP):*

Another important organization which helps the Village Council in looking after the village in NE Khawdungsei is Mizo Hmeichhe Insuihkhawm Pawl (MHIP), NE Khawdungsei branch. It has started its beginning with the name Hmeichhe Tangrual Pawl in 1950 with its first President Mrs. Liansiami. Later on in 1972, the name was transformed into Mizo Hmeichhe Insuihkhawm Pawl (MHIP) or Mizo Women Federation. At present it has got 672 members and was divided into five sections. It has got 6 elected Office Bearers who were elected for a period of one year by the members. The elected Office Bearers appointed another 38 Committee Members who were further divided into various committees.<sup>5</sup>

The MHIP NE Khawdungsei branch helps the people to keep their house and surroundings clean and gives prizes to those people for cleanliness. It helps the poor and orphans in cash and kind. In 1966 it constructed a house which became a shelter for the homeless during the MNF Movement. Few years back there were no medicine shops in the village and MHIP bought and sold medicines in the village. It teaches uneducated adults how to read and write. With the help of Social Welfare Department it opens Craft Centre, Crèche Centre, Balwadi Centre and Pre-Schools. At present it has got one Crèche and one Day Care centre. It provided nutrients and vitamins to those children who attended these centers with the help of Social Welfare Department. It has got a house where counseling's were given by Peer Educators with the help of UNODC-CHARCA. Recently, on 5<sup>th</sup> September 2005 an orphan of 2 months old was handed over by a desperate father to the MHIP Khawdungsei Branch who had taken care of the baby for a while and later on handed it over to an Orphanage Home run by MHIP Headquarter at Aizawl. It also stands firmly against molestation of women and takes all possible steps in order to build up the chastity of women. On the 7<sup>th</sup> November 2005 a demonstration was organized when few minor girls were raped by a boy and the accused was sent to jail after several steps taken by the MHIP. On certain occasion it organized Women Assembly where women were given moral education. Besides them, MHIP NE

---

<sup>5</sup> Record maintained by the Secretary, MHIP, NE Khawdungsei Branch.

Khawdungsei Branch had been given an important place by the Village Council. They appoint their representatives in various important Committees within the village.

*iv)The Mizoram Upa Pawl (MUP):* The last important organization which helps the Village Council in carrying out its function in NE Khawdungsei is the Zoram Upa Pawl which was set up in 1978 and the name was changed into Mizoram Upa Pawl (MUP) in 1992. The founder President of NE Khawdungsei Branch, MUP was Mr.Bengkhuaia, a church elder of the Presbyterian Church. At present it has got about 140 members. Much contribution cannot be expected from this organization as it belongs to old persons, who had retired from their daily works of lives. It is, however, a source of knowledge for the young administrators and the members of the Village Council often seek their advice and were represented in various committees at the village level. The President of MUP is made a member of all the important committees form by the Village Council in NE Khawdungsei. It takes all possible steps to fight against corruption in the village. The most important among them is the case of weight and measurement. The MUP organized certain entertainments to keep themselves happy and occupied. They gather together doing handicraft works and make money for the organization.

In order to understand the power and function of the Village Council at the empirical level a field research has been conducted. Questionnaire has been provided for all the members of the Village Council and 200 respondents selected from those persons residing in the village, among them 150 males and 50 females were selected. Interview of the Village Council members were conducted to get their perspective as well. The outcome of the questionnaire in the form of a table (Table 5.2) is given at the end of this chapter.

The observation of the table may indicates that the members of the Village Council as well as the common people in the village do not think that the power conferred to the Village Council on various matters concerning the administration of the village is not satisfactory. Regarding the administrative power confer to the Village Council, 80 percent among the members of the

Village Council say that it is not enough and the remaining 20 percent say that it is enough. Among the common people, 48 percent say that the Village Council has enough administrative power, 49 percent say that it did not have enough administrative power and the remaining 3 percent have no idea. This shows that the administrative power of the Village Council to look after the rural villages is quite satisfactory.

Though, the Village Council has been functioning under valid law given by the Constitution, the Village Courts were not properly utilized by the people even though decisions made by the Village Courts were hardly criticized by the people. People have a habit of going to higher courts thinking that the Village Courts did not have enough judicial power and the penalty or fines which can be given by the Village Court is too less, on the other hand, the elected representatives of the people were not in favour of giving punishment to the people who had given them the power to be a master of them. Among the members of the Village Council 80 percent of them say that the Village Council was not given enough judicial power and only 20 percent of them say that the Village Council was given enough judicial power. Among the common people 46 percent of them think that the Village Council has got enough judicial power, another 46 percent think that the Village Council did not have enough judicial power. This shows that the power conferred to the Village Council is quite satisfactory in order to manage the affairs of the remotest villages where no decision can be carried out without the consent of the Village Council.

The meagre income of the Village Council has been recognized by the people in the village and this may be the reason that the Village Council did not have enough power to develop its own village. Among 200 respondents 87 percent of them say that the Village Council did not have enough financial resources and 80 percent of the members of the Village Council say that the Village Council did not have enough financial resources. A meagre amount from animal tax and village development funds are not enough to look after a village. This may be one of the important reasons which make the Village Council less powerful. Among the selected respondents 65 percent of them do

not deny that the village Council did not have enough power to develop its own village and 29.5 percent of them say that it has got enough power.

When we speak of a separate budget for the working of the Village Council, 80 percent of its members recognize the necessity of making a separate budget for the Village council. Among the respondents 69 percent of them felt the necessity of making a separate budget for the working of the Village Council, 21.5 percent of them does not feel its necessity. In this regard it may be added that the meagre income of the Village Council is not enough for its smooth functioning as it has got many important functions to perform. For instance, the Village Council of NE Khawdungsei has got a meeting for 33 times in a year but no allowance or refreshment has been provided for this purpose. Again, the President of NE Khawdungsei has to attend various meetings and undergo certain training under the state government but no proper allowance has been provided for the purpose. This form of administration often leads to malpractices in the working of the Village Council leading to dissatisfaction in the working of the Village Council.

When speaking about the participation of women in the working of the Village Council, all the members of the Village Council were satisfied with the participation of women in the working of the Village Council and all of them think that it is not necessary to make reservation of seats for women in the Village Council. Among the respondents 50 percent of them were satisfied with the participation of women in the working of the Village Council, 40 percent among them were not satisfied thinking that men have got greater chance of becoming a member of the Village Council. Among the respondents 31 percent of them think that reservation of seats for women is necessary and 63.5 percent of them think that it is not necessary.

For the socio-economic development of the villages, the members of the Village Council, officers and politicians have their own role to play and the role of one group has to be supplement by the other group. A question has been raise to understand the opinion of the villagers regarding the role of the three groups in order to develop the village. All the members of the



Village Council think that the members of the Village Council play the most important role in order to develop the villages. Among the respondents 82.5 percent of them say that the most important role in developing our villages has been played by the Village Councils, 8.5 percent among them say that the most important role in developing our villages has been played by the officers or bureaucrats and 9 percent of them say that the politicians play the most important role in developing our villages. In this regard mention may also be made that the departmental officers sometimes consulted the members of the Village Councils when certain developmental works are to be carried out under certain schemes.

For the failure of village administration 90.5 percent of the respondents feel that the members of the Village Council are to be blame which clearly indicates that the members of the Village Council, even though, endow with small powers and functions are expected to handle high responsibility. Realising their responsibility all the members of the Village Council of NE Khawdungsei also feels that the members of the Village Council are to be blame for the failure of village administration in Mizoram.

For the successful working of the Village Council 40 percent of its members say that the Village Council plays the most important role, another 40 percent among them say that the officers or bureaucrats plays the most important role and 20 percent among them say that the politicians play the most important role. In this regard mention may be made that the bureaucrats and politicians also plays immense role for the successful working of democracy. It is from the bureaucrats that the Village Councils derived their power, the President of the Village Council works in accordance with the advice and instructions given to him by the Officers. For instance, in the Block Development Committee (BDC) of Ngopa Rural Development Block, the Sub-Divisional Officer (Civil) is the Chairman and Block Development Officer (BDO) is the Secretary of the Committee and the Presidents of all the villages are merely members of the committee. In this manner the officers are very much influential in the working of the Village Council. Moreover, politicians also have to play an important role

for the successful working of the Village Council because the strength and power of the Village council to a great extent depends upon the political leaders.

In a state like Mizoram party politics has been given great importance and in the Village Council where the ruling party is in power development works and various funds are released by the government liberally in order to carry out local administration. It might be for this reason that 57 percent of the respondents say that the successful working of the Village Councils depends upon the members of the Village Councils, 11.5 percent say that the officers and 31.5 percent, however, says that politicians plays the most important role for the successful working of the Village Council.

Regarding the Rural Development Funds and Schemes, 20 percent among the members of the Village Councils say that it has been properly utilized by the rural masses and 80 percent among them say that it has not been properly utilized by the rural masses. Among the respondents only 12 percent of them say that Rural Development Funds and Schemes are properly utilized by the rural masses, 80.5 percent among them says that the Funds and Schemes were not properly utilized by the rural masses. The most important reason regarding this may be the failure of village administration. It may be due to this reason that people have developed a habit of migrating to urban areas and the rural masses always remain poor. The schemes and policies laid down by the policy makers never reached up to their expectation.

Regarding the failure of village administration people often think that many members of the Village Councils are ignorant and do not understand the art of administration. In connection with this a question regarding the educational qualification to be a member of the Village Council has been asked. Among the members of the Village Council none of them were of the view that it is necessary to prescribe minimum educational qualification to be a member of the Village Council. Among the selected respondents 45.5 percent of them say that it is necessary to prescribe educational qualification to be a member of the Village Council while 51 percent among them says that it is not necessary. Regarding the term of the Village Council four of the five members of

the Village Council say that it is enough and one among them says that the term of the Village Council is too short. Among the selected respondents 81 percent of the people say that period for the term of the Village Council is enough and 4.5 percent of them say that the term of the Village Council is too short. For this reason we may conclude that most of the people agree with the working of the Village Council regarding its educational qualification and its duration.

As discussed earlier, democracy at the grassroots level does not seem to work up to the expectations. The various voluntary organizations working in the village seem to be more powerful than the Village Council and people often misunderstand the importance of the Village Council. Among them, mention may be made of the Young Mizo Association and questions have been made in this connection. Regarding the administration of the village all the members of the Village Councils say that Village Council has got greater responsibility than the YMA in looking after the administration of the village. Even only 10 percent of the respondents say that YMA has got greater responsibility and the remaining 90 percent of them say that the Village Council has got greater responsibility in looking after the administration of the village. Regarding their contribution 20 percent of the members of the Village Council say that the YMA has made greater contribution in looking after the village and the remaining 80 percent says that the Village Council has made greater contribution. However, the truth is that the Village Council has greater responsibility but it is overshadowed by the civil society groups in the village.

Though many of the villagers did not know about the working of the Panchayati Raj institution a question has been raised in this connection. Among the members of the Village Council 60 percent of them say that Panchayati Raj institution is more suitable than the Village Council for the Mizos and 40 percent of them thought that the Village Council system is more suitable for the Mizos. Among the common people 18 percent of them think that the Panchayati Raj institution is more suitable for the Mizos, 56.5 percent of them thinks that the Village Council system is more suitable for the Mizos and 25.5 percent among them have no idea. Regarding the implementation of the

Panchayati Raj system 80 percent of the members of the Village Council support for its implementation and 20 percent among them were against its implementation. Among the common people 27 percent of them wanted the implementation of the Panchayati Raj in Mizoram, 39 percent of them were against the implementation of the Panchayati Raj system in Mizoram and 34 percent of them have no idea. From this, it is clear that there is the need to educate people about the Panchayati Raj institutions in order to make it work at the village level.

### ***6.3: Chanmari Village Council***

Chanmari is situated in the innermost part of Aizawl city, the capital of Mizoram. It has been scarcely populated before India got her independence because it is a place where the North Lushai Military Battalion was practicing the art of artillery since 1890 and the government had strictly prohibited making it a dwelling place for the common people. With the modernization of the Mizo society and urbanization of the Lushai Hills, the population of Chanmari had started increasing rapidly since the 1930's. Moreover, due to the MNF rebellion and grouping of villages the normal life of the people had undergone great change and that the people in the rural areas had started moving rapidly to urban areas as there is a greater chance of survival in towns which were more thickly populated.

The first ever High School in Mizoram which is now known as Government Mizo Higher Secondary School has got its own building at McDonald Hill, Chanmari since 1949. It has got its first primary School in 1956 and a Middle School in 1961. At present many educational institutions, important government offices, Churches and Social Agencies find their place in Chanmari. Being in the innermost heart of the capital, it became an important place for doing business and lot of transactions has been taking place everyday. Recently it became the most densely populated area within the city. The 2001 census of India has recorded that there are 1090 households within the locality and 5404 persons, among them 2778 were male and 2626 were females and the sex ratio is

803. Chanmari is within Aizawl notified town which has got 4605 literate persons, among them 2370 were males and 2235 were females.<sup>6</sup> The people of Chanmari earn their livelihood in many ways; some of them are government servants, big landlords, businessmen, shopkeepers, etc.

At the beginning Chanmari did not have a Village Council of its own, but was a part of Dawrpui Village Council. Since 1957, it has got a joint Village Council with Zarkawt, the first elected members were: Mr.Thanglula, (Independent) Mr.Lalsiama, (Independent) and Mr.Vankeua UMFO. The joint Village Council of Chanmari and Zarkawt went on smoothly since its inception except during the period of insurgency. In the 1963 Election, Mr.Vanlalchhawna MNF was appointed as a President of the Village Council but had joint the underground militant and in his place the Vice-President was appointed as a President. In 1979 when the entire Village Council was dissolve in Mizoram the village of Chanmari was looked after by Mr.Roliana, Circle Assistant.<sup>7</sup>

In 1982 Village Council General Election, a separate Village Council was created by the state government for Chanmari and Zarkawt. In this way Chanmari has got a separate Village Council since 1982 and the first meeting of the Village Council was held on the 1<sup>st</sup> March 1982. In the first election there were 5 elected members and all of the elected members were independent candidates and its first President was Mr.Rozinga. In the 1987 General Election to the Village Council, a new Village Council, namely, Chanmari West Village Council was carved out from Chanmari Village Council; it is due to the rapid increase in population and for the convenience of administration. It may also be noted that local politics in Chanmari for two decades has been dominated by the Indian National Congress and its Presidents were all from Congress party. But in the 2002 and 2006 elections Mizo Peoples Conference Party had won the largest number of seats and the President has been appointed from the said party. In the 2002 election it has got 2413 voters and in

---

<sup>6</sup> Directorate of census Operation, Government of India, Mizoram

<sup>7</sup> The Mizoram Gazette Extra Ordinary, Vol. III., Issue. No.64. Dated: 19.11.1974

the 2006 election it has got 2995 voters and 1922 votes were polled which was 64.5 percent of the total voters.

In the working of Chanmari Village Council, women have played an important role. In 1990, 1994, 1999 and 2002 one women candidate each were elected. In the 2006 General Election, however, two women candidates were elected among the 6 members who constitute 33 percent of the total member of the Village Council and one among the highest women participants in the State. This shows that in the urban areas Mizo women have played an important role in local politics and party leaders were not reluctant to give party tickets to promising women. Moreover, one of the female members, Mrs.Zopari plays an important role in social activities and at present she is the President of MHIP, Chanmari Branch. Table 5.3 at the end of the chapter provides some insight about the members of the Village Council in Chanmari.

The Chanmari Village Council has carried out an important function of managing its local affairs. It makes work schedule as notified by the Local Administration Department under various schemes, though the real implementation of the work is not carried out by the Village Council. It also makes a record of all the villagers for the convenience of administration. It looks after the street lights and sees that they are properly maintained. It also had taken all possible measures for the prevention of natural calamities like landslides and falling down of rocks which may cause serious injuries to the people. It has set up the Village Disaster Management Committee with the President as its Chairman and the Secretary of YMA, Chanmari Branch was appointed as the Secretary and representatives of other non-governmental organizations were its members. It also set-up a clean Mizoram Committee in which Village Council President is its Chairman and the members of the non-governmental organizations are its important members.

In 2008, under the initiative of the Chanmari Village Council, the Chanmari Government Primary School, which was a Mizo medium school, was transformed into an English medium school. For this purpose, '*Vantlang Inkawm*' was summoned by the Village Council where one member of

each family was to be present in the meeting. In accordance with the resolution, each family donate Rs.50 or Rs.100 each for the salary of the newly engaged teachers and the said money were collected by the Village Council. Recently, under the supervision of the Clean Chanmari Committee, set up by the Village Council '*Hnatlang*' or social work was organized within the area of Chanmari Village Council. The Village Council had announced that one member of each family was to join the social work or pay Rs.100 for the Village Council fund.

The Chanmari Village being within the heart of the capital city Aizawl, the Village Council does not have great responsibility like that of the Village Council in the rural areas because it has nothing to do with the Rural Development Schemes. The Local Development Funds are handed over to the party workers or units. The Chanmari Village Council did not feel the necessity of engaging a Village Crier but in its place loudspeakers are being used to give information to the villagers and the remuneration of the Village Crier is used for the maintenance of the loudspeaker. Communication among the members of the Village Council is done by means of modern communication like telephone. Though the Village Council's Court continue to exist it has nothing much to do with the maintenance of law because people have a habit of going to higher courts in order to get justice. But its existence had given great prestige to the Village Council as it has got the power of giving punishment to law breakers or persons found guilty. Moreover, the maintenance of law and order within the locality greatly depends upon the personality of the President.

Like any other villages within the city, the Chanmari Village Council did not carry out its function all alone. There are various organizations which help the Village Council in order to carry out its function. These organizations worked in co-operation with the Village Council and gives suggestions to the Village Council in looking after the village. The Village Council may also summon a Joint Committee with these non-governmental organizations when the need for it arises in the village.

The following are the most important non-governmental organizations which contribute greatly in running local administration in Chanmari:-

*i) The Young Mizo Association (YMA):* The most important organization within Chanmari is the Young Mizo Association, Chanmari Branch which was established on 16<sup>th</sup> October 1958 and its first President was Mr.Lalengliana. At present it has got about 2163 members. It has got 6 Office Bearers who were elected annually. It has got 30 Committee Member who were divided into various departments and two advisers appointed annually by the elected Office Bearers. It has got a big building called Chanmari YMA Hall Cum Mini Market under a Land Lease (Misc. 21 of 1993 Dated: 8.12.'93). The YMA Hall accommodates market, VC House, YMA Library, Committee Room, Recreation Hall, Kitchen, Chowkidar Quarter etc.

This organization carries out an important function of disposing away the dead bodies and takes all important measures in looking after the graveyard with the help of the Village Council. The Chanmari Branch YMA takes all possible measures to comfort the family of the deceased. It collects Rs.100 annually from each family which is used to make a coffin, travelling expenditure of the death bodies from his or her home up to the burial-ground, to provide refreshment and various other purposes as consider necessary by its members. It has been estimated that the expenditure of YMA on one departed soul without spending a night is around Rs.3,300 and if it spends a night it is around Rs.5,500. The YMA gives number to all the houses within the locality by dividing them into four sections for the convenience of administration. The YMA also does arrange blood donation camps on its raising day for sick people, help the poor and clean the town by means of social work. It organized sports and cultural competitions annually within the locality. It published a weekly newspaper called 'Chanmarians' which is an important source of information for all the people within Chanmari because all important notice or orders have been served by the Village Council and other important organizations through this newspaper. The Young Mizo Association, Chanmari Branch is a member of the



Village Education Committee, Village Level Disaster Management Committee and Village Level Clean Mizoram Committee.

