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Mizo Accord

MEMORANDUM OF SETTLEMENT PREAMBLE

1. Government of India have all along been making earnest efforts to bring about an end to the disturbed condition in Mizoram and to restore peace and harmony.

2. Towards this end, initiative was taken by the late Prime Minister Smt. Indira Gandhi on the acceptance by Shri Laldenga on behalf of Mizo National Front (MNF) on two conditions, namely, cessation of violence by MNF and to hold talks within the framework of the constitution. A series of discussions were held with Shri Laldenga for settlement on various issues and the appointment reached during the course of talks is incorporated in the following paragraph.

Restoration of Normalcy:

3.1 With a view to restoring peace and normalcy in Mizoram the MNF party, on their part will undertake within the agreed time-frame, to all necessary steps to end all underground activities, to bring out all underground personnel of MNF with their arms, ammunition and equipment, to ensure their return to civil life,
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to abjure violence and generally to help in the process of restoration of normalcy the modalities of bringing out all underground personnel and the deposit of arms, ammunition and equipment will be as worked out.

3.2. The MNF party will take immediate steps to amend its articles of association so as to make them conform to the provision of laws.

3.3. The Central Government will take steps for the resettlement and rehabilitation of underground MNF personnel coming overground after considering the scheme proposed in this regard by the government of Mizoram.

3.4. The MNF should not undertake to extend any support to the Tripura Tribal National (TNV), People Liberation Army of Manipur (PLA) and any other such group by way of training, supply of arms or providing protection or in any other matter.

Legal Administrative and other steps:

4.1. With a view to satisfying the desires and aspiration of all sections of the people of Mizoram, the government will initiate to confer statehood on the Union territory of Mizoram.
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subject to the other stipulation contained in the memorandum of settlement.

4.2. To give effect to the above, the necessary legislative and administrative measures will be undertaken, including those for the enactment of bills for the amendment of constitution and other laws for the conferment of statehood as aforesaid to come into effect on date to be notified by the Central Government.

4.3. The amendment of aforesaid shall provide, among other things, for the following:


II. Withstanding anything contained in the constitution no Act of Parliament in respect of:
(a) Religion or social practice of the Mizos,
(b) Mizo customary law and procedures.
(c) Administration of Civil and Criminal justice involving decision according to Mizo customary law.
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(d) Ownership and transfer of land shall apply to the state of Mizoram unless the legislative Assembly of Mizoram by a resolution so decided; provided that nothing in this clause shall apply to any central Act in force in Mizoram immediately before the appointed day.

III. Article 170, clause (1) shall, in relation to the Legislative Assembly of Mizoram have effect as of for the word 'sixty' the word 'forty' has been substituted.

Soon after the bill for conferment of statehood becomes law, and when the President is satisfied that normalcy has returned and that conditions conducive to the holding of elections to the Legislative Assembly will be initiated.

(a) The Central Government will transfer resources to the new government keeping in view the charge instatus from a Union Territory to a state and will include resources to cover the revenue gap for the year.

(b) 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 state.
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(c) Border trade in locally produced or grown agricultural commodities could be allowed under a scheme to be formulated by the Central government, subject to international arrangement with neighbouring countries.

8. The innerline Regulation, as now in force in Mizoram, will not be amended or repealed without consulting the state government.

9. The right and privileges of the minorities in Mizoram, as envisaged in the constitution shall continue to be presented and protected and their social and economic advancement shall be ensured.

10. 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 specified in clause (a) to (d) of para 4.3 (II) of the memorandum, keeping in view that individual Mizo may prefer to be governed by Acts at Parliament dealing with such matters and which are of general application.
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11. The question of unification of Mizo inhabited areas of other states to form one administrative unit was pointed out to them, on behalf of the government of India, that article 3 of the constitution of India describe the procedure in this regard but that the government cannot make any commitment in this respect. It is also pointed out on behalf of the government that as soon as Mizoram becomes a state:

I. The provisions of Part XVII of provisions of the constitution will apply and the state will be at liberty to adopt any one or any of the official procedures of the state.

II. It is open to the state to move for the establishment of separate University in the state in accordance with the prescribed procedures.

III. In the light of the Prime Minister's statement at the joint conference of the Chief Justice, 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 so wished.

13. (a) It was noted that there is already a scheme in force for payment of ex-gratia amount to heirs/Descendants of persons who were killed during disturbances in 1966 and thereafter in the Union Territory of Mizoram. Arrangement will be made to expeditiously disburse payment to those eligible persons who
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had already applied but who had not been made such payment so far.

(b) It was noted that consequent on verification done by a joint team of officers, the government of India had already made an arrangement for payment of compensation in respect of damage to crops, buildings destroyed or damaged during the action in Mizoram, and rental charges of buildings and land occupied by Security Forces. These may, however, be same claim which were referred to and verified by the above team but is not yet been settled. These pending claims will be settled expeditiously. Arrangement will also be made for payment of pending claim of rental charges of land/ building occupied by the security forces.*

Sd/- Laldenga

On behalf of

Mizo National Front

Dated 30th June, 1986

Place : New Delhi.

Sd/- R.D. Pradhan

Home Secretary of India

Government of India.

Sd/- Lakhama

Chief Secretary,

Govt. of Mizoram.

* Source : Mizoram Secretariat.