Chapter - VII

IMPLEMENTATION OF THE ACCORD, ITS IMPACT AND CONSEQUENCES.
7.1 FORMATION OF SINLUNG HILLS DEVELOPMENT COUNCIL

In conformity with the Memorandum of Settlement (Para 5.4), Sinlung Hills Development Council was constituted for social, economic, cultural and educational development of the people in the north and north-eastern parts of Mizoram “comprising an area to be specified and agreed upon by Government of Mizoram and HPC”.

The Composition of the Sinlung Hills Development Council during the interim period was as follows:-

1. Chairman : Hmingchungnunga, President, HPC
2. Vice-Chairman : Sitting MLA of the area (Nominated by the Government)
3. Members : 17 Nominated Members from the area (14 members nominated by Chairman of the Council and 3 members by Govt.)
4. Other members : i) All sitting MLAs of the area.
   ii) Representative of Finance Department
   iii) Representative of Planning Department
   iv) Representative of Rural Development Department.
   v) Deputy Commissioner concerned
5. Member-Secretary : Development Officer (Sr.IAS or MCS Officer)
7.2. DEMARCATION OF THE BOUNDARY OF THE PROPOSED SINLUNG HILLS DEVELOPMENT COUNCIL:

7.2.1 Disputes over the inclusion of villages:

Regarding the boundary demarcation of the proposed SHDC as envisaged in Para 5.4 of the Memorandum of Settlement, ideas of the Government and the HPC are sharply divided. The HPC leaders wanted to include the following villages in the Council area:

<table>
<thead>
<tr>
<th>CONSTITUENCY LIST OF VILLAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ngopa (ST) A/C</td>
</tr>
<tr>
<td>1. N.E.Khawdungsei</td>
</tr>
<tr>
<td>2. Chiahpui</td>
</tr>
<tr>
<td>3. Khawkawn</td>
</tr>
<tr>
<td>2. Suangpuilawn (ST)A/C</td>
</tr>
<tr>
<td>1. Zawngin</td>
</tr>
<tr>
<td>2. Suangpuilawn</td>
</tr>
<tr>
<td>3. Lamherh</td>
</tr>
<tr>
<td>4. Vanbawng</td>
</tr>
<tr>
<td>5. N.Khawlek</td>
</tr>
<tr>
<td>6. Phuaibuang</td>
</tr>
<tr>
<td>7. Khawlian</td>
</tr>
<tr>
<td>8. N.E.Tlangnuam</td>
</tr>
<tr>
<td>9. Daido</td>
</tr>
<tr>
<td>3. Ratu (ST) A/C</td>
</tr>
<tr>
<td>1. Sailutar</td>
</tr>
<tr>
<td>2. Ratu</td>
</tr>
</tbody>
</table>
3. Lungsum
4. New vervek
5. Thingsat
6. Sakawrdai
7. Vaitin
8. Khawpuar
9. Tinghmun
10. Palsang
11. Zohmun
12. N.Khawdungsei

                         2. N.Hlimen/Parsenchhip

5. Kolasib (ST)A/C : 1. Rengte kawn
                       2. Bairabi
                       3. S.Chhimluang
                       4. Meidum
                       5. Pangbalkawn
                       6. Builum

                        2. Vairengte
                        3. N.Chawnpui
                        4. Saiphai
                        5. Saipum
As many as 44 villages were included in their Demand.

The Government of Mizoram was in the opinion that since the Hmars were not majority in the HPC Demand area, the inclusion of all the villages in the Sinlung Hills Development Council as proposed by the HPC delegates, would not be acceptable. Whereas, in the estimation of the HPC, thousands of Hmars, due to irregularities in conducting census from time to time, had been wrongly included in the Lushai list; and the Hmar population, at least, one third of that of Mizoram was recorded as a few thousands. As such, the correct figure of Hmars in the Demand Area could be obtained only if and when the census operations were conducted on a clan-wise basis, they asserted. As such, they strongly demanded fresh village clan-wise census of the Demand Area.

As per the demand of the HPC delegates to the Government of Mizoram, the Council of Ministers, in its meeting held on 22.11.1994, appointed Mr. Vanengmawia, Director, Land Revenue & Settlement and Mr. C. Hmingthanzuala, Deputy Secretary, Home Department, to conduct tribe clan-wise village census within the proposed Sinlung Hills Development Council.
so as to find out the exact population of the Hmars in the area. The Commission submitted its report to the Government on 13th December, 1994. True copy of the Report was as follows:

No.D.32020/33/90-HMP/PT.IV/L.II

Government of Mizoram
Home Department

Dated Aizawl, the 13th December, 1994

To,

The Chief Secretary,
to the Govt. of Mizoram,
Aizawl.

Subject : Verification of Village-wise Hmar Population.