*ii) The Mizo Hmeichhe Insuihkhawm Pawl (MHIP):*

Another important non-governmental organization of Chanmari is the Mizo Hmeichhe Insuihkhawm Pawl (MHIP) Chanmari Branch or the local Mizo Women Federation which was established on 25<sup>th</sup> September 1976. At present it has got 769 members. It has got 6 Office Bearers who were elected for a period of one year. The elected Office Bearers appointed other 49 Committee Members who were divided into different Sub-Committees. It is one of the most important training grounds for women in the democratic set up of the state because the Office Bearers were elected by all the members of the organization annually. It may be interesting to note that the present President and Vice-President of MHIP Chanmari Branch were member and Vice-President of the present Village Council.

The MHIP Chanmari Branch makes great contribution in managing the affairs of the people within the locality of Chanmari. It has got an Anganwadi Centre which was established in the month of February 2006. It provides nutrition for children and pregnant women who register themselves in the centre. These nutritious foods are provided by the Social Welfare Department. Sometimes, it has to face shortage of nutrition provided by the department and in that case the MHIP, Chanmari Branch has to provide them from their own fund. It runs a Handloom Training Centre under SJSRY Scheme which has got 10 Looms providing a training of 6 months course. It runs Matric Condensed Course for girls with the help of State Social Welfare which has got 28 students. It facilitates Nidhi Loan and Charity Loan to 25 selected women. It takes all possible measures towards the empowerment of women and to uphold the dignity of women. Besides these, the President of MHIP Chanmari Branch is a member of Integrated Scheme for Women Empowerment in the North Eastern States and is a member of the Village Education Committee. Its Vice-President is a member of Voluntary Action Bureau State Board. The MHIP Chanmari Branch as a voluntary organization is always alert in the working of the village

administration and it gives good co-operation in the working of the Village Council whenever necessary.

*iii) The Mizoram Upa Pawl (MUP):* Another important non-governmental organization operating in Chanmari is the Mizoram Upa Pawl established in 1976 and its first President was Mr.K.Kaichhunga. It has got 6 Office Bearers among them the President, Vice-President and Treasurer are elected for a period of one year and the remaining three are appointed by the elected members for the same period. It has got 12 committee members and each member is in charge of each circle which is divided into twelve. At present it has got 231 members of whom 74 were Patron Members, among whom 99 are males and 132 are females.<sup>8</sup> It appoints its advisors as and when necessary; and at present it has got 4 advisers from among the senior members and church leaders.

The Mizoram Upa Pawl, being an organization of senior citizens, does not make only tangible contribution though, it has made a great effort in managing their internal affairs within the village. It celebrates the Elders Day which falls on the 1<sup>st</sup> October by giving honours and present to the senior most citizens who are above the age of 80 years. It collects Rs.10 each from the members as condolence fund and Rs.1000 each was given to the bereaved families. The Agape Centre which was established in Chanmari has done immense help to the elderly people and gives counselling to them on every Wednesday and provided refreshment to the elder above 50 years of age who attended the recreation centre. In this way, though, MUP Chanmari Branch did not make much contribution to the functioning of the Village Council it takes several steps in managing the affairs of the elderly people which is the need of the society.

Besides all the above contributions made by various non-governmental organizations in the village, a joint-meeting of all these organizations: the Village Council, the Young Mizo Association, the Mizo Hmeichhe Insuihkhawm Pawl, the Mizoram Upa Pawl has been often called when necessary. The resolution made in the joint meetings has given great

---

<sup>8</sup> Record maintained by the Secretary, MUP, Chanmari Unit.

importance in running the affairs of the people. Moreover, these organizations were recognized by the government and very often certain duties were assigned to them by the government in order to carry out its important policies and programmes.

While conducting the field study of the Chanmari village, it has been noticed that the members of the Village Council and the common people have got diverse observation regarding the administrative power of the Village Council. Table 5.4 at the end of this chapter indicates the observation of 200 respondents in the working of the Village Council. Among the members of the Village Council 14 percent of them say that the Village Council has got enough administrative power and 86 percent of them say that the Village Council did not have enough administrative power. Among the selected respondents 51 percent of them say that the Village Council has got enough administrative power, 41 percent of them say that it did not have enough administrative power. In this regard we may conclude that the people in the village of Chanmari are not aware of the problem faced by the Village Council and its administrative function.

Regarding the judicial function of the Village Council, 100 percent of the members of the Village Council say that the Village Council did not have enough judicial power. Among the selected respondents 42 percent of them say that the Village Council has got enough judicial power, 44.5 percent of them say that the Village Council did not have enough judicial power. Chanmari being in the innermost heart of the capital, people have a habit of going to higher courts though the village court was always inaugurated in the first sitting of the Village Council it has no important cases to decide but it acts as a guardian of the powers and functions confer to the Village Council by the Sixth Schedule of our Constitution. Moreover the Village Courts are not suitable for towns and cities where the work load of the Village Council is very low in comparison with the Village Council in the villages and rural areas.

When talking about the financial resources of the Village Council all the members of the Village Council say that the Village Council did

not have enough financial resources. 17.5 percent of the people of the universe say that the financial resource of the Village Council is enough, 82 percent of them say that it is too less while 5 percent say that the financial resource of the Village Council is too much. We may conclude that most of the people in the town recognize the meager income of the Village Council which is barely sufficient for its smooth functioning.

Regarding a separate budget for the Village Council all the members of the Village Council say that it is necessary to make a separate budget for the Village Council. Among other respondents, 70 percent of them say that it is necessary to make a separate budget for the Village Council, 20 percent of them say that it is not necessary. We may note that the Village Council though constituted under valid law has no proper financial resources to carry out its function, as it has no budget of its own and it cannot implement the important policies and programs like that of the higher authorities at the central and state level. It may be because of this reason that 38 percent among the members of the Village Council and 54 percent among the common people are not satisfied with the present working of the Village Council in Mizoram.

Regarding the present participation of women in the working of the Village Council which is 33 out of 2036 number of members, 57 percent of the members of the Village Council were satisfied while 43 percent of them were dissatisfied. Among the other respondents 60.5 percent of them are satisfied with the present participation of women while 26.5 were dissatisfied. When speaking about the reservation of seats for women in the Village Council, 14 percent of the members among the Village Council stand for the reservation of seats while 86 percent are against the reservation of seats for women. Among the other respondents 38.5 percent of them stands for reservation while 54.5 percent of them are against it. It may be noted here that most of the people argue that both men and women should have equal rights and reservation of seats for women is unnecessary. Moreover, among the female respondents only 28 percent of them are in favour of reservation of seat for women in the Village Council.

It is a fact that the Village Council members, government officers and politicians have to play their own role in the implementation of the schemes laid down by the central and state government to develop the villages. All the members of the Village Council agree that they play the most important role to develop their village. Among the selected respondents 79 percent say that the members of the Village Council play the most important role, 4.5 percent say the officers and 16.5 percent say that the politicians play the most important role. We may sum up that the members of the Village Council with so little devolve power in their hands have a great role to play in the development of their village.

On answering to the question that say which group of people is to be blame for the failure of village administration, 86 percent of the members of the Village Council blame the members of the Village Council, 14 percent of them put the blame on the politicians and none among them blame the officers. Among the respondents 80.5 percent of them say that the Members of the Village Council are to be blamed, .5 percent of them say the officers and 19 percent of them say that the politicians are to be blamed. From this data we may conclude that though the role of the Village Council is not greatly recognized they are easily blamed by the people in case there is a failure in the administration of the village.

For the successful working of the Village Council 29 percent of the members of the Village Council say that the members of the Village Council play the most important role, 14 percent of them say that the officers play the most important role and 57 percent of them say that the politicians play important role. Among the respondents 55 percent of them say that the members of the Village Council play the most important role, 2.5 percent of them say that the officers play the most important role and 42.5 percent of them say that the politicians play the most important role. We may note here that most of the people think that the politicians play the most important role because they are very much influential and moreover politics at the village level has been greatly influenced by those politicians at the higher level.

Regarding the utilization of the Rural Development funds and other schemes in which the Village Council is important agents for its implementation, all the members of the Village Council say that they are not properly utilized by the rural masses. Among the respondents 2.5 percent of them say that they are properly utilize by the rural masses, 76.5 percent among them say that they are not properly utilized by the people in the rural areas. From the data we may conclude that most of the people have noticed that rural development funds and schemes are not properly utilized by the people. This might be due to the failure of village administration.

Regarding the prescription of minimum educational qualification to be a member of the Village Council 29 percent of the members of the Village Council say that minimum educational qualification should be prescribed and 71 percent say that minimum educational qualification should not be prescribed. Among the respondents 48 percent of them say that minimum educational qualification should be prescribed and 45.5 percent of them say that it should not be prescribed.

As discussed earlier, the Young Mizo Association plays an important role in running the village administration by way of voluntary service. There are some people who think that this organization is more important than the Village Council in running the affairs of the village. Moreover, the government consults YMA leaders more frequently than the Presidents of the Village Council which has eclipsed most of whatever power is assign to Village Council, though the YMA is not a statutory body to run the administrative affairs of the villages. On the other hand, the Village Council is sometimes divided on party lines over an issue which rarely happens in case of YMA. Regarding this a question has been put to find out which among the two organizations has got greater responsibility in looking after the administration of the village. Among the members of the Village Council 29 percent of them say that the YMA has greater role while 71 percent of them of them say that the Village Council plays a key role. Among the respondents 27.5 percent of them feel YMA has got greater

role to play while 72.5 percent of them say that the Village Council has got greater responsibility.

As regards to the contribution made by them in managing the affairs of the village 43 percent of the members of the Village Council say that the Young Mizo Association makes good contribution and 57 percent of them say the Village Council does make good work in the village. Among the respondents 79 percent of them favour the YMA and 21 percent of them favour the Village Council regarding the contribution made by them in running the affairs of the village.

Regarding the power of the Village Council all the members of the Village Council say that more power should be given to the Village Council. Among the respondents 60.5 percent of them say that the Village Council should be given more power, 21.5 percent of them say that it is not necessary to give more power to the Village Council. This shows that larger part of the population is in favour of giving more power to the Village Council.

About the term of the Village Council all the members of the Village Council say that the term of the Village Council is enough. Among the selected respondents 86.5 percent of them say that the term of the Village Council is enough, 5.5 percent of them say that it is too short. This shows that most of the people are satisfied with the three years term of the Village Council thinking that the efficient members can be re-elected in the succeeding term.

It may be important to note that some of our respondents in Chanmari have no knowledge about Panchayati Raj institution. Among the members of the Village Council 29 percent of them say that Panchayati Raj system will be more suitable than the Village Council system for the Mizos, 48 percent of them say that the Village Council system is more suitable and 29 percent of them have no idea. Among the common people 24.5 percent of them say that the Panchayati Raj system will be more suitable than the Village Council System, 43.5 percent of them say that the Village Council system is more suitable and 32 percent among them have no idea. Most of the people say that the Village Council system is more suitable on the ground that it acts as a guardian

of the Mizo Customary Law. Regarding its implementation 43 percent among the members of the Village Council supports the implementation of the Panchayati Raj system, 14 percent are against its implementation and 43 percent among them have no idea. Among the common people 30.5 percent of them support the implementation of the Panchayati Raj system in Mizoram, 25.5 percent of them are against it and 44 percent of them have no idea.

While examining the working of the Village Council in Chanmari, it may be important to note that the most important functions of the Village Council has no meaning in the cities. For instance: the Distribution of Jhumland for the purpose of cultivation, control and protection of forests and allotment of house sites for the villagers. In case of the judicial function the Chanmari Village Council has a little or no role to play. It has been said that the latest court case decided by Chanmari Village Council was in 1999. But its judicial power act as a guardian of the power granted to the Village Council by the Sixth Schedule. In order to have better form of local government in urban areas the Mizoram Municipal Bill, 2007 has been passed by the State Assembly to set municipalities in the cities of Aizawl and Lunglei. This will ensure the existence of separate form of local government in urban and rural areas assigning separate powers and functions.

#### ***6.4: Evaluation of the working of the Village Council***

The Village Council system in Mizoram after fifty years of its existence like any other institution is not out of criticism. The present Village Council system has only little or no power to develop its own villages but they remain only as an important agency of the state to implement its policy. The Local Administration Department is authorized to issue Orders and Notifications to the President of the Village Council but it has no provision or patience in listening to the problems faced by the Village Councils. The Village Councils are sometimes entrusted to make work allotment and make a note of the requirement of the village for its development but the executive function often goes into the hands of departmental officials, party workers, social organizations or contractors



and a large percentage of development funds goes into their hands. In developmental affairs and administration of the villages the members of the Village Councils sometimes act as a third class citizens only carrying out the orders and notification served by the Department officials. This may be one of the reasons why villages in Mizoram always remain backward. Moreover, the efficiency of the President of the Village Council greatly depends on the political party to which the President of the Village Council belongs. This shows that there is no written law concerning the powers of the Village Council in the developmental activities which could easily make the member of the Village Council fall into the hands of higher administrators. The Departmental Officers of the Local Administrative Department becoming a master of the elected representatives of the people is very much against the spirit of democracy. Moreover, decentralization of power which is the main objectives of local self government is deemed to be a failure in the present system of the local democratic institutions in Mizoram.

The Block Development Committee as structured in Mizoram is not democratic because it has been dominated by the bureaucrats. The Chairman is the Sub-divisional Officer of the concerned Block and the Secretary is the Block Development Officer. The representatives of the people such as: the MLA and Village Council Presidents are merely members of the Block Development Committee. The Committee is empowered to make a final decision in selecting the beneficiary of Rural Development Funds and Schemes such as: SGSY, EAS, IAY, PMGY, JRY, IWDP, IRDP, MIP, NLUP, BPL, AAY, etc. In this manner the Village Council is only empowered to make proposal under various schemes but the real power lies in the hands of the government officers who make the final decisions. The implementation of the schemes greatly depends upon the cordial relationship between the officers and the Village Council President which makes the President of the Village Council a subservient to the Sub-Divisional Officers and Block Development Officers. This gives the party workers a lot of chance to involve themselves in the various schemes to uplift the rural poor by the Central Government. This is a clear

remark which shows that the Village Council merely derived their power from the government officers.

At the initial period of the existence of the Village Council, the District Council had offered a viable intermediary channel between the villages and the state government. With the termination of the District Council since 1972 there exists large gap between the villages and the Legislative Assembly. Those people who were aware of the benefit of the new system of administration were hesitant to accord the new leaders a significant place in the political of structure of the village. The new leaders of the village were often opportunists with no real concern for the village. They wanted to take the maximum personal advantage of their newly acquired position and indulge themselves in corruption especially in the handling of developmental funds. In this manner corruption began to spread very widely which led to great failures in the working of the Village Council since the achievement of the Union Territory and the creation of the Legislative Assembly.

The Village Councils are not entitled to make plan proposals for the social and economic development of the villages. It has no involvement in planning and execution of developmental programmes. When the State Government makes a plan or programmes and the budgets for the Financial Years or Five-Year Plans, the members of the Village Councils were never consulted. This may be one of the reasons why the villages in the rural areas always remain backward. If the members of the Village Councils are consulted in making plans and programmes rural development funds could be utilize in a better manner. This will also create great enthusiasm in the hearts of the villagers and their representatives acknowledging that they have a share in the policies and development plans of the government and the government belongs to them. As it happens today the poor rural masses always think that they are being neglected and they have no share in the working of the government.

There is no distinction between rural and urban local government. Throughout the state, there is a single system of Village Council irrespective of rural and urban nature of the area. In other states there are

significant differences in the urban and rural administration. Municipal system is followed in urban areas and Panchayati Raj in the rural areas. This distinction is made due to the differences in occupations, culture, facilities and compactness of the people. In Mizoram also, two sets of local bodies need to be adopted.

In the Village Council, the power vested in the President is excessively great in comparison with the other members of the council. In the conduct of meetings, the President presides and maintains order. He can suspend a member for misconduct. The Secretary and the '*Tlangau*' or Village Crier are appointed on his recommendation and he has got an extensive power in the dismissal of the Secretary and the '*Tlangau*'. He is the Treasurer of the development fund and empowered to collect development fund from the villagers whenever he think it necessary. It is not compulsory that a Treasurer must be appointed by the Village Council but he may be appointed only at the will of the President. If the President is in the good book of the party in power in the state, he can function autocratically with great authority. The President, who enjoys so much power, is elected by the Village Council from among its members instead of being elected directly by the people. At the same time, he can be removed by the government on flimsy ground. The Village Council which elects him as the President has no power to impeach him. This is highly undemocratic.

The most important deficiency of the Village Council is its financial handicap or the paucity of fund. Although there is a provision for village fund, no permanent source of income is mentioned. It is empowered to collect very nominal amount of animal tax and out of which fifty percent goes to the state exchequer the rest fifty percent remains in the village fund. For instance, the Village Council of NE Khawdungsei had collected Rs.1305 only from animal tax in the month of March 2006, of which Rs.655 was kept for Village Council fund and Rs.650 went to the Local Administration Department.<sup>9</sup> Apart from this, another source of revenue is occasional fines collected by way of punishment. All the revenue receipts taken together are so insignificant that it becomes almost impossible to undertake any developmental activity in the village out of this

---

<sup>9</sup> NE Khawdungsei Village Council Secretary Record.

fund. Village Council lacks the power of taxation and tax collection. Unlike other representatives of the people the representatives at the grassroots level were not provided any budget. Without this financial power, Village Council seems to be irrelevant institution.

Besides the paucity of funds the members of the Village Council and the President are not entitled to any allowances. On certain occasions they may be given a small amount when they are called for specific training by the department which rarely occurs. Very often the members of the Village Council are summoned by the courts as witness when some unwanted incident occurs in the village. They were also to forward various certificates to be issued by the government. The members of the Village Council being a link between the villager and the government have to give various reports to the departments which incur lot of expenditure for the members in the remote areas because the office of every departmental heads are place in Aizawl. But their expenditures were not compensated by the government. It is also the duty of the Village Councils to host the Ministers or other important officers on tour which is very expensive and time consuming. In the sittings of the Village Councils no allowances were provided to the members of the Village Council. There is a great difference between the representatives of the people at the local and state level. This may be the reason why certain Village Council tries to avoid its sitting and cordial relationship among its member cannot be maintained. The performance of the Village Council and a cordial relationship among themselves as well as the people and the Government is the most important foundation for the successful working of democracy. This may be one of the reasons why democracy in a state like Mizoram seems slow in penetrating at the grassroots level.

