

12.08 hrs.

PAPERS LAID ON THE TABLE

Notification under Essential Commodities Act, 1985 Annual Report and Review on the working of the Coconut Development Board, Cochin, 1984-85.

THE MINISTER OF STATE IN THE DEPARTMENT OF AGRICULTURE AND COOPERATION (SHRI YOGENDRA MAKWANA) : I beg to lay on the Table :—

- (1) A copy of Notification No. G.S.R. 797(E) (Hindi and English versions) published in Gazette of India dated the 22nd May, 1986 containing Order indicating the supplies of fertilisers to be made by domestic manufacturers of Fertilisers to various States/ Union Territories/Commodity Boards during the period from 1st April to 30th September, 1986, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in the Library. See No. LT 2749/86]
- (2)
 - (i) A copy of the Annual Report (Hindi and English versions) of the Coconut Development Board, Cochin, for the year 1984-85 under sub-section (4) of section 17 of the Coconut Development Board Act, 1979.
 - (ii) A copy of the Annual Accounts (Hindi and English versions) of the Coconut Development Board, Cochin, for the year 1984-85 together with Audit Report thereon, under sub-section (4) of section 15 of the Coconut Development Board Act, 1979.
 - (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Coconut Development Board, Cochin, for the year 1984-85.

- (3) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (2) above. [Placed in Library. See No. LT 2750/86]

12 09 hrs.

STATEMENT RE : MEMORANDUM OF SETTLEMENT ON MIZORAM

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF STATES (SHRI GHULAM NABI AZAD) : I am placing on the Table of the House a copy each of the Memorandum of Settlement and the Sequence of Events signed on the 30th June, 1986 by the Union Home Secretary, on behalf of the Government of India, the Chief Secretary, Mizoram on behalf of the Government of Mizoram and Shri Laldenga on behalf of Mizo National Front. [Placed in Library. See No. LT 2751/86]

2. In pursuance of its policy to resolve all disputes and differences peacefully and bring to the mainstream the various groups until recently unwilling to work within the framework of the Constitution of India, fresh talks were started with Mizo National Front delegation from November, 1984 at the initiative of Smt. Indira Gandhi, the late Prime Minister. It may be recalled that in April, 1984 she made a statement that the Government was ready for talks with Shri Laldenga provided (a) the talks were held within the framework of the Indian Constitution and (b) the violent activities of MNF cease. Shri Laldenga accepted these conditions and consequently talks began.

3. On 3rd December, 1984, an understanding was arrived at with the MNF delegation about the cessation of hostilities and stopping of assistance to other insurgent groups by MNF. In turn, the Government agreed to keep in abeyance action against the MNF personnel under the Unlawful Activities (Prevention) Act.

4. Talks with the MNF delegation headed by Shri Laldenga were held initially by Shri G. Parthasarathy, Chairman, Policy Planning Committee and later both by Shri Parthasarathy and Shri P.V. Narasimha Rao the then Home Minister. Since September, 1985 the talks were conducted by the Home Minister, Shri Ram Niwas Mirdha, Minister of State and the Home Secretary. The talks were held in a cordial atmosphere. It is a matter of great satisfaction that the series of discussions, which were started at the initiative of Smt. Indira Gandhi culminated in a 'Memorandum of Settlement' under the able guidance of the Prime Minister, Shri Rajiv Gandhi.

5. The Memorandum of settlement envisages the following steps by MNF :

- (a) The MNF Undertakes within an agreed time-frame to take all necessary steps to end all underground activities and to bring out all the MNF personnel with their arms, ammunition and equipment to ensure their return to civil life, to abjure violence and generally help in the process of restoration of normalcy. The modalities of bringing out all underground personnel and the deposit of arms, ammunition and equipment have been worked out.
- (b) The MNF undertakes not to extend any support to Tripura/ Tribal National Volunteers (TNV), People's Liberation Army of Manipur (PLA) and any other such groups, by way of training, supply of arms or providing protection or in any other manner.
- (c) The MNF will take immediate steps to amend its Articles of Association so as to conform to the provisions of law.

6. Let me at this stage make it clear that only after completion of action by MNF to amend its Articles of Association to make

them conform to the provisions of law and to bring out all the MNF personnel with their arms, ammunition and equipment, as per the scheme, worked out, the Memorandum envisages the following steps by the Government :—

- (a) The Central Government will take steps for the resettlement and rehabilitation of underground MNF personnel coming over-ground.
- (b) The Government will initiate measures to confer Statehood on the Union Territory of Mizoram.
- (c) Necessary legislative measures will be undertaken to provide, *inter-alia*, for the following :
 - (I) The territory of Mizoram shall consist of the territory specified in Section 6 of the North-Eastern Areas (Re-organisation) Act, 1971.
 - (II) Notwithstanding any thing contained in the Constitution no Act of Parliament in respect of—
 - (i) religious or social practices of the Mizos;
 - (ii) Mizo Customary law or Procedure;
 - (iii) administration of Civil and Criminal justice involving decisions according to Mizo Customary law; Ownership and transfer of land; shall apply to the State of Mizoram unless the Legislative Assembly of Mizoram by a resolution so decides.