Sir,

We, the undersigned, have the honour to report that in compliance with the decision of the Council of Ministers in its meeting held on 22.11.94, we visited several villages in the area demanded by the H.P.C. Due to limited time given to us, many of the villages within the area could not be covered. However, the villages which we consider to be more important have been covered. The position of Hmar population in these villages we visited is indicated in the enclosed ‘Annexure’. It may be noted that households/adults population is based on the latest draft Electoral Rolls.

This is for favour of consideration and further direction of the Govt.

Yours faithfully,

Sd/- 13/12/94

1.( VANENGMAWIA )
Director, Land Revenue & Settlement

Sd/- 13.12.94

2.( C HMINGTHANZUALA )
Deputy Secretary, Home Deptt.
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Village</th>
<th>Households</th>
<th>Adults Population</th>
<th>Percentage of population</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>Hmar</td>
<td>Others</td>
</tr>
<tr>
<td>1</td>
<td>Chiahpui</td>
<td>74</td>
<td>42</td>
<td>32</td>
</tr>
<tr>
<td>2</td>
<td>N.E.Khawdungsei</td>
<td>232</td>
<td>54</td>
<td>178</td>
</tr>
<tr>
<td>3</td>
<td>Khawkawn</td>
<td>52</td>
<td>09</td>
<td>43</td>
</tr>
<tr>
<td>4</td>
<td>Lamherh</td>
<td>57</td>
<td>49</td>
<td>08</td>
</tr>
<tr>
<td>5</td>
<td>Zawngin</td>
<td>73</td>
<td>08</td>
<td>65</td>
</tr>
<tr>
<td>6</td>
<td>N.Khawlek</td>
<td>98</td>
<td>75</td>
<td>23</td>
</tr>
<tr>
<td>7</td>
<td>Sailutar</td>
<td>67</td>
<td>34</td>
<td>33</td>
</tr>
<tr>
<td>8</td>
<td>Vanbawng</td>
<td>197</td>
<td>80</td>
<td>117</td>
</tr>
<tr>
<td>9</td>
<td>Suangpuilawn</td>
<td>280</td>
<td>115</td>
<td>165</td>
</tr>
<tr>
<td>10</td>
<td>Ratu</td>
<td>406</td>
<td>130</td>
<td>276</td>
</tr>
<tr>
<td>11</td>
<td>Vairengte</td>
<td>936</td>
<td>159</td>
<td>777</td>
</tr>
<tr>
<td>12</td>
<td>Phainuam &amp;</td>
<td>163</td>
<td>53</td>
<td>110</td>
</tr>
<tr>
<td></td>
<td>Saihapui</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Bilkhawthlir &amp;</td>
<td>673</td>
<td>124</td>
<td>549</td>
</tr>
<tr>
<td></td>
<td>Chhimhuang</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Chawnpui</td>
<td>59</td>
<td>13</td>
<td>46</td>
</tr>
<tr>
<td>15</td>
<td>Saiphai</td>
<td>149</td>
<td>85</td>
<td>64</td>
</tr>
<tr>
<td>16</td>
<td>Saipum</td>
<td>120</td>
<td>110</td>
<td>10</td>
</tr>
</tbody>
</table>
Annexure - II  POPULATION OF VARIOUS TRIBES/CLANS WITHIN
THE PROPOSED SINLUNG HILLS DEVELOPMENT COUNCIL AREA
(TWO-MEN COMMISSION REPORT)

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of tribe/clan</th>
<th>NAME OF ASSEMBLY CONSTITUENCY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ngopa</td>
<td>Suanglawn</td>
</tr>
<tr>
<td>1</td>
<td>Hmar</td>
<td>851</td>
</tr>
<tr>
<td>2</td>
<td>Lusei</td>
<td>356</td>
</tr>
<tr>
<td>3</td>
<td>Ralte</td>
<td>67</td>
</tr>
<tr>
<td>4</td>
<td>Paite</td>
<td>765</td>
</tr>
<tr>
<td>5</td>
<td>Pawi (Lai)</td>
<td>87</td>
</tr>
<tr>
<td>6</td>
<td>Hnamte</td>
<td>-</td>
</tr>
<tr>
<td>7</td>
<td>Khiangte</td>
<td>125</td>
</tr>
<tr>
<td>8</td>
<td>Renthlei</td>
<td>20</td>
</tr>
<tr>
<td>9</td>
<td>Chawngthu</td>
<td>123</td>
</tr>
<tr>
<td>10</td>
<td>Lakher (Mara)</td>
<td>-</td>
</tr>
<tr>
<td>11</td>
<td>Bru (Tuikuk)</td>
<td>-</td>
</tr>
<tr>
<td>12</td>
<td>Thahdo/Thado</td>
<td>-</td>
</tr>
<tr>
<td>13</td>
<td>Vaiphei</td>
<td>-</td>
</tr>
</tbody>
</table>
Note: Though Hnamte (Sl.No.6), Chawngthu (Sl.No.9) and Vaiphei (Sl.No.13) are put as separate clans in the above table, the Hmar Citizens’ Forum and the Hmar Historians included them in the list of different clans of Hmar tribes.
## Annexure - III