It is due to the paucity of funds that the State Government often has a good reason to dissolve the Village Councils. The meagre development funds and other schemes have to be diverted for other purposes which cannot be avoided; for instance, travelling expenditure, meeting expenditures, entertainment for a guest, stationery, etc. There comes an

opportunity for the ruling party to play its dirty game on the non-ruling Village Councils. The opposition Village Council for all this reason remains helpless in performing its duties. This may be one of the important reasons why people are lured to vote for the candidates having the tickets of the party in power at the state level. The State Government which has got great authority over the Village Council often dissolves the Village Council for which the members of the Village Council have to suffer a serious set back. In the Assembly Session of the 12<sup>th</sup> July 2004, the Minister in charge of Local Administration Department has reported that 16 Village Councils had been dissolve during the present tenure which begins from 31<sup>st</sup> October 2002. The name of the dissolved Village Councils as reported by the Minister were Phulpui, Bungkawn, Thingsulthliah, Govt.Complex, Hualngohmun, Tuirial Airfield, Zemabawk, Phuaibuang, Lungrang South, Laisawral, Hruiduk, Marpara 'N', Champhai Zote, Hmunhmeltha, Zotlang East, and N.chhimluang. Table 5.5 at the end of this chapter indicates the position of various political parties in the dissolved Village Councils.

The appointment of the Secretary, who is one of the most important executive members of the Village Council, is undemocratic. He participates in the deliberations of the Village Council meetings, maintains all the records, including that of the village fund and is deemed to be a public servant at equally with the President and Vice-President. He should have been elected rather than appointed. Again, his appointment on the recommendation of the President sometimes leads to shady deals between the two. The remunerations of the Village Council functionaries are too meagre to attract efficient and sincere persons for the job. The monthly remuneration of the President is Rs.600 per month, the Vice-President is Rs. 500 members are Rs.300, Secretary Rs. 400 and '*Tlangau*' (crier) Rs.250. They are deemed to be a public servant but their job needs to be performed through selfless sacrifice without expecting any reward. This is one of the reasons for which members of the Village Council do not like to devote full time for the welfare of the village and that the Village Council could hardly register efficient and highly educated members.

It may also be noted that the growing influence of the Young Mizo Association has usurped most of whatever little power was assigned to the Village Council. Even though YMA is not a statutory body, it participates in every social, cultural and developmental activity by way of voluntary service. Government consults YMA leaders more frequently than Village Councils. YMA fund position is better than that of the Village Councils. While Village Councils are divided on party line over an issue, it rarely happens in case of YMA. Politicians are trying to make good record in the book of YMA which has got great number of voters as its members and it turn out to be a vote bank though it is not a political organization. Sometimes development funds from the government are given into the hands of the non-governmental organizations.

Before the establishment of the Village Council, the Chiefs of the Lushai Hills enjoyed enormous power within their jurisdiction. They were like the first class magistrate of today's society. They have to decide all types of cases which are in touch with the villagers. There exists no other court where the villagers could get justice and the fortune of the villagers greatly depends upon the concerned chiefs. In this manner the chiefs had a strict vigilance over the villagers and earned great respect from the people. But the Village Council system which was a substitute of the Chieftainship had little or no power in comparison with the Village Chiefs. For this reason they earn no respect from the villagers. The Village Councils enjoy minimum or no autonomy. All their activities are controlled by the state government. The President, Vice-President, members and Secretary of the Village Council are regarded as a Public Servant as par the Indian Penal Code.<sup>10</sup> But in reality they are a subservient to the Departmental Officers who perform the duties assigned to them by various departments and give all necessary information to the people. The power given to the Village Council Courts is too low, it can decide only petty offences and has no power to decide inheritance cases and cases for which imprisonment is obligatory. This may be one of the reasons why people have a habit of going to higher courts which is more expensive and time consuming.

---

<sup>10</sup> Sub-Section (9) of Section 7 of the Lushai Hills District (Village Council) 1953.

The Deputy Commissioners are also using some of the powers of the Village Councils. For example, the allotment of house-sites is within the purview of the Village Councils power. But in reality, the Deputy Commissioner of each district allots house site within their district except in the remotest villages where the population is very less. The Village Council is also not entitled to grant a land except for house site which cause great trouble to the villagers, and dispute on land for various purposes is tough to solve in the village; this gives a lot of chance for the bureaucrats to involve themselves in the internal affairs of the villagers which is very much against the spirit of local self government. The Department of Land Revenue and Settlement also snatch some of the powers of the Village Council by allotting lands for settlement but when there is a dispute over land the members of the Village Council are often summoned as a witness and they have to make verification over the disputed land.

Again, as per the provisions of the Act, after the election of the Village Council, people's participation is more or less over. Only Village Council may compel them to do voluntary service. On certain occasion, some of the Village Council may call the Assembly of Villager on various issues but this is not compulsory, it greatly depends upon the motive of the Village Council President. People cannot take part in the discussion of the Village Council meeting. They cannot decide on any issue pertaining to them in the Village Council. This is against the democratic norm of grassroots participation in local self-government.

Another important handicap in the working of the Village Councils is the low rate of women's participation. It did not provide reservation of seats for women. Since the inception of the Village Council in 1954 only few women had contested in its elections. In the last General Election (2006) to the Village Council in Mizoram only 33 women were elected among 2036 members of the Village Council which is only about one percent of the total seats. However, the sex ratio of the population in Mizoram in accordance with 2001

census is 935 female per 1000 male.<sup>11</sup> This is a clear indication that grassroots democracy in Mizoram has been strongly dominated by males. The women in the state who had constituted nearly half of the population had little or no chance of involving themselves in local politics. This must be one of the reasons why women had neglected their political duties which hamper the success of local self government in the state. However, women had started contesting in the elections and hold important position in the working of the Village Council. Some villages had appointed woman as the Secretary and President of the Village Council. The outcome may be far from satisfaction but there is great improvement.

The structure of the Village Council also suffers from a serious set-back. The criteria for the number of members for the Village Council are very low. Three, four, five or six members are too less to carry out all the important functions of the Village Council. For example, only four members are to be elected to look after a village which has got 200 to 500 households and the number is not even equivalent with the number of Office Bearers of other organizations. A village which has got 500 households is not a small village and they have to organize various committees to carry out its important functions. In this manner the small number of members in the Village Council is easily dominated by other non-governmental organizations. This may be one of the reasons why the government had entrusted many of its developmental works such as construction of halls, sanitation works, etc. in the hands of NGOs and consulted them on various matters instead of seeking the advice of the Village Council. Again, in case for some reason one among the members cannot sit in the meeting and the other few members may take important decisions in the absence of the fourth person and there is an easy chance of converting local politics into a clan based politics which is a great hindrance for the success of grassroots democracy.

The members of the Village Council have no constituency which led to the negligence of certain area of the village. Sometimes the villagers

---

<sup>11</sup> Directorate of Economics and Statistics, Mizoram, Aizawl, *Statistical Handbook of Mizoram* , 2006 P.(xvi)



also think that they are not represented in the Village Council. The representatives of the people at the local level are not easily accessible to the villagers. Under this circumstances grassroots democracy may not achieve its important objectives. Moreover, many of the villages within the notified town areas having two or more Village Councils have no definite boundary hampering the smooth functioning of local government.

Another important deficiency of the Village Council System is that there is a large gap between the representative of the people at the state level and village level. This large gap has been occupied by the bureaucrats and the power of the people's representatives at the grassroots level has been swallowed up by the bureaucrats and the politicians at the intermediate level. The spirit of local self government and decentralization of power has failed under the present system. Rather it provides centralization of power. The members of the Village Council became an agency of their political masters at the grassroots level.

The last important worth mentioning weakness of the Village Council lies in the name itself. The towns and cities in state are looked after by a council which is suitable only to look after the village. Bigger town and cities in the state are divided into various villages and there is no uniformity in the administration. It is emphazetically said that the cities in Mizoram are nothing but cluster of villages. These villages are treated as isolate blocks rather than as integrated whole. All these villages or territories of the Village Council are used to achieve the selfish objective of the politicians. There is no cordial relationship and mutual co-operation among these villages thereby retarding the economic growth. No proper institution has been found to achieve the common needs of the towns and cities in the state retarding all forms of development in the urban areas. This calls for an attention to local self government system to solve the common problem of the urban areas.

Recognizing all this important weaknesses of the Village Councils in Mizoram, The Mizoram Village Council Association has been established in 1992 to uphold the dignity of the Village Council but no

significant achievement have been made so far. Instead, the association has failed to function. The association remains helpless without the co-operation of the government and the officers in charge of the department. This is an indication that the working condition of the Village Councils in Mizoram needs certain modification. On the 11<sup>th</sup> July 26, 2007 Aizawl City Village Council Association was established under the initiative of the Village Council Presidents of Khatla, Tuikual South, Venghlui, Bungkawn, Upper Republic, Nursery and College Veng. It also has not made any serious impact.

For the evaluation of the working of the Village Council system in Mizoram the researcher had an interactive session with 50 Mizo students of Mizoram University from the Department of Political Science and Public Administration. It has been done specifically with a purpose of eliciting the enlightened opinion about the working of the Village Council system in Mizoram. The researcher administered the same questionnaire though, the response was highly revealing or enlightening. The result of the questionnaire has been provided in the form of a table (Table 5.6) at the end of this chapter.

It revealed that there is a great dissatisfaction with the power and function of the Village Council in Mizoram. Regarding its administrative power 72 percent of the students say that the Village Council did not have enough administrative power or judicial power, and 76 percent of them say that it did not have enough power to develop its own village. 86 percent of the students were not satisfied with the working of the Village Council. In answering to the question whether it is necessary to give more power to the Village Council 88 percent of them say that it is necessary to give more power to the Village Council, 10 percent among them say that it is not necessary to give more power to the Village Council. This shows that certain modification in the working of the Village Council is the needed.

Regarding the participation of women in the working of the Village Council 58 percent of the students were not satisfied while only 38 percent of them were satisfied. In connection with the reservation of seats for women in the Village Council 62 percent of them supports for the reservation of

seats for women and 34 percent of them were against the reservation of seats. It may be mentioned here that the educated youths in Mizoram had strongly support women's participation in the working of the Village Council.

Regarding the role played by various group of people in order to develop villages/towns three alternatives -- Village Council members, officers/bureaucrats and politician -- were given. Here, 48 percent of the students say that the members of the Village Council play the most important role, 12 percent say the bureaucrats and 40 percent say that the politicians play the most important role to develop our villages or towns. In connection with the failure of village or town administration 8 percent of them blame the members of the Village Council, 8 percent blame the government officers and 84 percent blame the politicians. For the successful working of the Village Council 54 percent say that members of the Village Council play the most important role, 14 percent say the bureaucrats and 32 percent say that the politicians play the most important role. To sum up, the members of the Village Councils, the politicians and the bureaucrats have got their own role to play in the working of the Village Council and its success to a great extent depends upon these three groups of people.

In connection with the Rural Development funds or schemes, 2 percent of the students say that they are properly utilized by the rural masses, 92 percent of them say that they are not properly utilized by the rural masses. It may be noted that the improper handling of funds for development may be the outcome of administrative failure.

Regarding the requirement of minimum educational qualification for a member of the Village Council we noticed that 64 percent of the students were in support of it, 34 percent were against it. In some of the villages the members of the village are not equipped with proper education. For this reason they are not aware of their surroundings, their rights and are ignorant of their importance and responsibility. They are easily cheated by the politicians and government officials which is a great hindrance to the successful working of grassroots democracy.

As discussed earlier, the members the Young Mizo Association play an important role in running the affairs of the villages in the form of voluntary services. Among the respondents 40 percent of the selected students say that the YMA has got greater responsibility and the remaining 60 percent say that the Village Council has got greater responsibility. In answer to the question which of the two has made greater contribution in running the village or town administration in Mizoram, 72 percent of the students say that the YMA has made greater contribution and the remaining 28 percent say that the Village Council has made greater contribution. This shows that the Village Council has no specific authority in running the affair of the villages which may be one of the factors for the failure of village administration in Mizoram.

The selected students of the University are expected to have knowledge about the working of the Panchayati Raj institutions. In answering to the question: What form of local self government is more suitable for the Mizos? 48 percent among them say that the Panchayati Raj system is more suitable for the Mizos while 44 percent of them say the Village Council system. Regarding the implementation of the Panchayati Raj system in Mizoram 50 percent wanted to have Panchayati Raj system in Mizoram, 36 percent were against its implementation. This demonstrate that a greater number of the students were in support for the implementation of Panchayati Raj institution in Mizoram.

### ***6.5: Conclusion***

The Village Council system in Mizoram, which was established few years after India became independent, needs certain modification. After fifty years of its existence the political process of Mizoram has undergone tremendous changes. In 1954, it was only an Autonomous District Council under the Sixth Schedule within the state of Assam. During this period the Village Councils derived their powers from District Council who had welcome the institution with great enthusiasm thinking that it was the right type of democracy. They were proud to have been governed by their own representatives from the village level. The problems of the Village Council were

frequently discussed in the meetings of the District Council. For instance, the dissolution to the Village Council was always discussed in the meetings of the District Council. In 1972, when Mizoram became a Union Territory having its own government, the Village Council was looked after by a department called Local Administrative Department. In this way the departmental officials became the master of the grassroots democracy and the spirit of democracy had started degrading since then. After Mizoram became a full-fledge state in 1987, the gap between the representatives of the people at the state level and the village level became too far and has been occupied by the officers in charge of the Local Administrative Department. The problems of the Village Council were never discussed in the Assemblies and only few amendments have been made to the Lushai Hills District (Village Councils) Act, 1953 to suit the modern government but the old Act has been repeatedly adopted. Moreover, the form of local administration which was suitable to only two-lakhs of people may no longer be suitable to ten-lakhs of the population.

In conclusion we may say that a more effective body and also a wider forum to deal with this subject shall have to be made. If real autonomy and grassroots democracy are to be achieved, the existing local self structures have to be changed. Villagers should be given a free hand to decide their developmental programmes. The real success of democratic principal lies in the involvement and initiative of the people in the Government process. It is a fact that today's grassroots democracy is not as hopeful as it was thought by the previous generation of the Mizo society.

Table 5.1

Members of the NE Khawdungsei Village Council, 2006

Sl. No	Name	Position in the VC	Sex	Age	Edn.Qln	Pol. Party	Occupation
1	Mr.Vanrammuana	President	Male	53	Class-VI	MNF	Ex-servicemen
2	Mr.Lalthanzama	Vice-President	Male	52	Class-V	MNF	Carpenter
3	Mr.Zakunga	Treasurer	Male	47	Class-X	MNF	Cultivator
4	Mr.Lalrinzama	Member	Male	41	PUC	Congress	Cultivator
5	Mr.Thanfala	Secretary	Male	44	Class-X	MNF	Cultivator

Table 5.2:

Power and function of NE Khawdungsei Village Council:

An empirical Analysis

Sl. No	Topic or Question	VC members including the Secretary	200 selected respondent from the common people ( F-50, M-150)		
			Female respondents	Male respondents	Total & %
1	Do you think that the Village Council has got enough administrative power?	Yes:1, 20% No:4, 80% No idea: 0, 0%	Yes:22 No:25 No idea:3	Yes:74 No:73 No idea:3	96, 48% 98, 49% 6, 3%
2	Do you think that the Village Council has got enough Judicial power?	Yes:1, 20% No:4, 80% No idea: 0, 0%	Yes:30 No:16 No idea:4	Yes:62 No:76 No idea:12	92, 46% 92, 46% 16, 8%
3	Do you think that the Village Council has got enough power to develop its own village?	Yes:1, 20% No:4, 80% No idea: 0, 0%	Yes:16 No:30 No idea:4	Yes:43 No:100 No idea:7	59, 29.5% 130, 65% 11, 5.5%
4	Do you think that the VC has got enough financial resources?	Enough:1, 20% Too less:4, 80% Too much: 0, 0%	Enough:6 Too less:44 Too much: 0	Enough:19 Too less:130 Too much:1	25, 12.5% 174, 87% 1, .5%
5	Do you think that it is necessary to make a separate budget for the Village Council?	Yes:4, 80% No: 0, 0% No idea:1, 20%	Yes:37 No:4 No idea:9	Yes:101 No:39 No idea:10	138, 69% 43, 21.5% 19, 9.5%
6	Are you satisfied with the present working of the Village Council in Mizoram?	Yes:1, 20% No: 3, 60% No idea:1, 20%	Yes:20 No:23 No idea:7	Yes:40 No:84 No idea:26	60, 30% 107, 53.5% 33, 16.5%
7	Are you satisfied with the present participation of women in the working of the Village Council (33 women out of 2036 VC members)?	Yes:5, 100% No: 0, 0% No idea: 0, 0%	Yes:23 No:25 No idea:2	Yes:77 No:55 No idea:18	100, 50% 80, 40% 20, 10%
8	Do you think that reservation of seat for women is necessary in the Village Council?	Yes: 0, 0% No:5, 100% No idea: 0,0%	Yes:29 No:19 No idea:2	Yes:33 No:108 No idea:9	62, 31% 127, 63.5% 11, 5.5%

9	Which group of people plays the most important role in order to develop our villages/towns?	VCMs:5, 100% Officers: 0, 0% Politicians: 0, 0%	VCMs:45 Officers:1 Politicians:4	VCMs:120 Officers:16 Politicians: 14	165, 82.5% 17, 8.5% 18, 9%
10	Which group of people is to be blame for the failure of village/town administration in Mizoram?	VCMs:5, 100% Officers: 0, 0% Politicians: 0, 0%	VCMs:46 Officers: 0 Politicians:4	VCMs:135 Officers: 0 Politicians: 15	181, 90.5% 0, 0% 19, 9.5%
11	Which group of people do you think plays the most important role for the successful working of the Village Council?	VCMs:2, 40% Officers:2, 40% Politicians:1,2 0%	VCMs:34 Officers:4 Politicians:12	VCMs:80 Officers:19 Politicians: 51	114, 57% 23, 11.5% 63, 31.5%
12	Do you think that Rural Development funds or schemes have been properly utilized by the rural masses?	Yes:1, 20% No:4, 80% No idea: 0, 0%	Yes:7 No:41 No idea:2	Yes:17 No:120 No idea:13	24, 12% 161, 80.5% 15, 7.5%
13	Is it necessary that minimum educational qualification should be prescribed to be a member of the Village Council?	Yes:0, 0% No:5, 100% No idea:0, 0%	Yes:26 No:22 No idea:2	Yes:65 No:80 No idea:5	91, 45.5% 102, 51% 7, 3.5%
14	Which among the two has got greater responsibility in running village/town administration in Mizoram?	YMA:0, 0% VC:5, 100%	YMA:7 VC:43	YMA:13 VC:137	20, 10% 180, 90%
15	Which among the two has made greater contribution in running village/town administration in Mizoram?	YMA:1, 20% VC:4, 80%	YMA:23 VC:27	YMA:63 VC:87	86, 43% 114, 57%
16	Do you think that it is necessary to give more power to the Village Council?	Yes:5, 100% No:0, 0% No idea:0, 0%	Yes:22 No:18 No idea:10	Yes:83 No:47 No idea:20	105, 52.5% 65, 32.5% 30, 15%
17	What do you think of the term of the VC in Mizoram?	Enough:4, 80% Too short:1, 20% Too long:0, 0%	Enough:41 Too short:2 Too long:7	Enough:121 Too short:7 Too long:22	162, 81% 9, 4.5% 29, 14.5%
18	What form of local self government is more suitable for the Mizos, Panchayati Raj Institutions or Village Council?	PRI:3, 60% VC:2, 40% No idea:0, 0%	PRI:3 VC:32 No idea:15	PRI:33 VC:81 No idea:36	36, 18% 113, 56.5% 51, 25.5%
19	Do you want to have Panchayati Raj Institutions in Mizoram?	Yes:4, 80% No:1, 20% No idea:0, 0%	Yes:10 No:17 No idea:23	Yes:44 No:61 No idea:45	54, 27% 78, 39% 68, 34%