However, this clause will not apply to

the existing Central Acts which are in force in Mizoram before the appointed day.

- (d) Article 170 Clause (1) shall, in relation to the Legislative Assembly of Mizoram, have effect as if for the word 'sixty' the word 'forty' has been substituted.
- (e) (i) The Centre will transfer resources to the new Government keeping in view the change in status from a Union Territory to a State and this will include resources to cover the revenue gap for the year.
- (ii) Central assistance for Plan will be fixed taking note of any residuary gap in resources so as to sustain the approved Plan outlay and the pattern of assistance will be as in the case of Special Category States.

7. Minority tribes in Mizoram, namely, Lakhers, Pawis and Chakmas had expressed certain misgivings about their interests in the event of the Union Territory of Mizoram being conferred Statehood. Taking this aspect into consideration, it has been provided in the Memorandum of Settlement as follows :

"The rights and privileges of the minorities in Mizoram as envisaged in the Constitution, shall continue to be preserved and protected and their social and economic advancement shall be ensured".

8. The Memorandum of Settlement refers to the question of Greater Mizoram which was raised by the MNF delegation and mentions that Article 3 of the Constitution of India prescribes the procedure in this regard but that the Government cannot make any commitment in this respect.

9. In order to enable the Mizos to

integrate themselves with the rest of the country, the Memorandum of Settlement provides that steps will be taken by the Government of Mizoram at the earliest to review and codify the existing customs, practices, laws or other usages relating to the matters as specified in the Memorandum keeping in view that an individual Mizo may prefer to be governed by Acts of Parliament dealing with such matters and which are of general application.

10. As soon as Mizoram becomes a State,

- (i) The provisions of Part XVII of the Constitution will apply and the State will be at liberty to adopt any one or more of the languages in use in the State as the language to be used for all or any of the official purposes of the State;
- (ii) It is open to the State to move for the establishment of a separate University in the State in accordance with the prescribed procedure;
- (iii) In the light of the Prime Minister's statement at the Joint Conference of the Chief Justices, Chief Ministers and Law Ministers held at New Delhi on 31st August, 1985, Mizoram will be entitled to have a High Court of its own, if it so wishes.

11. The Settlement has been welcomed by all sections of the population of Mizoram. It has generated a new wave of enthusiasm for peace and development in Mizoram. It has once again proved the strength of the Constitution of India and the democratic processes. As the Prime Minister has said, "we have been able to solve the Mizo problem not by force but by pulling back those who had gone underground into the mainstream." The basic thrust of Indian nationhood has been emphasised in the Settlements.

12. The disturbed conditions of the preceding decades had caused a serious setback to the progress and development

of Mizoram. Through a demonstration of positive gains which people can derive by being participants in the national effort, it has been brought home to the people of Mizoram that violence does not pay, I would like to reiterate what the Prime Minister said recently at Aizwal that by signing the Accord the Centre had not placed any premium on violence.

13. The Mizo people have endured hardship. With the opening of this new chapter of achievement within the national frame-work, it is fervently hoped that Mizos will be equal participants in the progress of our country and make their own unique contribution.

14. It is hoped that this Memorandum will not only bring to an end the disturbed conditions in the strife-torn Mizoram and ensure harmony and goodwill among all sections of the population in Mizoram but help in accelerating the pace of development in Mizoram. This Settlement is also bound to have a salutary effect in the sensitive North-Eastern region. Government of India appreciate the understanding, patience and cooperation extended by the people of Mizoram, the Chief Minister of Mizoram and Government of Mizoram, during the currency of the talks. On its part, the Government of India will spare no effort to implement the provisions of Memorandum of Settlement.

15. The Prime Minister had promised to bring peace to the hill State. He has kept the promise through the Accord. I would like to reiterate what the Prime Minister said during his visit to Aizwal that the Accord would restructure ravaged villages, reunite families and revive the Mizo economy. I sincerely believe that we can raise the edifice of Mizoram on foundations of quite confidence and self assurance of which there is positive evidence among the people of Mizoram,

12.17 hrs.

[MR. DEPUTY SPEAKER *in the chair*]

SHRI BASUDEB ACHARIA : Sir we want to have a discussion in this House.

(Interruptions)

SHRI THAMPAN THOMAS : This may be discussed in the House.

(Interruptions)

SHRI BASUDEB ACHARIA : It should be discussed today.

(Interruptions)

MR. DEPUTY SPEAKER : You give it in writing. We will see.—Next item. Shri H. K. L. Bhagat.

12.18 hrs.

BUSINESS ADVISORY COMMITTEE

Twenty-fourth report

[English]

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND MINISTER OF
FOOD AND CIVIL SUPPLIES (SHRI
H.K.L. BHAGAT) : I beg to move :

“That this House do agree with the Twenty-fourth Report of the Business Advisory Committee presented to the House on the 18th July, 1986.”

MR. DEPUTY SPEAKER : The question is :

“That this House do agree with the Twenty-fourth Report of the Business Advisory Committee presented to the House on the 18th July, 1986.”

The motion was adopted