Table 5.3:

Members of the Chanmari Village Councils, 2006

Sl. No	Name	Position in the VC	Sex	Age	Edn.Qln	Pol. Party	Occupation
1	Mr.Rosiamngheta	President	Male	43	B. Th	MPC	Social worker
2	Mrs.Lalzuali	Vice-President	Female	61	Class-III	INC	Self-employed
3	Mr.LT Sanga	Treasurer	Male	65	Under-matric	MPC	Pensioner (C)
4	Mr.RK Sapa	Member	Male	69	Class VI	MNF	Shopkeeper
5	Mrs.Zopari	Member	Female	73	HSLC	MNF	Social worker
6	Mr.Rothangzuala	Member	Male	48	B. Com	MPC	Shopkeeper
7	Mr.F Lalmangaiha	Secretary	Male	32	BA	INC	Party worker

Table 5.4:

Power and Function of Chanmari Village Council:

An empirical Analysis

Sl. No	Topic or Question	VC members including the Secretary	200 selected respondent from the common people ( F-75, M-125)		
			Female respondents	Male respondents	Total & %
1	Do you think that the Village Council has got enough administrative power?	Yes:1,14% No:6, 86% No idea:0, 0%	Yes:46 No:22 No idea:7	Yes:56 No:60 No idea:9	102, 52% 82, 41% 16, 8%
2	Do you think that the Village Council has got enough Judicial power?	Yes:0, 0% No:7, 100% No idea:0, 0%	Yes:36 No:27 No idea:12	Yes:48 No:62 No idea:15	84, 42% 89, 44.5% 27, 13.5%
3	Do you think that the Village Council has got enough power to develop its own village?	Yes:0, 0% No:7, 100% No:0, 0%	Yes:27 No:35 No idea:13	Yes:35 No:84 No idea:6	62, 31% 119, 59.5% 19, 9.5%
4	Do you think that the VC has got enough financial resources?	Enough:0, 0% Too less:7, 100% Too much:0, 0%	Enough:23 Too less:52 Too much:0	Enough:12 Too less:112 Too much:1	35, 17.5% 164, 82% 19, .5%
5	Do you think that it is necessary to make a separate budget for the Village Council?	Yes:7, 100% No: 0, 0% No idea:0, 0%	Yes:42 No:22 No idea:11	Yes:98 No:18 No idea:9	140, 70% 40, 20% 20, 10%
6	Are you satisfied with the working of the VC in Mizoram?	Yes:3, 43% No: 4, 57% No idea:0, 0%	Yes:27 No:38 No idea:10	Yes:38 No:70 No idea:17	65, 32.5% 108, 54% 27, 13.5%
7	Are you satisfied with the present participation of women in the working of the Village Council (33 women out of 2036 VC members)?	Yes:4, 57% No: 3, 43% No idea:0, 0%	Yes:44, No:23 No idea:8	Yes:77 No:30 No idea:18	121, 60.5% 53, 26.5% 26, 13%
8	Do you think that reservation of seat for women is necessary in the VC?	Yes:1, 14% No:6, 84% No idea:0, 0%	Yes:41 No:28 No idea:6	Yes:36 No:81 No idea:8	77, 38.5% 109, 54.5% 14, 7%



9	Which group of people plays the most important role in order to develop our villages/towns?	VCMs:7, 100% Officers:0, 0% Politicians:0, 0%	VCMs:61 Officers:4 Politicians:10	VCMs:97 Officers:5 Politicians:23	158, 79% 9, 4.5% 33, 16.5%
10	Which group of people is to be blame for the failure of village/town administration in Mizoram?	VCMs:6, 86% Officers:0, 0% Politicians:1, 14%	VCMs:65 Officers:1 Politicians:9	VCMs:96 Officers:0 Politicians:29	161, 80.5% 1, .5% 38, 19%
11	Which group of people do you think plays the most important role for the successful working of the Village Council?	VCMs: 2, 29% Officers:1, 14% Politicians:4, 57%	VCMs:48 Officers:1 Politicians:26	VCMs:62 Officers:4 Politicians:59	110, 55% 5, 2.5% 85, 42.5%
12	Do you think that Rural Development funds or schemes have been properly utilized by the rural masses?	Yes:0, 0% No:7, 100% No idea:0, 0%	Yes:1 No:51 No idea:23	Yes:4 No:102 No idea:19	5, 2.5% 153, 76.5% 42, 21%
13	Is it necessary that minimum educational qualification should be prescribe to be a member of the Village Council?	Yes:2, 29% No:5, 71% No idea:0, 0%	Yes:33 No:33 No idea:9	Yes:63 No:58 No idea:4	96, 48% 91, 45.5% 13, 6.5%
14	Which among the two has got greater responsibility in running village/town administration in Mizoram?	YMA:2, 29% VC:5, 71%	YMA:25 VC:50	YMA:30 VC:95	55, 27.5% 145, 72.5%
15	Which among the two has made greater contribution in running village/town administration in Mizoram?	YMA:3, 43% VC:4, 57%	YMA:59 VC:19	YMA:99 VC:26	158, 79% 42, 21%
16	Do you think that it is necessary to give more power to the Village Council?	Yes:7, 100% No:0, 0% No idea:0, 0%	Yes:36 No:20 No idea:19	Yes:85 No:23 No idea:17	121, 60.5% 43, 21.5% 36, 18%
17	What do you think of the term of the VC in Mizoram?	Enough:7, 100% Too short:0, 0% Too long:0, 0%	Enough:62 Too short:4 Too long:9	Enough:111 Too short:7 Too long:7	173, 86.5% 11, 5.5% 16, 8%
18	What form of local self government is more suitable for the Mizos, Panchayati Raj Institutions or Village Council?	PRI:2, 29% VC:3, 48% No idea:2, 29%	PRI:9 VC:37 No idea:29	PRI:40 VC:50 No idea:35	49, 24.5% 87, 43.5% 64, 32%
19	Do you want to have Panchayati Raj System in Mizoram?	Yes :3, 43% No:1, 14% No idea:3, 43%	Yes:18 No:18 No idea:39	Yes:43 No:33 No idea:49	61, 30.5% 51, 25.5% 88, 44%

Table 5.5:  
Composition of the Political Parties in the  
dissolved Village Councils

Sl. No.	Name of the V.C.	No. of VCMs elected from different political party				Total	Majoriry
		MNF	INC	MPC	Indpt.		
1	Bungkawn	3	4	2	-	9	Drawn
2	Govt. Complex	-	4	1	-	5	INC
3	Hmunhmeltha	1	2	-	-	3	INC
4	Hruiduk	-	3	-	-	3	INC
5	Hualngohmun	-	3	-	-	3	INC
6	Laisawral	2	-	1	-	3	MNF
7	Lungrang 'S'	2	2	1	-	5	No majority
8	Marpara 'N'	2	3	-	-	5	INC
9	N.Chhimluang	1	1	-	1	3	No majority
10	Phuaibuang	1	2	-	2	5	Drawn
11	Phulpui	-	5	-	-	5	INC
12	Thingsutliah	3	6	-	-	9	INC
13	Tuirial Airfield	-	3	-	-	3	INC
14	Zemabawk	1	7	1	-	9	INC
15	Zote (Champhai)	-	5	-	-	5	INC
16	Zotlang	1	6	-	-	7	INC
17	Total	17	56	6	3	82	

Source: Village Council Election, 2002, Result.

*Note:- MNF is the party in power at the state level during this tenure*

Table 5.6:  
The idea abstracted from Mizoram University  
Students through Questionnaire

Sl. No	Topic or Question	Answers	Percentage
1	Do you think that the Village Council has got enough administrative power?	Yes: 12 No: 36 No idea: 2	Yes: 24% No: 72% No: 4%
2	Do you think that the Village Council has got enough Judicial power?	Yes: 10 No: 36 No idea: 4	Yes: 20% No: 72% No idea: 8%
3	Do you think that the Village Council has got enough power to develop its own village?	Yes: 12 No: 38 No: 0	Yes: 24% No: 76% No idea: 0%
4	Are you satisfied with the present working of the VC in Mizoram?	Yes: 5 No: 43 No idea: 2	Yes: 10% No: 86% No idea: 4%

5	Are you satisfied with the present participation of women in the working of the Village Council (33 women out of 2036 VC members)?	Yes: 19 No: 29 No idea: 2	Yes: 38% No: 58% No idea: 4%
6	Do you think that reservation of seat for women is necessary in the VC?	Yes: 31 No: 17 No idea: 2	Yes: 62% No: 34% No idea: 4%
7	Which group of people plays the most important role to develop our villages/towns?	VCMs: 24 Bureaucrats/Officers: 6 Politicians: 20	VCMs: 48% Officers: 12% Politicians: 40%
8	Which group of people is to be blame for the failure of village/town administration in Mizoram?	VCMs: 4 Bureaucrats/Officers: 4 Politicians: 42	VCMs: 8% Officers: 8% Politicians: 84%
9	Which group of people do you think plays the most important role for the successful working of the Village Council?	VCMs: 27 Bureaucrats/Officers: 7 Politicians: 16	VCMs: 54% Officers: 14% Politicians: 32%
10	Do you think that Rural Development funds or schemes have been properly utilized by the rural masses?	Yes: 1 No: 46 No idea: 3	Yes: 2% No: 92% No idea: 6%
11	Is it necessary that minimum educational qualification should be prescribe to be a member of the Village Council?	Yes: 32 No: 17 No idea: 1	Yes: 64% No: 34% No idea: 2%
12	Which of the two has got greater responsibility in running Village /town administration of the in Mizoram?	YMA: 20 VC: 30	YMA: 40% VC: 60%
13	Which of the two has made greater contribution in running Village/town administration in Mizoram?	YMA: 36 VC: 14	YMA: 72% VC: 28%
14	Do you think that it is necessary to give more power to the Village Council?	Yes: 44 No: 5 No idea: 1	Yes: 88% No: 10% No idea: 2%
15	What do you think of the term of the Village Council in Mizoram?	It is enough: 42 Too short: 6 Too long: 2	It is enough: 84% Too short: 12% Too long: 4%
16	Which form of local self government is more suitable for the Mizos, Panchayati Raj Institutions or Village Council?	PRI: 24 VC: 22 No idea: 4	PRI: 48% VC: 44% No idea: 8%
17	Do you want to have Panchayati Raj System in Mizoram?	Yes : 25 No: 18 No idea: 7	Yes: 50% No: 36% No idea: 14%

## CHAPTER VII

### *Summary and Conclusion*

A detailed study of the working of the Village Councils in Mizoram exposes its inadequacies as a local-self government in its structure, composition, powers and function. The Village Council which is the creation of the Lushai Hills District Council under the Sixth Schedule has no proper place in the Constitution in its present form due to the elevation of the District Council into a Union Territory in 1972 and to a full-fledged State of Mizoram in 1987. With the up gradation of the District Council into the Legislative Assembly the management of the Village Council was handed over to the newly formed Local Administration Department and the Lushai Hills District (Village Council) Act, 1953 was adapted by the Union Territory of Mizoram and later on by the State Government. In the process the Village Council designed to look after by the elected representatives of the people was handed over to the state administrators. The Village Council thus becomes out of tune with the change of circumstances. The state administration which is responsible for the maintenance of the Village Council system is not inclined to improve its status. As a result, the Village Council has been the victim of negligence, apathy, confusion and inaction.

The following discussions may emphasize the various observations and suggestions that would improve the working of the Village Council in Mizoram and make it the responsible institution as a representative of the people at the grassroots level and managing its administrative affairs in the most appropriate and effective manner.

The management of the Village Councils affair by the Local Administration Department is an important instrument which led the Village Council to be a steward of the bureaucrats while performing their duties. It is through the Local Administration Department that the state Government tightens its control over the Village Council. The Administrative Officers served orders and notifications to the President of the Village Council and give instructions to them in the management of their affairs. They also see that the Village Council manages their affairs properly and efficiently and the audit of their accounts is left to the Local Administration Department. It is also empowered to dissolve, abolish or create a new Village Council through administrative orders. In the process the officers of the Department become the masters of Village Council which makes our grassroots democracy undemocratic.

It may be suggested here that the destiny of the representatives of the people at the grassroots may once be placed again into the hands of the peoples' representatives at the state level or the District Council as it happens at the initial stage when the Village Council was created.

The states which have been covered by the Panchayati Raj system have got completely two different sets of local bodies (Panchayats in rural areas and municipalities in the urban areas) having different structures, facilities and functions. But the system prevailing in Mizoram is totally different. Mizoram which has been characterized by rapid urbanization till recently failed to make a distinction between rural and urban local self-government. This may be one among the few important reasons which makes the urban areas in Mizoram to be deficient in certain development infrastructure, sufficient drinking water, proper drainage system, better lightning facilities, public places and marketing facilities.

As per 2001 census, the urban population of the state is 49.63 and the state government has identified some towns in the state as urban areas but the nature of their administration has not been changed. The Village Council structure with the same powers and functions which looks after local administration in the remotest villages has been entrusted to look after the

administration of the urban areas as well as the District capitals including the city of Aizawl.

On the other hand, the rapid increase in urbanization is also the result of the failure of Village administration. It may be pointed out here that the rural areas in Mizoram are not properly equipped with developmental facilities and for simple reasons such as education, medical facilities, getting justice, daily commodities, better job facilities, etc., the villagers have to move in the towns. So, it has been clearly observed here that the Village Council system in its present form is neither suitable to look after the urban areas nor the rural areas. Therefore, there must be a better substitute to replace the form of local-self government that exists here today in Mizoram. There must be separate sets of local-self government in the state; one suitable for the rural areas and the other suitable for the urban areas having their own laws and regulations. However, the Government of Mizoram has recently passed the Mizoram Municipalities Act in 2007 for setting of municipalities in the cities of Aizawl and Lunglei. The newly elected government of Mizoram has to implement the said Act so as to separate the urban areas from the rural areas of the state.

The Lushai Hills District (Village Council) Act, 1953 has been adapted by the Union Territory of Mizoram and later on by the State Government. But the State Government which has been authorized to amend the Act paid little or no attention to the problems which has been faced by the members of the Village Council. As such the Act which has been amended from time to time is only suitable for the villages in the rural areas whose economy heavily depends upon agriculture. The villages in the urban areas whose livelihood depends upon other than agriculture are not touched by most of the executive functions of the Village Council. It is also clearly observed that the administrative powers and functions suitable for village administration are not suitable for the administration of modern cities and towns which has got a great deal of dissimilarities and distinctive features. Moreover, the name itself is not suitable for the local government in the city and towns of the state.

The principal executive functions of the Village Councils such as: distribution of jhumland for the purpose of shifting cultivation and regulation of jhumming, enforcement of '*hnatlang*' or collective labour, the control of animal and taxation of animals, allotment of house sites for the villagers, prevention and control of the outbreak of fire and protection of forest has to be carried out only in the villages. For instance, there are no forests to be protected in the cities and no public forests for shifting cultivation, no places for rearing animals and the allotment of house sites cannot be carried out by the Village Councils in the cities. It may be pointed out here that the allotment of house sites which was formerly carried out by the Village Council are now carried out by the Deputy Commissioners or the State Government in some of the districts of the state.

In the election of the Village Council, no person other than the tribals are allowed to participate, and tribals, permanently residing in the Mizoram are permitted to vote and contest in the election of the Village Council. This regulation may be suitable for the elections of the Village Council within the District Council formed under the Sixth Schedule which has been given special privileges. But Mizoram being a full-fledged state and no more an autonomous District Council under the Sixth Schedule should allow the participation of all sections of the people in the functioning of democracy at the grassroots. It may be important to make reservation of seats for Schedule Caste and Schedule Tribes in proportionate to their number to ensure their participation.

The Village Council system has also suffered a serious setback due to the lack of adequate financial powers and resources. Though, there is a provision of village fund, power of Village Council to levy and collect taxes and power to fine, the amount that collected from these sources are very insignificant. For instance, the source of income derived by the council is '*Fathang*' (paddy tax) collected for the use of land no longer exists, the nominal animal tax collected by the Village Council has been credited equally to the local fund and the state exchequer, it may impose fines on persons accused by village

courts or on those who absent themselves from 'Hnatlang' (a voluntary community work) which occasionally occurs. The council therefore is dependent on the government for fund. The involvement of the community in the Village Council System at the level of the implementation of development programme is non-existence. The development work in any area of the state is the exclusive power of the state and the Village Councils are not authorized to handle them. Whereas, in the states where the 73<sup>rd</sup> Amendment is implemented the Panchayats handled many of the various Centrally Sponsored Schemes. In Mizoram all these programmes are handled by the state government. In the absence of adequate financial resources, the Village Council system seems to be inadequate to be the local self institutions.

The villagers have got several source of income other than that of rearing animals but all the revenue goes into the state treasury. The revenue collected from the forest product, mining, merchants, shopkeepers and businessman, private institutions, house and land revenues, etc., all go into the state exchequer. In the process the villagers that have protected their land and forest earn no profit. On the other hand, the state government who has paid little or no effort has to be rewarded with all the benefits. In the present situation, if the Village Council or the villagers want to carry out certain activities for the improvement of the village that incurs some expenditure, the amount has to be collected directly from the people which is very much expensive for the poor villagers. It may be suggested here that the Village Councils should be empowered to raise their own funds and collect them which in return may be utilized for the benefit of the village and the villagers. This will also empower the Village Council to control and protect the villages in the rural areas.

The functionaries of the Village Council as directed by the government officials draw up various development schemes and projects and submit to the government for the sanction of funds. It is at this stage that the Village Council comes face to face with the real problem. The priorities as listed by the Village Councils at the time of submission of development schemes are radically altered or are left out by the officials who may alter the sequences or



reject some of the proposals at their will. This is obviously true in case of the opposition controlled Village Councils. This may be one of the reasons which let the politicians compare the opposition Village Council with that of a bucket having an outlet at its bottom. It may also be observed here that the development works within the villages and its surrounding areas are often handled by contractors and politicians who are in the good book of the ruling party at the state level. In the process, only a small percent of the funds sanctioned is utilized for the real purpose and the remaining goes to the contractors as their profit, thereby hampering social and economic development in the villages. The Village Council, thus virtually exists to carry out the development functions at the will of higher authorities and not for the wider purpose of self-government as originally intended. In view of this developmental programmes should be directly handled by the Village Council as in case of the grassroots representatives in the states which adopted the Panchayati Raj system.

The job of the Village Council functionaries are not at all attractive because their remuneration are too less and the functionaries of the villages are to perform certain development works within their village territory without any power to adequate finance. We cannot expect to have sincere and efficient Village Council who will give great devotion to their duty as a functionary of the Village Council. Further, the members of the Village Council have to earn their living in one way or the other, though they are deemed to be a public servant.

It may also be pointed out here that the state Government did not recognize the importance of the local administration and is not inclined to accommodate its agents in the villages with the necessary financial power. The state government is not inclined to lay down budget for the administration of the villages. When a great pressure has been put on the State Government by the members of the Village Council in order to increase their monthly remuneration the criterion for the number of members of the Village Council has been altered before hand which reduced the number of the members in great number.

It may be suggested here that the members of the Village Councils should also be treated as a public servant not only in their performance of duties but also in terms of their remuneration. The dignity or prestige of a person or an employee to a great extent depends upon the amount which he earns for the performance of his duty.

If we look into the criteria for the number of members of the Village Council we may clearly observe that the number of the members to look after the villages are too less to manage the affairs of the villages in relation to the number of the households or the number of population. The Lushai Hills District (Village Council) Amendment, Ordinance, 2006 says that a village not exceeding 200 houses shall have three members; a village with more than 200 houses but not exceeding 500 houses shall have four members; a village with more than 500 houses but not exceeding 800 houses shall have five members and a village with more than 800 houses should have six members. Their number has been reduced from time to time including the abolition of the nominated seats.

In villages having two hundred households, there are only three members to manage the affairs of the village. In case one of the members has to absent himself from the meeting due to some unavoidable circumstances, only two elected members have to decide some important matters. It is very difficult to expect that very few representatives at the grassroots level would take the right decision on many of the important issues concerning the administration of the villages. Moreover, only few members cannot be expected to achieve great things for the villagers. This may be one among the important reasons which led the government to entrust many of its important functions which are likely to be carried out by the Village Councils to the non-governmental organizations or to the Young Mizo Association. Thus, the criteria for the number of the member of the Village Council must be revised.

Before the election of the Village Council, the unit of each political party at the village level holds a meeting in which proposals are made for the party candidate, as such, the members are selected. As a result, the elected member of the Village Council will always give priority to his political party

rather than to the villagers. He often thinks that he represents his political party at the village level. So, it has been clearly observed here that the members of the Village Councils will fulfil the desire of the political party they belong as a member of the Village Council rather than the village which he stands for as a representative of the people at the grassroots level of the democratic system. Further the members of the Village Council are utilized by various political parties to bring in stability in the organization of their political party. This factor causes retardation in the development of the villages and stands in the way of unity among the villagers.

From the earlier discussion it has been clearly observed that the non-governmental organizations, such as- YMA, MHIP, MUP, etc., earn great support from the people and make great contribution in the administration of the villages and their branches spread throughout the state. The state Government often entrusted these non-governmental organization to implement its policies. They also operate as pressure groups on various occasions and the State Government has been easily influenced by these organizations rather than the Village Council.

The Village Council may be allowed to work without the involvement of political parties. Therefore, the members of the Village Councils may be elected by the villagers using their free will without the consent of political parties similar to that of the election of several non-governmental organizations. In the process members may have better co-operation and may work for the good of the village rather than that of the political party to which they belong to. This may accelerate the economic and social developments of the villages to a great extent. The real choice of the people may be realised and elected to administer the villages. The dirty game of the politicians creating discontent in the working of the Village Council will not have a chance to infiltrate into its management.

The Village Council being an institution formed to run the administration of the villages must be endowed with all the requisite qualification to function efficiently as local government. It should have enough potential to

maintain public health and take certain preventive measure with the outbreak of certain epidemics. It should have enough capacity to provide moral and social education at the least up to primary standard. It should have enough judicial power for public safety within its jurisdiction to prevent certain civil and criminal crimes and it should have enough power to develop its own village for public construction. But the Village Council has been denied all these important powers and functions. This makes the Village Council an inefficient local self-government. However, the importance of local self-government cannot be denied, though the Village Council has been deprived of of all these important functions.

The state government has a habit of handing out the developmental works to the non-governmental organizations and party units especially where the executive head of the Village Council belongs to the non-ruling party at the state level. In such a situation the executive head of the Village Council remained helpless but has to remain a silent spectator. The community halls and public places are also named after the Young Mizo Associations in many of the villages because it substitutes *Zawlbuk* or men's dormitory of the traditional Mizo Society. Moreover, many of the public recreation centres are constructed by the people under the leadership of the Young Mizo Association in collaboration with the financial aid from the government. All these lead to the increasing importance of the Young Mizo Association who perform all its function in the name of voluntary services and contribute to the decreasing importance of the Village Council.

The Young Mizo Association is engaged in the disposal of the dead bodies, protection of the village from various crimes, naming of the streets, numbering of houses, fighting against intoxicating things, sanitation works in the form of '*Hnatlang*' (a voluntary service). For these entire purposes donation has been made by the people to the Young Mizo Association in every village. Many of the duties assigned to the Village Council were now assigned to the voluntary organizations. Many of the population had failed to recognize the importance of the Village Council realizing that it has made little contribution in

looking after the villages. They thought that the YMA has made greater contribution in running the administration of the villages. It may be rightly said that the YMA acts as a protector and guardian of the villages in the remotest villages of the state.

The Mizo Women Federation popularly known as the MHIP and the Senior Citizens Association of Mizoram popularly known as MUP also plays important role in the villages for the welfare of the people. For instance, Anganwadi Centres and crèches are looked after by the Mizo HHIP in the selected villages which has got the centres in collaboration with the Social Welfare Department. The Village Council being elected on the basis of political party often creates division or factionalism.

It may be suggested here that the Village Council be equipped with more power so that it may be efficient enough to carry out its functions or duties as a local-self government and all the development work and the steps taken to uplift the society that has to be carried out in the villages should be properly managed by the local government rather than other voluntary organizations. The members of the Village Council must be empowered by Rules and Acts and not by the higher authority or the ruling party at the state. In order to manage all these important functions there should be several organizations under the supervision and recognition of the Village Council. The cases which can be decided by the Village Courts and the punishment which can be imposed by the Village Courts need to be revised. The Village Council should be given more powers so that it may earn popular support in executing their functions and the people may recognize their importance and responsibility as a local self-government.

It is a well-known fact that the real essence of democracy is mass participation where all the citizens irrespective of all discrimination, participate in the decision making which influence and have an effect on them. Developmental programmes have better chance of success, legitimacy, equity and effectiveness when the people and the general public have a chance to participate in the decision making process of the developmental programmes.

The general public should have a chance to participate in the planning, monitoring and evaluation of developmental policies and schemes and the outputs of the programmes may be made known to the people in an adequate manner. The people may have a chance of inquiring on the various activities carried out by the government in their village and the fiscal position of the village may be made known to the general public. The fiscal position or the money meant for the development or management of the villages are neither made known to the villagers nor to the members of Village Council. It is believed that the formation of the Village General Assembly or the Gram Sabha may bring in accessibility and accountability in the village administration which is a requisite for the success of democracy. But all these requirements are beyond the reach of the Village Council system as it exists today in Mizoram.

The participation of the people in the working of local-self government in Mizoram came to an end at the end of the Village Council's election that occurs after a lapse of every three years where they exercise their voting rights. In the working of the Village Council System the villagers are not permitted to participate in the meetings of the Village Council. Section 13 of the Mizoram (Village Council) Act, 1953 has clearly mentioned that the meetings of the Village Council may be conducted in the presence of the non-members but 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.<sup>1</sup> Thus, the masses other than the members of the Village Council are not permitted to participate in the decision making process, in planning the developmental programmes and in making projects for the welfare of the people.

The Village Council in Mizoram has a habit of organizing a meeting in which all the representatives of every family are request to attend the meetings. These meetings are called '*Vantlang (Rorel) Inkhawm*' and decisions in the meetings are usually taken by majority of votes. But nothing about it has been mentioned in the Village Council Act, 1953 as such; its formation and

---

<sup>1</sup> Section 13 (3) of the Lushai Hills District Village Council Act, 1953

meetings depends upon the desire of the President of the Village Council. The democratic system as it functions today in Mizoram is not easy to be accepted because only few representatives of the people have a chance to participate. However, it may be called a government of few elected representatives of the people.

In other states of India, under the PRI system the meetings of the Gram Sabha and the frequency of the meetings to be carried out by the Gram Sabha are made mandatory. All the adult citizens in the village participate in the meetings of the Gram Sabha which is an important place for decision making. It makes budgets, plan programmes for development works and projects for the welfare of the people. The beneficiaries of different programmes are selected in the meetings of the Gram Sabha. It is through the Gram Sabha the participation of all the adult citizens in the decision making process that direct participation of the people has been guaranteed in the working of the democratic system.

It may be suggested here that the Village General Assembly may be formed in the cases of Mizoram Village Council system to ensure the mass participation of the people in the working of grassroots democracy as desired by the Constitution. The Village General Assembly may have the same meaning with the Gram Sabha. But here the word Village General Assembly may be chosen because the people living in Mizoram are more familiar with the phrase. There should be a forum through which the citizens have the opportunities to share their views and participate in the working of the democracy at the grassroots level. Further, the elected Village Council may form an Executive Council or Office Bearers who may carry out the important decisions made by the General Assembly. Decisions in the meetings of the Village General Assembly may be taken by majority of votes which will make democracy at the grassroots more genuine. In the process the right persons may be benefited with the various schemes supported by the Central Government as well as the State Government. The development projects may be utilized in the right manner for the development of the poor villagers and the villages. The

political institutions, the politicians and the petty officers will not have a chance to interfere in the affairs of the villagers and that development works and projects will pass through the appropriate channels.

Active participation of the people in the management of local affairs is also expected to bring oneness and a sense of responsibility and participatory on the part of the people. The formation of the Village General Assembly will provide a forum through which the grievances and suspicions of the people may find their solutions. In the process the objects of democracy such as transparency, accountability and accessibility in the working of the government may be achieved.

The elected members of the Village Council as it functions today are subservient to the government employees. They are entrusted with whatever is thought important or necessary by the government employees or officers through orders and notifications. The elected representatives of the people at the basic level of democracy look upon as a subservient of the government employees is contradictory to the spirit of democracy. The elected representatives of the people should provide leadership to the other employees and that they should be empowered so that they may provide leadership in their efforts to develop their own villages. Unless the system is set right, we cannot expect to achieve great success in our efforts of developing the rural areas in Mizoram.

The tenure of the Village Council is three years which is too short to make plan, programmes and projects for developmental works. Moreover, their term come to an end before they could fulfil their proposed programmes. They do not have another chance to make the same proposal unless they are re-elected. This may be the reason why the Constitution (Seventy-Third Amendment) Act, 1992 has made five years term for all local-self governments in India. Besides, while other popular representative bodies in the country like Parliament and State Assemblies are having a term of five years, such small tenure of the Village Council makes the institution unimportant and casual. It may be suggested here that the tenure of the Village Council may be altered for a



period of five years as it takes place in all other forms of democratically elected representatives in India.

The gap between the peoples' representatives at the state level and the village level is too far in the absence of the intermediary level. The Village Council at the beginning of its establishment in 1954 had been looked after by the Lushai Hills District Council within the Government of Assam. With the up gradation of the District Council into a Union Territory and later on into a full-fledged state, the gap between the two democratically set up institutions has been occupied by the bureaucrats and the unelected party workers which diluted the spirit of democracy. Moreover, the problems faced by the members of the Village Councils which are frequently discussed in the meetings of the District Council have no room in the meetings of the State Legislative Assembly. The rules which govern the workings of the Village Councils are hardly amended to make it more competent or suitable to the development of the society.

It has been clearly observed that it is difficult to maintain cordial relationship and mutual co-operation among the members of the Village Councils belonging to different villages. Though the Mizoram Village Council Association was established in 1992 with an objective to uphold the dignity of its members, it has failed to achieve its objectives, and cannot function properly. It has failed to conduct its election for many years and it ceased to function as an important organization. The fourth General Assembly of the Mizoram Village Council Association acknowledging the importance of the intermediate level has decided to organize an association of the Village Council in all the districts of Mizoram but it has failed to achieve the desired objective. The Aizawl City Village Council Association had been established in 2007 but it did not earn proper support from the non-ruling members of the Village Council.

The Block Development Committee has been organized at all the block level of the rural areas of the state where the Presidents of the Village Councils and other important representatives of the non-governmental organizations are made its members. But the committees have been formed under the supervision of the Rural Development Department with a desire to utilize the

Village Councils and the non-governmental organizations to implement their projects and policies. The officials of the department at the block level are the heads of Committee who make the final decisions. Thus it has been clearly observed that the Block Development Committee are not a democratic set up but they are merely an organization formed by the State Government to implement their policies and programs by utilizing the representatives of the people in the targeted villages of the rural areas.

It may be pointed out here that the members of the Village Council are elected from those persons who are willing to work unselfishly based on the philosophy of '*Tlawmngaihna*' which means selfless sacrifice for the good of the village and the villagers. Their poor remuneration also reveals that the job has to be carried out as a voluntary service. All these often lead to narrow localism creating disharmony in their relationship with the neighbouring villages. Moreover, the members of the Village Council within a definite area are not properly organized to share their problems and to find a solution for the purpose.

The villagers must be made aware of the importance of cordial relationship and mutual co-operation among them to achieve the objectives of local-self government. The creation of the intermediary level in all the districts or blocks is the need of the circumstances to avoid the intervention of the bureaucrats and the unelected party workers in the working of the Village Council. The elected leaders of the people should be made the head of the institution at the intermediate level which is essential to make it a democratic set up. Further, it may also be suggested that laws which govern those institutions at the local level may be closely observed and amended from time to time to suit the need of the modern society.

It may also be observed that boundary dispute is one of the common problems faced by villages which have created a far reaching disharmony in the hearts of the people in their relationship with their neighbours. The history of the Mizos is also by and large characterized by boundary dispute since and after the creation of proper boundaries by the British. While working of the Village Councils in Mizoram has been examined, it has been noticed that

many Village Councils are created without demarcating their boundaries properly. As such, boundary dispute has greatly hampered the working of the Village Council which is very difficult to solve by the concerned department. It also creates disharmony among the villages in their relationship with one another. For instance, one of the most important functions of the Village Council is regulating of jhum cultivation and protection of its forest by preventing the outbreak of fire. In this situation, the Village Councils come to face with the real problems in the rural areas whose livelihood depends upon agriculture and forest products. It may also be pointed out here that in the Village Council General Election 2006, election could not be conducted at Bungkawn (Nursery) which is within the city of Aizawl on the notified date due to the failure of proper demarcation of boundary.

The creation of new Village Councils cannot be avoided for the convenience of grassroots administration. If we look into the capital city of Aizawl, its population has been increasing rapidly and the density of population within the hearts of the city is very high in comparison of its density few decades back. In the process the Village Council within the city has to be split for the convenience of the administration in the city. Similarly, the district capitals are also influenced by the rapid urbanization leading to multiplication in the number of households. Moreover, the members of the Village Councils being an important connectivity between the State Government and the common people have to be aware of the all the problems faced by the villagers and have to give necessary information to the government. If a village, town or city is looked which is very highly populated is looked after by a single Village Council or if a territory is too vast the administration of it would become quite bulky leading to maladministration and confusion. Therefore, the need for the creation of new Village Council often arises with the change of circumstances.

Before the creation of a new Village Council it is necessary that their boundaries be defined properly. Prior information should be given to the Village Councils which are to be affected by the newly created Village Council in order to avoid the problems which may arise due to the creation of the

new Village Council and their suggestions and proposals may provide important information to the concerned department.

While examining the judicial functions of the Village Council it has been clearly observed that the judicial power of the Village Council Courts are too meagre in comparison with the judicial power of the Village Chiefs from whom the administrative affairs of the villages has been handed down to the Village Council. This is one of the important reasons for the increasing rate of crimes in the villages. Though the villagers have formed their own organizations to fight against various crimes or to protect their village, they cannot achieve much success because they cannot be well equipped without the presence of proper legitimate authority. The judicial power of the Village Chief, from whom the judicial power has been handed over to the Village Courts, within its jurisdiction may be similar with that of the First Class Magistrate, who has got the power to decide cases up to the extent of death sentences and the decisions made by the Chief's Court was last and final.

On the other hand, the power of the Village Courts are very much limited because it can decide only simple cases involving petty offences, mischief, trespass, simple assault, drunken and disorderly behaviour, public nuisance, rape and cases of wrongful restraints. Cases can only be decided by the Village Courts if both the parties belong to Schedule Tribes, therefore, Village Council Courts are barred from taking cognizance where the parties in the disputes belong to non-tribals. Further, those persons convicted by the Village Court cannot be given a punishment of more than a fine of five hundred rupees and they cannot be sent to jail nor any legal practitioner is permitted to stand for his client in the Village Council Court. Moreover, the decisions made by the Village Council Courts may be defeated by higher courts. All these may be the important reasons why the importance of the Village Courts have been degrading with the passage of time and it is well known that people do not maintain a habit of making an appeal in the Village Courts. It is a fact that the Village Courts are hardly utilized by the people and the people have a habit of moving to higher courts even for simple reasons.

It is also well-known that the judicial powers of the Village Council are too meager to perform its duty as a guardian of the people. The cases which can be taken to the Village Courts are too less because it can make judgement only in accordance with the customary laws and no lawyer can appear in the Village Courts. Thus the Village Courts are no more suitable to the modern society. In order to prevent the existence of various crimes in the villages the Village Defence Party (VDP) and the Join Action Committee (JAC) are organized in some of the village with the permission of the Village Councils but these organizations developed into a den of criticism because they are not recognized by the government to inflict punishment upon the criminals or lawbreakers. Their popularity has been degrading in the modern society where people are gradually aware of their right.

It may be suggested here that the cases which can be decided by the Village Councils/Courts must be broadened because the Village Courts which are formerly looked after by the District Council meant to protect the customary right of the Mizos are now placed under a full-fledged state of Mizoram. The Village Courts must be empowered to make judgments in accordance with the justification made by the Indian Penal Code (IPC). Lawyers may be engaged in the Village Courts and that furthers appeals may be made from the Village Court to higher court. The Village Courts need to be activated and wider powers must be endowed to the Village Council Courts so that people may find justice at their doorsteps, at faster rate, with cheaper cost and all complicated process may be avoided.

A close examination of the working of the Village Council reveals that it has been largely dominated by the President to whom all the powers are vested. He is the Chairman of the meetings and is empowered to suspend the members from the meetings due to their misconduct. He has got the power to sanction orders and notification because everything is carried out in his name. The President of the Village Council may also act autocratically in the execution of his functions especially when he belongs to the ruling party at the state. The Secretary and the Village Crier (*Tlangau*) are appointed on his

recommendation. He also dominates the Executive Body which consists of only three persons, the President, the Vice-President and the Secretary. He acts as a Treasurer of the Village Council and the Secretary of the Village Council acts as a Financial Secretary which may lead to shady arrangements between the two. Sometimes the President of the Village Council takes an important decision without the knowledge of the other members because no sanction has been granted for the sitting of the Village Council, nor the number of sittings to be held by the Village Council has been fixed. The efficiency of the Village Council depends heavily on the competence of the President. The President of the Village Council is also given enough financial power. The appointment of a treasurer of the Development Fund also remains at the mercy of the President. He is also authorized to raise fund when he feels it necessary within his jurisdiction. As such, the Village Council has a habit of collecting some amount from the people when the President feels it indispensable for the welfare of the people.

It may be suggested here that powers in the working of the Village Council must be decentralized because it is the most important objective of grassroots democracy. The members of the Village Council must be allocated various responsibilities while carrying out their functions and this will lighten the burden of the President as it is always accompanied with decentralization of function. This may also prevent the problem which can arise due to excessive dependency of the working of the Village Council on the efficiency of the President. The other members should be made Chairman of different committees which may help them to participate actively in the working of the Village Council. The appointment of the Treasurer should be made mandatory and the other members other than the President must be appointed as a Treasurer. The number of sittings to be carried out by the Village Council must be mentioned clearly, and this may avoid certain problems which may arise due to misunderstanding among the members.

The President of the Village Council who is elected by its democratically, is not directly elected by the people but elected by few members of the Village Council who do not have the power to impeach him. This is

undemocratic because the members who had given him the power have no means to prevent him from excessive or unpleasant behaviour. The members of the Village Council who elected him as a President should have the power to impeach him.

Democratically set up institutions at the Central, State and local level in India are always characterized by the Territorial Representation. But the Village Councils in Mizoram are not territorially represented. A villager who has got all the desired qualification to be a member of the Village Council will contest the election of the Village Council and will represent the village if elected and not a particular territory. The method of its election does not lead to the division of the village into wards. This factor led to the negligence of particular areas which have no member in the Village Council for a definite period. This also often leads to the frustration of a particular area of the village thinking that they are neglected and ill-treated.

It is thus necessary that the villages be divided into wards avoiding the negligence of particular area of the village and that the problem of every part of the village may be recognized through their representatives and their solution may be sought.

The Lushai Hills District (Village Council) Act, 1953 did not prevent women to take part in the working of the Village Council System. Women are given equal rights to men and they have got the right to contest in the elections of the Village Councils and exercise their voting rights. A study of the result of the Village Council since its formation has shown that the rate of women participation is very low, though its percentage has been increasing gradually. The various decadal census of the population has clearly shown that women have always constituted half of the population in Mizoram. It is also a fact that women in Mizoram have made great contribution in the economic sphere. Most of the economic activities in the State are run by women. The contribution of women in various activities has shown that they are not inferior to men and they have got enough potential to take part in politics. However the political institutions are

always dominated by the males and hardly female citizens are found to occupy the political platforms in Mizoram.

Reservation of seats for women in the working of the Village Council is an imperative need to make our village Councils a successful institution. This will be in tune with the reformed Panchayat system as is obtained in other states of the country. This is believed to be the most important method through which the interest of women will penetrate into the functioning of the government. Their participation may also be an important route through which the problem of women may be acknowledged by the government and avoid the negligence of women's interests in the functioning of the institution. Without reservation of seats for women in the Village Council which is considered to provide good training ground for young politicians may continue to fail in placing Mizo women to stand at the forefront of the state politics in Mizoram.

The members of the Village Council are the most suitable agency to carry out the various developmental works in the rural areas. They also have to carry out all the important functions assigned to them just as the panchayats by the Central Government. As such many responsibility and functions were handed down to them by the Rural Development Department. It is the Rural Development Department which actually empowers the Village Council by giving them the powers to select certain beneficiaries of the schemes laid down by the Central and State government. In the process the Rural Development became the most important agency for implementing the Rural Development programmes.

The Village Councils as it functions today has been looked after and are responsible for two departments- the Rural Development (RD) Department and the Local Administration Department (LAD) which is very complicated. It may be more convenient that if the RD Department has been authorized to deal with the problems of the Village Councils and is made responsible for the development of the rural areas. It may also be mentioned here



that the State government has set up the Urban Development and Poverty Alleviation Department to look after the villages or towns in the urban areas.

The Constitution (Seventy-Third Amendment) Act, under Article (243 M) sub-clause (a) of clause (2) has clearly mentioned that “Nothing in this Part shall apply to the states of Nagaland, Meghalaya and Mizoram”. As such, the state of Mizoram may be exempted from the implementation of the seventy-third Amendment. However, sub-clause (a) of clause (4) of the same Article has mentioned that “the Legislature of a state referred to in sub-clause (a) of clause (2) may, by law extend this Part to that State, except the areas, if any referred to in clause (1), if the Legislative Assembly of that state passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting”.

Further, Article (243 B) of clause (1) has mentioned that “There shall be constituted in every state, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part”. However, in supplement to this sentence Clause (2) of the same article has mentioned that “Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a state having a population not exceeding twenty lakhs”.

From the above statements, it is clear that the Constitution (Seventy-Third Amendment) Act, 1992 or the New Panchayati Raj system may be applicable to the State of Mizoram with a resolution passed by the Legislative Assembly by a majority not less than two-third of its members. Further, the three tier Panchayati Raj institutions, at the village, block and district level may not be necessarily constituted in Mizoram because its population does not exceed twenty lakhs. The population of Mizoram according to the 2001 census is only 888,573 lakhs. As such, the Panchayati Raj institutions in Mizoram may have only two tier structures which may be constituted only at the village and the district or block level.

A comparative study of the Village Council System and the Panchayati Raj system in chapter IV has shown that the Panchayati Raj system has got more of positive factors than the Village Council System as an important institution of grassroots democracy. The Panchayati Raj system which has been created by the Constitution of India is to a large extent more suitable to the people in Mizoram rather than the Village Council system which has been created by the enactment of the Government of Mizoram that has no proper place in the Constitution. The provisions of the Village Councils are merely amended by the executive and administrative orders, as such, it is undemocratic. Moreover, if the Panchayati Raj system has been adopted by the Government of Mizoram it will stand at par with all other states enjoying all the benefits of the Panchayati Raj institutions and all uncertainties and confusions in the functioning of democracy at the grassroots may come across their solutions.

The Panchayati Raj system is more relevant than the Village Council system because of the existence of the Gram Sabha, which sanctions mass participation. It is the objectives of all democratic form of government to ensure the participations of all its citizens in the working of the government and that the citizens are made their own masters. It is through the Gram Sabha that people directly participate in the working of our democracy and in the decision making process. Without the existence of the Gram Sabha, collective participation of the people in the functioning of democracy comes to an end after the casting of their votes. It is through the participation of the masses or the target group that developmental programmes have better chances of success, legitimacy, equity and effectiveness. It is through direct participation of the people in the decision making process that man becomes his own master and that the real power has been vested in the people.

Due to the absence of the Gram Sabha, democracy in Mizoram seems to be a government of the few representatives and a large number of our population have no chance of involving themselves in its working. The active participation of the people in the decision making process provides a training ground for the young politicians who will provide leadership in the state

and the nation in future. Moreover, direct participation of the people in the working of local-self government may create a sense of belongingness on the part of the masses and encourage them to carry out their duties more delightfully as loyal citizens. It is due to the absence of the Gram Sabha that there exists no accessibility and accountability in the working of grassroots democracy in Mizoram.

The existence of the various tier structures in the Panchayati Raj system is its advantage over the Village Council System. It is through the existence of various tiers that power has been decentralized in the working of the Panchayati Raj system which is an important factor that realized the desire of democracy. When power has been confined into few hands the state has an enormous chance of falling into an authoritarian form of government. As such, decentralization of power or acceptance of the Panchayati Raj system is an important means to avoid the concentration of powers into few hands. Decentralization of power enables the existence of better and faster communication, involvement and commitment of the people in development, mobilization of support and utilization of resources in a better manner for national development, reduction in delayed decision making, and greater equity in allocation of resources and investments as well as reduction in lack of interest in the administration.

Decentralization of power also leads to the division of work and it is the only means to develop our country. It will also bring to light the hidden potential in human beings and increase man power in the state. Division of work may also act as an important means of solving unemployment problem which is the need of the society. It is through decentralization that democracy truly becomes representative and responsive and that most decisions are taken not by an individual but the authority has been vested in a committee. The existence of various tiers also provides less chance for the involvement of the bureaucrats, petty officers and party workers as a wide gap between the local government and the state government has been occupied. It may also be noted here that the existence of the representatives of the people at the block or district

level is expected to usher in better co-operation and mutual relationship among the representatives of the people at the grassroots level.

The Seventy-third Constitution Amendment is more relevant to the people of Mizoram as it is gradually modernized in many ways. It covers all the sections of the people in the society and no person is deprived from participating on the basis of his birth, rather there is reservation of seats for Schedule Caste and Schedule Tribes in proportionate to their number. Our democracy or Constitution does not stand for a particular sections of the people in the society and in the same manner our grassroots democracy may also be made suitable for the upliftment of all sections of the people in the society. The new Panchayati Raj institutions not only welcome the participation of all sections of the people in the society it also provide for the reservation of seats for women, Schedule Caste and Schedule Tribes which guarantee their participation. It also provides for the reservation of seats of the Chairperson for women, Schedule Caste and Schedule Tribes at the three levels, viz., village, block and the district levels which enables the penetration of all the sections of the people in the society as active participants in the decision making and implementing process.

Democracy at the grassroots requires the same constitutional sanction and protection as democracy at the state and central levels function. Mizoram has been one among the victims for the failure of recognizing the importance of democracy at the grassroots due to the lack of constitutional sanctions. Though the constitutional provision concerning the Panchayati Raj system was inserted in 1992, Mizoram has refused its implementation owing to the existence of the Village Council, a grassroots institution. But the Village Council has belied the hopes and aspirations of the people in the State. It has been placed at the mercy of the State Government and the people who were supposed to own it has no share in the functioning of it. It did not possess any quality, nor creates significant impact on the rural community, nor does it provide any means for the decentralization of power.

There is a need to do away with the Village Council system as it exists today. There may be a new mechanism at the grassroots level that

may be analogous to the Panchayati Raj institutions as enacted by the Seventy-third Amendment Act. The people of Mizoram may not accept the new Panchayati Raj system in toto, as it denies the exclusive right to protect the customary law of the Mizo people. At the same time, the many progressive provisions of the Panchayati Raj institutions will make the local-government work more efficiently. In view of this, although the Panchayati Raj institutions in toto may not be adopted due to socio-political reasons, the main provisions of the Act can be adopted keeping the local political process in mind. Further, given the tribal nature of the state, the unique character of the state can be protected by adopting the Panchayati Raj institutions with alterations to suit to the local aspirations.

## APPENDICES

### APPENDIX I

#### *The Constitution (Seventy-third Amendment) Act, 1992*

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:

An Act further to amend the Constitution of India

#### *Short title and commencement*

1. (1) This Act may be called the Constitution (Seventy-third Amendment) Act, 1992.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

#### *Insertion of new Part IX*

2. After Part VIII of the Constitution, the following Part shall be inserted, namely:

### **‘PART IX’ THE PANCHAYATS**

#### *Definitions (243)*

In this Part, unless the context otherwise requires, ---

- (a) “district” means a district in a state;
- (b) “Gram Sabha” means a body consisting of persons registered in the electoral rolls relating to a village comprised within the area of a panchayat at the village level;
- (c) “intermediate level” means a level between the village and district levels specified by the Governor of a State by public notification to be the intermediate level for the purpose of this Part;
- (d) “Panchayat” means an institution (by whatever name called) of self-government constituted under article 243B, for the rural areas;
- (e) “Panchayat area” means the territorial area of a Panchayat;

(f) “population” means the population as ascertained at the last preceding census of which the relevant figures have been published;

(g) “village” means a village specified by the Governor by public notification to be a village for the purposes of this Part and includes a group of villages so specified.

### ***Gram Sabha (243A)***

A Gram Sabha may exercise such powers and perform such functions at the Village level as the Legislature of a State may, by law, provide.

### ***Constitution of Panchayats (243B)***

(1) There shall be constituted in every State, Panchayats at the village, intermediate and district levels in accordance with the provisions of this Part.

(2) Notwithstanding anything in clause (1), Panchayats at the intermediate level may not be constituted in a State having a population not exceeding twenty lakhs.

### ***Composition of Panchayats (243C)***

(1) Subject to the provisions of this Part, the Legislature of a State may, by law, make provisions with respect to the composition of Panchayats;

Provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the State.

(2) All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.

(3) The Legislature of a State may, by law, provide for the representation:

(a) of the Chairpersons of the panchayats at the village level, in the Panchayats at the intermediate level or, in the case of a State not having Panchayats at the intermediate level, in the Panchayats at the district level;

(b) of the Chairpersons of the Panchayats at the intermediate level, in the Panchayats at the district level;

(c) of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level, in such a Panchayat;

(d) of the members of the Council of States and the members and the members of the Legislative Councils of the State, where they registered as electors within ---

(i) a Panchayat area at the intermediate level, in Panchayat at the intermediate level

(ii) a Panchayat area at the district level, in Panchayat at the district level.

(4) The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies in the Panchayat area shall have the right to vote in the meetings of the Panchayats.

(5) The Chairperson of –

(a) a Panchayat at the village level shall be elected in such manner as the Legislature of a State may, by law, provide; and

(b) a Panchayat at the intermediate level or district level shall be elected by, and from amongst, the elected members thereof.



***Reservation of Seats (243D)***

(1) Seats shall be reserved for –

(a) the Scheduled Castes; and

(b) the Schedule Tribes, in every Panchayat and the number of seats so reserved shall bear as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Schedule Caste in that Panchayat area and of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Schedule Castes or, as the case may be, the Schedule Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

(4) The offices of the Chairpersons in the Panchayats at the village or any other level shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide:

Provided that the number of offices of Chairpersons reserved for Scheduled Castes and Scheduled Tribes in the Panchayats at each level in any State shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayats at each level, the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State bears to the total population of the State.

Provided further that not less than one-third of the total number of offices of Chairpersons in the Panchayats at each level shall be reserved for women.

Provided also that the number of offices reserved under this clause shall be allotted by rotation to different Panchayat at each level.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in this Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Panchayat or offices of Chairpersons in the Panchayats at any level in favour of backward class of citizens.

***Duration for Panchayats etc. (243E)***

(1) Every Panchayat, unless sooner dissolved under any law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level, which is functioning immediately before such amendment, till the expiration of its duration specified in clause (1).

(3) An election to constitute a Panchayat shall be completed –

(a) before the expiry of its duration specified in clause (1);

(b) before the expiration of a period of six months from the date of its dissolution.

Provided that where the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election under this clause for constituting the Panchayat for such period.

(4) A Panchayat constituted upon the dissolution of a Panchayat before the expiration of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued under clause (1) had it not been so dissolved.

***Disqualification for Membership (243F)***

(1) A person shall be disqualified for being chosen as, and for being, a member of a Panchayat –

(a) if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years;

(b) if he is so disqualified by or under any law made by the Legislature of the State.

(2) If any question arises as to whether a member of a Panchayat has become subject to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

***Powers, Authority and Responsibilities of Panchayats (243G)***

Subject to the provisions of this Constitution, the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to –

(a) the preparation of plans for economic development and social justice,

(b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Scheduled.

***Power to Impose Taxes by, and Funds of, the Panchayats (243H)***

The Legislature of a State may, by law –

(a) authorise a Panchayat to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits;

(b) assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits;

(c) provide for making such grants-in-aid to the Panchayats from the Consolidated Fund of the State; and

(d) provide for constitution of such Funds for crediting all moneys received respectively, by or on behalf of the Panchayats and also for the withdrawal of such money therefrom, as may be specified in the law.

***Constitution of Finance Commission to Review Financial Position (243I)***

(1) The Governor of a State shall, as soon as may be within one year from the commencement of the Constitution (Seventy-third Amendment) Act 1992, and thereafter at the expiration of every fifth year, constitute a Finance Commission to review the financial position of the Panchayats and to make recommendations to the Governor as to –

(a) the principles which should govern –

(i) the distribution between the State and the Panchayats of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this Part and the allocation between the Panchayats at all levels of their respective shares of such proceeds;

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to, or appropriated by the Panchayats;

(iii) the grants-in-aid to the Panchayats from the consolidated Fund of the State;

(b) the measures needed to improve the financial position of the Panchayats;

(c) any other matter referred to the Finance Commission by the Governor in the interests of sound finance of the Panchayats.

(2) The Legislature of a State may, by law, provide for the composition of the commission, the qualifications which shall be requisite for appointment as members thereof and the manner in which they shall be selected.

(3) The Commission shall determine the procedure and shall have such powers in the performance of their functions as the Legislature of the State may, by law, confer on them.

(4) The Governor shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislature of the State.

#### ***Audit of Accounts of Panchayats (243J)***

The Legislature of a State may, by law, make provisions with respect to the maintenance of accounts by Panchayats and the auditing of such accounts.

#### ***Elections to the Panchayats (243K)***

(1) The superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the panchayats shall be vested in a State Election Commission consisting of a State Election Commissioner to be appointed by the Governor.

(2) Subject to the provisions of any law made by the Legislature of a State, the conditions of service and tenure of office of the State Election Commissioner shall be such as the Governor may by rule determine:

Provided that the State Election Commissioner shall not be removed from his office except in like manner and on the like grounds as a judge of High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.

(3) The Governor of a State shall, when so requested by the State Election Commission, make available to the State Election Commission such

staffs as may be necessary for the discharge of the functions conferred on the State Election Commission by clause (1).

(4) Subject to the provisions of this Constitution, the Legislature of a State may, by law, make provision with respect to all matters relating to or in connection with, election to the Panchayats.

***Application to Union Territories (243L)***

The provisions of this Part shall apply to the Union Territories and shall, in their application to a Union Territory, have effect as if the differences to the Governor of a State as if the references to the Administrator of the Union Territory, appointed under article 239 and references to the Legislature or the Legislative Assembly of a State were references, in relation to a Union Territory having a Legislative Assembly, to that Legislative Assembly:

Provided that the President may, by public notification, direct that the provisions of this Part shall apply to any Union Territory or part thereof subject to such exceptions and modifications as he may specify in the notification.

***Part not to Apply to Certain Areas (243M)***

(1) Nothing in this Part shall apply to the Scheduled Areas referred to in clause (1), and the tribal areas referred to in clause (2), of article 244.

(2) Nothing in this Part shall apply to –

(a) the State of Nagaland, Meghalaya and Mizoram;

(b) the hill areas in the State of Manipur for which District Councils exist under any law for the time being in force.

(3) Nothing in this Part –

(a) relating to Panchayats at the district level shall apply to the hill areas of the District of Darjeeling in the State of West Bengal for which Darjeeling Gorkha Hill Council exists under any law for the time being in force;

(b) shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council constituted under such law.

(4) Notwithstanding anything in the Constitution –

(a) the Legislature of a State referred to in sub-clause (a) of (2) may, by law, extend this Part to the State, except the areas, if any, referred to in clause (1) if the Legislative Assembly of that State passes a resolution to that effect by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting;

(b) Parliament may, by law, extend the provisions of this Part to the Scheduled Areas and the tribal areas referred to in clause (1) subject to such exceptions and modifications as may be specified in such law and no such law shall be deemed to be an amendment of this Constitution for the purpose of Article 368.

***Continuance of Existing Laws and Panchayats (243N)***

Notwithstanding anything in this Part, any provision of any law relating to Panchayats in force in a State immediately before the commencement of the Constitution (Seventy-third Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repeal by a competent legislature or a competent authority or until the expiration of one year from such commencement, whichever is earlier:

Provided that all the Panchayats existing immediately before such commencement shall continue till the expiration of their duration, unless or sooner dissolved by a resolution passed to that effect by the Legislative Assembly of that State or, in the case of a State having a Legislative Council, by each House of the Legislature of that State.

***Bar to Interference by Courts in Election Matters (243O)***

Notwithstanding anything in this Constitution –

(a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies made or purporting to be made under Article 243K, shall not be called in question in any court;

(b) no election to any Panchayat shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State.

***Amendment of Article (280)***

3. In clause (3) of Article 280 of the Constitution, after sub-clause (b), the following sub-clause shall be inserted, namely:-

“(bb) the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State:”

***Addition to the Eleventh Schedule***

4. After the Tenth Schedule to the Constitution, the following Schedule shall be added, namely –

***“Eleventh schedule (article 243g)***

1. Agriculture including agriculture extension.
2. Land improvement, implementation of land reforms, land consolidation and soil conservation.
3. Minor irrigation, water management and watershed development.
4. Animal husbandry, dairying and poultry
5. Fisheries.
6. Social forestry and farm forestry.
7. Minor forest produce.
8. Small scale industries, including food processing industries.
9. Khadi, village and cottage industries.
10. Rural housing.
11. Drinking water.
12. Fuel and fodder.



13. Roads, culverts, bridges, ferries, waterways and other means of communication.
14. Rural electrification, including distribution of electricity.
15. Non-conventional energy sources.
16. Poverty alleviation programme.
17. Education including primary and secondary schools.
18. Technical training and vocational education.
19. Adult and non-formal education.
20. Libraries.
21. Cultural activities.
22. Market and fairs.
23. Health and sanitation, including hospitals, primary health centres and dispensaries.
24. Family welfare.
25. Women and child development.
26. Social welfare, including welfare of the handicapped and mentally retarded.
27. Welfare of the weaker sections, and in particular, of the Scheduled Castes and Scheduled Tribes.
28. Public distribution system.
29. Maintenance of community assets.”

## APPENDIX II

### *The Lushai Hills District*

### *(Village Councils) Act, 1953*

### *(Lushai Hills Act No V of 1953, as Amended from time to time)*

#### CHAPTER -- I

#### Preliminary

##### ***1. Short, title extends and commencement.***

(1) This Act may be called the Lushai Hills District (Village Councils) Act, 1953.

(2) It extends to the Lushai Hills District except the areas under jurisdiction of the Pawi – Lakher Regional Council.

(3) It shall come into force at once.

##### ***2. Definition --***

In this Act, except where it is expressly otherwise provided or the context otherwise requires:

(1) “District” means the Autonomous Lushai Hills District.

(2) “Deputy Commissioner” means the Deputy Commissioner of the Lushai Hills District.

(3) “Executive Committee” means the Executive Committee of the Lushai Hills District Council (Constitution of District Council) Rules, 1951.

(4) “Hnatlang” means a common service for the common good of the Villagers which the residences of the Village are to render.

(5) “Leipui” means a subsidiary shifting jhum cultivation.

(6) “Mizo” means a member of any Lushai (Mizo) tribe.

(7) “Mizoram Buhchhun” means the surtax imposed by the District Council under the Lushai Hills District (Revenue assessment) Regulation, 1953.

(8) “Schedule tribe or tribes” means such tribe or tribes as are specified by the President of India under Article 342(1) of the Constitution of

India as modified by law made by Parliament from time to time in so far as the specification pertains to the autonomous district of Assam.

(9) “Tlangau” means Village Crier.

(10) “Tuikhur” means any place wherein water supply is obtained.

(11) “Village Council” means of Village Council instituted under section 3 of this Act.

(12) “Voter” means a person who fulfils the qualifications enumerated in rule 128 of the Assam Autonomous District (Constitution of District Councils, Rules 1951, as in force immediately before the 29<sup>th</sup> day April 1982.

(13) “Adult” means a person belonging to a Schedule Tribe who is not less than twenty one years of age on such date as may be fixed in that behalf by the District Council.

(14) “District Fund” means the District Fund of the Lushai Hills District Autonomous District.

(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) “Tlawhbawk” means a temporary sub-village created for the sale purpose of jhuming in a certain area for a specific 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 Administrator of Mizoram.

## CHAPTER – II

Establishment of Village Council.

### ***3. Constitution of Village Council --***

(1) There shall be Village Council comprising one or more villages as the Administrator may, by notification in the Mizoram Gazette, decide to be composed in the manner here-in-after provided in sub-section (2)

Number of members of Village Council – (2) 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.

Nothing in the above amendment shall effect the existing Village Councils till the end of their present term”.

(3) Of the total number of members of the Village Council as determined under sub-section (2) 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 this Act. *(the nominated seat has been abolished since 1999 by the Government of Mizoram)*

“Provided that in case election of members constitute a Village Council or Councils, under this sub-section cannot be held due to any reason considered unavoidable by the Administrator but the circumstances demand the immediate constitution of such Village Council or Councils, the Administrator may also nominate the remaining number of members of such Council or Councils and the members so nominated shall hold office for a period of not exceeding one year from the date of the first meeting of the Council or Councils”.

(4) “The Administrator may abolish a Village Council if the number of the house-holds of the village has in his opinion, become too small to have a Village Council of its own. In such a situation the village shall be comprised of the nearest village having a Village Council, under sub-section (1)”.

(5) “The Administrator shall decide as to how many members shall constitute a Village Council subject to the provisions of sub-section. (2)

(6) “For the purpose of this section, the Administrator 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 schedule tribe;

(b) he has not attained the age of 25 years;

(c) he is not voter where he seeks election;

(d) he is a member of any other Village Council;

(e) he is unsound mind and stands so declared by a competent Court or 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 released from prison.

#### ***5. Duration of Village Council --***

Every Village Council, unless sooner dissolved under the provision of section 25 of this acts shall continue for three years from the date appointed for its meeting.

Provided that the life of a Village Council may be extended or shortened by the District Council for a period not exceeding 18 months in the aggregate.

**6. Tenure of Membership --**

(1) A member nominated to a Village Council in accordance with the provision of sub-section (3) of section 3 shall hold office during the pleasure of the Executive Committee.

(2) Subject to the provision of sub-section (1) all members both elected and nominated, shall hold office during the life of the Council;

Provided that a member so elected or nominated to fill a casual vacancy shall hold office for the remainder of the term of office of the member whose seat falls vacant.

(3) If a member absent himself continuously in ten consecutive meeting of the Village Council may in a meeting specially convened for the purpose, declare his seat vacant after giving him an opportunity for hearing and in such case the Village Council shall communicate the decision to the Executive Committee.

**7. Executive --**

There shall be a President, Vice-President and a Secretary in each Village Council and the Executive functions of the Councils 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 District Council 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 Executive Committee and until the Executive Committee 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 Administrator or to an officer authorised by him in this behalf for acceptance, and until the resignation is accepted, he shall be normally accepted. When the resignation is accepted the members of 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, who shall without delay forward it to the Administrator or to an officer authorised by him 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 for with to the Executive Committee, 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 Executive Committee shall cause the vacancy to be filled as soon as possible. In the meantime the duties of the office shall be performed by the Vice-President.

(9) Members of the Village Council including the President shall be entitled to receive such remuneration and privilege as may, from time to time, be determined by the District Council.

(10) “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 Indian Penal Code”.

“The Administrator may remove the President or the Vice-President of a Village Council if in his opinion the President or the Vice-President has lost support of the majority of the members but refuses to tender

resignation, or is too inefficient or too corrupt to carry on the Village Administration or is acting in a manner prejudicial to the interest of the State”.

#### ***8. Functions of the Village Council --***

(1) The Village Council or any Officer of the District Council authorised by the Executive Committee shall allot a particular region within the boundaries of each village for jhum each particular years, and the distribution of the jhum plots shall be done in accordance with the laws framed by the District Council 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 wherever occasion so demands.

“Provided that no discrimination shall be made on grounds of religion, of caste of class or of any of them” should be added as another paragraph next to sec. 8 (2) of the Village Councils Act.

(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 Hnatlang a day.

#### ***9. Regulation of Hnatlang --***

(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 Hnatlang.

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

(3) Every person shall have the option of commuting his obligation to render service under Hnatlang no payment of cash compensation in lieu of it at a rate to be fixed by the Village Council not exceeding Rs.25/- per Hnatlang a day.



#### ***10. Collection of Taxes --***

(1) The Executive Committee 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 direction given by the Executive Committee or any officer of the District Council authorised by Executive Committee in that behalf.

#### ***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.

### **CHAPTER – III**

#### **Conduct of Business**

#### ***12. President and 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 exercise a casting vote in the case of 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.

“Provided that the Secretary of the Village Council may speak and take part in such deliberation, if the Village Council so requires, but shall have no vote”.

#### ***14. Preservation of order in Meetings 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 members whose conduct 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 Executive Committee on receipt of such report the Executive Committee may, if it deems necessary, suspend the member for any period considered reasonable by the Executive Committee.

#### ***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 the list of the collection shall be kept by the Secretary. This account shall be open for inspection by any subscriber to the collection.

**16. Responsibility of the President for compliance of orders etc.--**

(1) The President shall cause notices and instructions for prevention of dangers such as the outbreak of fire, epidemics etc. in the Village to be proclaimed by engaging the "Tlangau" and whenever notices, orders circulars or letters are received for re-distribution from the District Council to pass on the other villages, he shall forth-with cause it to be send through the Secretary.

(2) The President shall be responsible for the compliance of all orders and notifications issued by the Deputy Commissioner.

(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 necessary to be brought to the knowledge of the public, it shall be given over to the Secretary for publication either by Tlangau or by a notice for the 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 the President he shall perform the duties of that office and during such period the powers of the President shall be vested in him.

**18. Secretary --**

The Secretary shall be the Village writer and shall be responsible for all 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 publish all orders, notifications and records as may be necessary and such orders, notifications and records shall be signed by the President.

(b) On receipt of any orders notice, circulars or letters from the District Council 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 transmit to any other Village Council as may be directed, and he shall be responsible to carry such directions.

(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 Executive Committee as may require 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 District Council 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 District Council.

### ***20. Officers --***

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

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

(3) The Administrator may also appoint one or more Circle Assistants, as he may deem necessary, for each Circle and define their jurisdiction.

(4) The duties of the District Local Administration Officer, Circle Officer and Circle Assistants 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 in 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 District Council.

## **22. Tlangau (Village Crier) --**

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

(2) To appoint Tlangau 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 Tlangau from amongst the applicants. The Village Council may dismiss the Tlangau but such cases shall be reported to the Executive Committee.

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

(i) He shall bring to the notice for the public all orders and notifications 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 Tlangau to bring to the notice of public any other matter not necessarily connected with the affairs of the Village Council or any officer of the Mizo District Council on duty.

(iv) The Tlangau shall carry notice, to all members of Village Council for all meeting of the Village Council recommended by the President.

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 Tlangau to summon all the Villagers.

(4) Remuneration of Tlangau:

(a) The Tlangau shall be exempted from,

(i) all ‘Hnatlang’ enforced by the Village Council under sub-section (2) of section 8 of the principal Act,

(ii) ‘Zoram Chhiah’

(b) The Tlangau shall be entitled to receive such other remuneration and privileges as may from time to time, be determined by the Administrator of the Union Territory of Mizoram.

Provided that if in any Village, no Tlangau can be found on the remuneration granted under this sub-section, the Executive Committee may, by order, raise additional remunerations from the villagers concerned to be paid either in cash or in kind, the amount of which shall be fixed in consultation with the Village Council concerned.

**23. Power to make rules --**

(1) Subject to the previous approval of the Governor of Assam, the Executive Committee may make rules for carrying out any of the provisions of this Act.

(2) In particularly and without prejudice to the forgoing powers such rules may prescribe –

(a) Control, preservation and use of timbers and other forest products accepts of the reserved forests, ordinary 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 Khamkhuai.

## **CHAPTER – IV**

### **Town Committee**

#### ***24. Formation of Town Committee --***

The District Council shall cause the formation of Town Committees, where such Committees are considered desirable and convenient in accordance with law made by the District Council for the purpose.

## **CHAPTER – V**

**25.** (1) The Executive Committee may, by publish notification, order the dissolution of a Village Council in its opinion the Village Council is too in-efficient or is not able to carry on the Village administration or is acting the manner prejudicial to the interest of the State or for any other reasons considers 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 Executive Committee 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 Executive Committee considers 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.

## **CHAPTER – VI**

**26.** (a) Without permission of the Executive Committee no Thlawhbawk for more than a year or Khawper (sub-village) shall be made or set up at any site within the District.

(b) The Executive Committee or any officer of the District Council authorised in that behalf by the Executive Committee, may evict any person or persons having in occupation of unauthorised Khawper or Thlawhbawk, after service on such person or persons individually of a notice to vacate the area within a period of not less than three months.

(c) On failure to vacate the area within the time fixed in the notice, the Executive Committee or any officer in the District Council authorised in that behalf may impose a fine not exceeding Rs.50/- per month to each family for the unauthorised occupation after the service of the notice.

(d) The order of the Executive Committee or of the officer passed under sub-section (b) and (c) above, shall be deemed to be a clause of a competent civil court for the purpose of evicting unauthorised occupant from the area to which this section applies.



## **Appendix III**

### ***The Panchayats***

#### ***The Structure of the Panchayati Raj System***

The Constitution (Seventy-third Amendment) Act, 1992 makes it mandatory that every village shall constitute a Gram Sabha which shall consist of all the voters within the area of the Panchayat at the village level. This body shall exercise all the powers and functions of the Panchayat at the village level as assigned to it by the state legislature. In exception to the Gram Sabha the new Panchayati Raj institution was designed to constitute under three-tier structure in every state. However, the state with a population not exceeding twenty lakhs may be exempted from the introduction of the intermediate level so that they may have only two-tier structure. The three tier structures of the Panchayati Raj system are as follow:

*(i) The Panchayati Raj at the village level:* The lowest tier of the Panchayati Raj Institutions is the Panchayat at the village level which is commonly known as the Gram Pachayat, the Village Panchayat or whatever name is given to it by the State Legislature. The Village Panchayats is the executive committee of the Gram Sabha whose members are directly elected by the villagers.

*(ii) The Panchayat at the intermediate level:* The panchayat at the intermediate or block level may be called the Panchayati Samiti, Janapad Panchayat, Mandal Panchayat, Block Panchayat or whatever name is given to it by the concern authority. It is constituted by the representatives of the Village Panchayat and the co-opted members appointed by the state legislature.

*(iii) The Panchayat at the district level:* The uppermost tier of the Panchayati Raj Institutions is constituted at the District level which is called the Zilla Parishad or the District Panchayat but in the state of Jammu and Kashmir it is called District Planning and Development Board. The head of the district level panchayat are

mostly called the Chairperson or the President. They are called Adhyaksha in Bihar, Goa, Karnataka, Sikkim and Uttar Pradesh and in Rajasthan he is called Pramukh. <sup>1</sup>

### ***Composition of the Panchayati Raj Institutions***

The provision regarding the composition of the Panchayat shall be constituted by the state legislature provided that the ratio between the population of the territorial area of a Panchayat at any level and the number of seats in such Panchayat to be filled by election shall, so far as practicable, be the same throughout the state.<sup>2</sup>

All the seats in a Panchayat shall be filled by persons chosen by direct election from territorial constituencies in the Panchayat area and, for this purpose, each Panchayat area shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it shall, so far as practicable, be the same throughout the Panchayat area.<sup>3</sup>

The Legislature of a State shall provide for the representation of the Chairpersons of the Panchayat at the village level, intermediate level or in the Panchayat at the district level. It shall also provide for the representation of the members of the House of the People and the members of the Legislative Assembly of the State representing constituencies which comprise wholly or partly a Panchayat area at a level other than the village level. It shall also provide for the representation of the members of the Council of State and the members of the Legislative Council, where they are registered as electors within the Panchayat area at the intermediate level and the district level.

The Chairperson of a Panchayat and other members of a Panchayat whether or not chosen by direct election from territorial constituencies shall have the right to vote in the meetings of the Panchayats.<sup>4</sup> The Chairperson

---

<sup>1</sup> George Mathew, *Panchayati Raj in India – An Overview: Status of Panchayati Raj in the States and Union Territories of India 2000* (Concept Publishing Company, New Delhi-110059), Appendix V

<sup>2</sup> Article (243C) (1) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>3</sup> Article (243C) (2) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>4</sup> Article (243C) (4) of the Constitution (Seventy-third Amendment) Act, 1992

of a Panchayat at the village level shall be elected in such a manner as the law provided by the Legislature of the State and the Chairperson at the intermediate level and district level shall be elected by, and from amongst, the elected members thereof.

### ***Reservation of Seats***

The 73<sup>rd</sup> Constitution Amendment Act, 1992 provides reservation of seats for Schedule Castes and Schedule Tribes in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayats as the population of Schedule Castes in that Panchayat area and of the Schedule Tribes on the Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.<sup>5</sup> Not less than one-third of the reserved seats shall be reserved for women belonging to the Schedule Caste or Scheduled Tribes, as the case may be.

In every Panchayat, not less than one-third of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.<sup>6</sup>

The office of the Chairpersons in the Panchayats at the village or any level shall be reserved for the Scheduled Castes and Scheduled Tribes and women as the Legislature of the State may by law provide. The reservation shall bear, as nearly as may be, the same proportion to the total number of such offices in the Panchayat at each level, the population of the Scheduled Castes in the State or of the Schedule Tribes in the State bears to the total population of the State.

In every level of the Panchayat one-third of the total number of such offices shall be reserved for women and this shall be allotted by rotation to different Panchayat at each level.

---

<sup>5</sup> Article (243D) (1) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>6</sup> Article (243D) (4) of the Constitution (Seventy-third Amendment) Act, 1992

### ***Qualifications to be a member of the Panchayats***

The constitution (Seventy-third Amendment) Act, 1992 has mentioned that a person shall be disqualified for being chosen as a member of a Panchayat if he is so disqualified by or under any law for the time being in force for the purposes of elections to the Legislature of the concerned State. It also provided that no person shall be disqualified on the ground that he is less than twenty-five years of age, if he has attained the age of twenty-one years.<sup>7</sup>

If a question arises as to whether a member of a Panchayat has become subject to any of the disqualifications mentioned above the question shall be referred for the decision of such authority and in such manner as the Legislature of a State may, by law, provide.

From the above statement it is clear that every member of the panchayat must attained the age of twenty one years and must fulfil all the requisite qualifications to be a member of the State Legislature.

### ***Tenures of the Panchayati Raj Institutions***

Every Panchayat shall continue for a period of five years unless sooner dissolved under any law for the time being in force, from the date appointed for its first meeting.<sup>8</sup> No amendment of any law for the time being in force shall have the effect of causing dissolution of a Panchayat at any level.

An election to constitute a Panchayat shall be completed before the expiry of its duration which is of five years. An election to a dissolved Panchayat shall be completed before the expiration of a period of six months from the date of its dissolution. In case, the remainder of the period for which the dissolved Panchayat would have continued is less than six months, it shall not be necessary to hold any election for constituting the new Panchayat for such period. A Panchayat constituted upon the dissolution of a Panchayat before the

---

<sup>7</sup> Article (243F) (1) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>8</sup> Article (243E) (1) of the Constitution (Seventy-third Amendment) Act, 1992

expiry of its duration shall continue only for the remainder of the period for which the dissolved Panchayat would have continued.<sup>9</sup>

### ***Election to the Panchayat Bodies***

The Governor shall appoint the State Election Commission consisting of the State Election Commissioner in whose hands the superintendence, direction and control of the preparation of electoral rolls for, and the conduct of, all elections to the panchayats shall be vested.<sup>10</sup> The Governor shall determine the conditions and tenure of office of the State Election Commissioner in accordance with the provisions of any law made by the Legislature of the State. Accordingly, all the states within the purview of the new Panchayati Raj system have formed their own SEC which causes great variation among the states in the election procedure of the Panchayat bodies.

### ***Powers and Functions of the Panchayati Raj Institutions***

Article (243G) of the Constitution (Seventy-third Amendment) Act, 1992 has clearly mentioned that the Legislature of a State may, by law, endow the Panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government subject to the provision of this Constitution. All such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at the appropriate level, subject to such conditions as may be specified therein, with respect to-

- (a) the preparation of plans for economic development and social justice,
- (b) the implementation of schemes for economic development and social justice as may be entrusted to them including those in relation to the matters listed in the Eleventh Schedule of the Constitution.

---

<sup>9</sup> Article (243E) (4) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>10</sup> Article (243K) (1) of the Constitution (Seventy-third Amendment) Act, 1992

### ***Conduct of Business***

The Constitution (Seventy-third Amendment) Act, 1992 does not mentioned anything about the procedure for the meeting of the Panchayats. However, the Legislature of a State are empowered to make their own laws on the procedure for the conduct of business of their own Panchayats. The processes of the Panchayats' meeting in many of the states have common features.

The meetings of the Panchayati Raj institutions are headed by the Chairpersons at each level. Resolutions in the meetings of the Gram Panchayats are made by means of majority of votes. It functions through various committees and the members may also request the Sarpanch to call for a special meeting. In case of the Panchayat Samitis or the Second Tier the meetings are held at least six times in a year for which not more than two months are to be allowed to elapse between the two successive meetings. It has got two types of meetings which may be called ordinary and special. Notice of every meeting specifying the time and place thereof and the business to be transacted is dispatched to every member of the Panchayat Samiti and demonstrated at the office of the Panchayat Samiti. The meetings of the Panchayat Samitis may be adjourned with the consent of majority of the members present in the meetings and it can be transacted at the following meeting. The Chairman of the Panchayat Samiti presides over its meetings and in his absence the Vice-Chairman. In case of the Zila Parishad or the uppermost tier business are usually conducted once in three months. It may also conduct a special meeting if one-third of its members requested for it in writing. The Chairman has to call for such special meeting within 15 days of such request.

### ***Remuneration***

The Seventy-third Constitution Amendment did not mention anything about the remuneration of the members of the Panchayats. It has clearly mention that all the state falling within the purview of the Panchayati Raj institution is to constitute a Finance Commission to review the financial

condition of the Panchayats and to make recommendations to the Governor.<sup>11</sup> So, the state governments with the help of the State Finance Commission are to decide the pay or remuneration of its Panchayat members. Therefore, like any other employees of the state governments the members of the Panchayats in different parts of India did not enjoy equal pay or remuneration as it has been decided by their respective state governments who have got great authority over its employees.

### ***Financial Resources of the Panchayati Raj Institutions***

The Panchayat also has got the power to impose taxes and funds as approved by the Legislature of a State, who may authorize the Panchayats to levy, collect and appropriate such taxes, duties, tolls and fees in accordance with such procedure and subject to such limits. It may, by law, assign to a Panchayat such taxes, duties, tolls and fees levied and collected by the State Government for such purposes and subject to such conditions and limits. It may also provide for making such grants-in-aid to the Panchayats from the consolidated fund of the State and provide for constitution of such Funds crediting all money received respectively, by or on behalf of the Panchayats and also for the withdrawal of such money there from, as may be specified in the law.<sup>12</sup>

The Governor of a state is authorized to constitute a Finance Commission within one year from the commencement of the Constitution (Seventy-third Amendment) Act, 1992, and there after the expiration of every five years. The Finance Commission is to review the financial position of the Panchayats and to make recommendation to the Government of the State as to the principles which should govern the distribution of finances between the State and the Panchayats, the determination of taxes, duties, tolls and fees, grants-in-aid to the Panchayats from the consolidated fund of the State and any other

---

<sup>11</sup> Article (243I) of the Constitution (Seventy-third Amendment) Act, 1992

<sup>12</sup> Article (243H) of the Constitution (Seventy-third Amendment) Act, 1992

matter referred to the Finance Commission by the Government of the State in the interest of sound finance of the Panchayats.

The Legislature of a State may, by law, provide for the composition of the Commission, the qualification which shall be requisite for appointment as members and the manner in which they should be selected. The Commission shall determine their procedure and shall have such powers in the performance of their function as the Legislature of a State may confer on them. The recommendation made by the Finance Commission shall be laid by the Government of the State before the Legislature of the State together with an explanatory memorandum as to the action taken.



## BIBLIOGRAPHY

### ***A. Books (English):***

- Avasthi, A., & A.P. Avasthi., *Indian Administration* (Lakshmi Narain Agarwal, Educational Publishers, Agra), 1993
- Baluchamy, S., *Panchayati Raj Institutions* (Mittal Publications, New Delhi), 2004
- Banerjee, Amallesh, Baiman Kar, *Economic Planning and Development of North-Eastern States* (Kanishka Publishers & Distributors, Delhi), 1999
- Chatterjee, Suhas, *A History of Mizo Economy, Volume-I* (Printwell Publishers and Distributors, Jaipur), 1999
- Chatterjee, Suhas, *Mizoram under the British Rule* (Mittal Publications, Delhi), 1985
- Chatterji, Dr.Suhas, *Mizoram Encyclopedia, in three volumes, Vo.I-I* (Jaico Publishing House, Bombay), 1990
- Datta, P.S., *India's North-East: A study in Transition* (Vikas Publishing House, New Delhi), 1992
- Dhal, Padma Charan, *Democracy in India: Constraints and Opportunities* (Aavishkar Publishers, Jaipur), 2002
- Director of Art and Culture, Government of Mizoram, *Mizoram District Gazetteers, 1989* (M/S Eastern Press and Publications, Guwahati), 1989
- Dreze, Jean and Amartya Sen, *Democratic Practice and Social Inequality in India* (Sage Publications, New Delhi), 2002
- Fadia, B.L., *State Politics in India Vol. II* (Radiant Publishing, New Delhi), 1984
- Ghai, U.R., & N.Lal., *Indian Political System: A study in Indian Government and Politics* (New Academic Publishing Co., Jalandhar), 2000
- Jayapalan, N., *Comprehensive Political Theory* (Atlantic Publishers and Distributors, New Delhi), 2002

- Jha, S.N. and P.C. Mathur, *Decentralisation and Local Politics* (Sage Publications, New Delhi), 1999
- Johari, J.C., *Indian Government and Politics* (Vishal Publications, New Delhi), 1992
- Kashyap Anirbar, *Panchayati Raj: Views of founding fathers and recommendations of different committees* (Lancers Books, New Delhi), 1989
- Kothari, Rajni, *State against Democracy: Humane governance* (Ajanta Publications, New Delhi), 1998
- Kothari, Rajni, *State Politics in India* (Ajanta Publications, New Delhi), 1971
- Lalchungnunga, *Mizoram: Politics of Regionalism and National Integration* (Reliance Publishing House, New Delhi), 1994
- Lalneihzovi, *District Administration in Mizoram* (Mittal Publications, New Delhi), 2006
- Lalnithanga, P., *Emergence of Mizoram* (Lengchhawn Press, Aizawl), 2005
- Lalnithanga, P., *Political Developments in Mizoram (Revised and Enlarged)* (Lengchhawn Press, Aizawl), 2006
- Lewin, T.H., *Wild Races of the Eastern Frontier of India* (A Mittal Publications, New Delhi), 2004
- Maheshwari, S.R., *Local Government in India* (Lakshmi Narain Agarwal Educational Publishers, Agra), 2006
- Majumdar, A.K. and Bhanwar Singh, *Democratic Theory and Its Application to Indian Politics* (RBSA Publishers, Jaipur), 1999
- Mathew, George., *Panchayati Raj in India- An Overview: Status of Panchayati Raj in the States and Union Territories Of India, 2000* (Concept Publishing Company, New Delhi), 2000
- Mishra S.N. and S.S. Singh., *Roads to Model Panchayati Raj: Review of the Panchayati Raj in the Context of Seventy-third Constitutional Amendment Act* (Mittal Publications, New Delhi), 1993

- Mishra, S.N. and Sweta Mishra, *Decentralised Governance* (Shipra Publications, Delhi), 2002
- Mishra, S.N., Lokesh Kumar & Chaitali Pal, *New Panchayati Raj in Action* (Mittal Publications, New Delhi), 1996
- Mishra, S.N., Sweta and Chatali Pal, *Decentralisation Planning and Panchayati Raj Institution* (Mittal Publications, New Delhi), 2000
- Mishra, Sumita, *Grassroot Politics in India* (Mittal Publications, New Delhi), 2000
- Nag, Chitta Ranjan, *Post- Colonial Mizo Politics 1947-1998* (Vikas Publishing House, New Delhi), 1999
- Nunthara, C., *Mizoram: Society and Polity* (Indus Publishing Company, New Delhi), 1996
- Palannithurai, G., *Needed Reforms at the Grassroots, the Indian Journal of Public Administration, Vol-III, July-Sept., 2007*
- Patnaik, J.K., *Mizoram: Dimensions & Perspectives* (Concept Publishing Company, New Delhi), 2008
- Patnaik, J.K., *Peace and Development in Mizoram: Role of the State and Civil Society* (Aroon Printers, Berampur), 2008
- Prasad, R.N. and A.K. Agarwal, *Modernisation of the Mizo Society: Imperative and Perspective* (Mittal Publications, New Delhi), 2003
- Prasad, R.N. and A.K. Agarwal, *Political and Economic Development of Mizoram* (Mittal Publications, New Delhi), 1991
- Prasad, R.N., & A.K. Agarwal, *A Study of Public Administration in Mizoram* (Lengchhawn Press, Aizawl), 1995
- Prasad, R.N., *Democratic Decentralization through Panchayati Raj Administration: A study of its Prospects in Mizoram; Administrative Review* (Annual Journal of Indian Institute of Public Administration, Aizawl Branch), 1996
- Prasad, R.N., *Government and Politics in Mizoram* (Northern Book Centre, New Delhi), 1987

- Raj, Hans, *Indian Political System* (Surjeet Publications, Delhi), 2002
- Rao, V. Venkata, *A Century of Tribal Politics in North-East India 1874-1974* (S. Chand and Company, New Delhi), 1987
- Rao, V. Venkata, H. Thansanga and Niru Hazarika, *A Century of Government and Politics in North-East India, Vol. III, Mizoram* (S.Chand and Company, New Delhi), 1987
- Ray, Animesh, *Indian- The Land and the People, Mizoram* (National Book Trust, India, New Delhi), 1993
- Ray, B. Datta, *The Emergence and Role of the Middle Class in North-East India* (Uppal Publishing House, New Delhi), 1983
- Sangkima, Dr., *Mizos: Society and Social Change* (Spectrum Publications, Guwahati: Delhi), 1992
- Sangkima, *Essays on the History of the Mizos* (Spectrum Publications, Guwahati: Delhi), 2004
- Satapathy, R.K., *Village Council in Mizoram and Panchayati Raj System: A Comparative Study, Administrative Review* (Annual Journal of Indian Institute of Public Administration, Aizawl Branch), 1996
- Sen, Sipra, *Tribes of Mizoram: Description Ethnology and Bibliography 1840-1990* (Gian Publishing House, New Delhi), 1992
- Singh Balda, *Decentralisation Panchayati Raj and District Planning* (Atlantic Publishers and Distributors, New Delhi), 1996
- Singh, K.S., *People of India: Mizoram, Volume-(xxxiii)* (Anthropological Survey of India, Seagull Books, Calcutta), 1995
- Singh, Ranbir, *Genesis and Development of the Concept of Panchayati Raj: Decentralized Governance in India* (Deep and Deep Publications, New Delhi), 1996
- Singh, S. N., *Mizoram: Historical, Geographical, Social, Economic, Political and Administrative* (Mittal Publications, New Delhi), 1994
- Singh, S.K., *Role of Panchayati Raj in Rural India* (Radha Publications, New Delhi), 1992

Singh, Surat., *Decentralised Governance in India: Myth and Reality* (Deep and Deep Publications, New Delhi), 2004

Thakur, Davendra and D.N. Thakur, *Tribal Law and Administration* (Deep and Deep Publications, New Delhi), 1997

Thanhranga, H.C., *Village Councils in Mizoram* (Lengchhawn Press, Aizawl), 1994

Vergheese, Brigadier C.G., VSM (Rtd.), and R.L. Thanzawna, M.C.S. (Rtd), *A History of the Mizos, Volume- I* (Vikas Publishing House, New Delhi), 1997

Vyasulu, Vinod, *Panchayats, Democracy and Development* (Rawat Publications, Jaipur and New Delhi), 2003

Zakhuma, K.M., *Historical Development in Mizoram from 1946-1989: A Study with Special Reference to Mizoram* (J.R.Bros. Offset Printers and Paper Works, Aizawl), 2001

**B. Books (Mizo)**

Chaltuahkhuma, *Political History of Mizoram* (David Memorial Press, Aizawl), 2001

Chawngthuama, B., *Zoram Inrelbawlna Rahbi (Village Council Thar)* (Hrangchhuana Pharmacy, Aizawl), 1995

Directorate of Local Administration, Government of Mizoram, *Village Council Kaihhraina* (Hauhlira Offset Press, Aizawl), 2004

Hermana, C., *Zoram Politics Thli Tleh Dan, Vol-II, (1972-1979)* (Preston Production, Aizawl), 1999

Lalbiaknema, C., *Kan Chenna Mizoram* (Synod Press, Aizawl), 1995

Lalmanzuala, *Zoram Kalsiam III* (Lengchhawn Press, Aizawl), 2003

Lawmzuala, K., *Mizo District Council Kha (1952-1962)* (Lengchhawn Press, Aizawl), 2002

Local Administration Department, *Village Council leh Khawtlang Rorelna Dan, (Kaihhraina) Bu* (District Local Administration Officer, Aizawl), 1989

Nunthara, C., *Panchayati Raj Nge Village Council* (Calron Impression, Shillong), 2003

Vanlalngheta, J.T., *Tualchung Sawrkar* (A-1 Publishers, Aizawl), 2003

Vanlawma, R., *Ka Ram Leh Kei (My Country and I)* (Lengchhawn Press, Aizawl), 1989

Vanthuama H., *Mizoram Politics Chanchin, 1952 Hmalam* (Zotlang Press, Aizawl), 2001

***C. Journals, Magazines, Souvenirs and Newspapers:***

Chanmari Presbyterian 'Kohran' (Church), *Golden Jubilee Souvenir 1955-2005*

Local Administration Department, Government of Mizoram, *Magazine 1991-1992*

Mizoram Village Council, *Golden Jubilee Souvenir, 1954-2004*

NE Khawdungsei YMA, *Golden Jubilee Souvenir, 1942-1992*

*Newslink*, Daily (English), Newspaper, Aizawl

*The Annual Journal of Indian Institute of Public Administration*, Aizawl Branch, 1996

*The Evening Post*, Daily, (Mizo) Newspaper, Aizawl

*The Indian Journal of Political Science*, Vol-LXVIII, Oct-Dec., 2007

*The Indian Journal of Public Administration*, July-Sept., 2007

*The Zoram Times*, Daily (Mizo) Newspaper, Aizawl

*Vanglaini*, Daily (Mizo), Newspaper, Aizawl

*Zoram Hriattirna*, A fortnightly Information Magazine of the Mizo District Council

***D. Public Documents, Reports and Records:***

Census of India, 2001

Constitution of the 'Mizo Hmeichhe Insuihkhawm Pawl' (Mizo Women Federation)

Constitution of the 'Mizoram Upa Pawl' (Senior Citizens Association of Mizoram)

Constitution of the 'Mizoram Village Council Association'

Constitution of the 'Young Mizo Association' (YMA)

Directorate of census Operation, Government of India, Mizoram

Government of Mizoram, Local Administration Department, *Compilation of Acts Rules and Regulations* (With Latest Amendments)

Government of Mizoram, Local Administration Department, *Notification No.B-4016/132/03-LAD/VC.*, Dated Aizawl, the 21<sup>st</sup> Feb., 2006

Lushai Hills District Council, *Notification No. E- 1047/V-3*. Dated: August 27, 1954

Lushai Hills District Council, *Notification No. E-2338/T-3*. Dated: April 29, 1954

Lushai Hills District Council, *Notification No. E-4290/V-3*. Dated: July 5, 1954

Lushai Hills District Council, *Notification No. E-6155/C-11*. Dated: August 9, 1954

MHIP, Chanmari Branch, *Secretary Report, 2006-2007*

MHIP, *General Secretary Report, on the 24<sup>th</sup> April, 2007* (16<sup>th</sup> General Assembly) at Vanapa Hall

MHIP, NE Khawdungsei Branch, *Minute Book*

MHIP, NE Khawdungsei Branch, *Secretary Report, 2006-2007*

*Minutes of the Block Development Committee*, Ngopa Rural Development Block

Mizo District Council, *Executive Order No.12 of 1957*.

Mizo District Council, *Executive Order No.EV.202/V-4*, Dated: September 28, 1954

*Mizo Hnam Dan (Mizo Customary Law)*, 2006, by The Committee on Mizo Customary Law

MUP, Chanmari Unit, *Record Book*

MUP, *General Secretary Report* (April 2006-March 2007)

NE. Khawdungsei Village Council, *Minute Book*

Ramhlun North Village Council, *Minute Book*

*Results of the Village Council General Election, 2002, 2006*

Secretariat (District Council Affairs) Government of Mizoram, *Record Files*  
Secretariat (Village Council Wing), Government of Mizoram, *Record Files*  
*Statistical Handbook of Mizoram 1998, 2004 & 2006*  
*The Constitution (Seventy-third Amendment) Act, 1992*  
*The Lushai Hills District (Jhumming) Regulation, 1954, (as amended in 1996)*  
*The Lushai Hills District (Village Councils) Act, 1953*  
The Lushai Hills District (Village Councils) (Amendment) *Ordinance No.1 of 2006*  
*The Mizo District (Forest) Act, 1955*  
*The Mizoram (Election to Village Councils) Rule, 1974 as Amended.*  
*The Mizoram Animal (Control & Taxation) Act, 1980*  
The Mizoram Gazette, *Notification No. LAD/VC-1/78/Vol. II/121, the 19<sup>th</sup> Nov., 1979*  
The Mizoram Gazette Extra Ordinary, *Vol. III., Issue. No. 64. Dated: 19.11.1974*  
Tlangnuam RD Block, *BDC Meeting Minute, 2006-2007*  
*Village Council Election Result Book, 1954-2006, District Local Administration Officer, LAD., Aizawl District.*  
YMA, NE Khawdungsei, *Secretary Report, 2006-2007*