VILLAGES INCLUDED IN THE ABOVE CLAN/TRIBE - WISE CENSUS:

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of Constituency</th>
<th>Villages included</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>NGOPA</td>
<td>1. N.E.Khawdungsei</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Chiahpui and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Khawkawn</td>
</tr>
<tr>
<td>2.</td>
<td>SUANGPUILAWN</td>
<td>1. Suangpulawn</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Zawng In</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Lamherh</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Vanbawng</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. North Khawleak</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6. Phuaibuang</td>
</tr>
<tr>
<td></td>
<td></td>
<td>7. Khawlian</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8. N.E.Tlangnuam</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9. Daido</td>
</tr>
<tr>
<td>3.</td>
<td>RATU</td>
<td>1. Ratu</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Sailutar</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Lungsum</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. New Vervek</td>
</tr>
<tr>
<td></td>
<td>Thingsat</td>
<td>Sakawrdai</td>
</tr>
<tr>
<td>---</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>4.</td>
<td>KAWNPUI :</td>
<td>1. Thingthelh</td>
</tr>
</tbody>
</table>
7.2.2 SETTLEMENT OF THE BOUNDARY DISPUTE:

Many rounds of talks have been conducted between the Government of Mizoram and the Hmar People’s Convention to discuss implementation of the provisions of the Memorandum of Settlement especially demarcation of the boundary of the proposed Sinlung Hills Development Council.

After complete two years and four months from the submission of the report of the Two-men Commission, the Government of Mizoram convened a meeting between the Government of Mizoram headed by Pu Haukhun Hauzel, Finance Commissioner and the Hmar People’s Convention headed by Pu Lalrosiem, Vice President.
MINUTES OF THE MEETING HELD BETWEEN THE GOVERNMENT AND THE HMAR PEOPLE’S CONVENTION IN THE SECRETARIAT CONFERENCE HALL ON 15.4.1997 AT 02:00P.M. (TRUE COPY)

The following were present:

Government Representatives:
1. Pu Haukhum Hauzel; Finance Commissioner & Leader
4. Pu Varchungnunga, SP.CID
5. Pu Romawia. Under Secretary, Home Department.
6. Pu Biaktluanga. Under Secretary, Home Department.

HPC delegation:
1. Pu Lalrosiem, Vice-President
2. Pu S.Khuma. General Secretary
3. Pu S.T.Khuma, Asst. General Secretary
4. Pu Zothangvung, Organising Secretary
5. Pu Khumtea. C.E.C.

Pu Haukhum Hauzel, Leader of the Government representatives, tracked the progress of the series of talks between the Govt. representatives and the HPC delegates, which was marked by spirit of give and take between the two sides. Resolutions were as follows:-
1. The HPC delegates were informed that the Government was willing to the inclusion of Saiphai and Saipum areas, though these lay to the west of Tuiria River. The HPC delegates, on their part, agreed to the exclusion of Thingthel and N.Ilimen Villages from the proposed area.

2. It was also agreed that wherever natural boundaries, such as rivers were not available to demarcate the area, the Village Council boundaries would form the boundaries of the Development Council Areas.

3. It was agreed that the Members of the Development Council would be paid honorarium.

4. The Government side agreed that the Chairman and Vice-Chairman of the Council would be appointed from the HPC during the interim period of two years.

5. The Government also agreed that immediate measures would be taken to post a Civil SDO at Sakawrdai.

6. The Government also agreed that Gazette Notification would be issued regarding constitution of Sinlung Hills Development Council with immediate effect.

Sd/- ( LAI ROSIEM )
Vice-President.
H.P.C.

Sd/- ( HAUKHUM HAUZEI )
Finance Commissioner & Leader.
Government Representatives.
In pursuance of the minutes of the Meeting held between the Government of Mizoram and the Hmar People’s Convention in the Secretariat Conference Hall on 15.4.1997 (Resolution No.6), the Government issued Gazette Notification regarding constitution of Sinlung Hills Development Council on 17.4.1997. The text of the Gazette Notification is as follows:

Reg.No. NE 907

THE MIZORAM GAZETTE

( EXTRA ORDINARY )

Published by Authority


NOTIFICATION

No.D.32020/22/96-HMP, the 17th, April, 1997: Whereas demarcation of the boundary of the proposed Sinlung Hills Development Council as envisaged in clause 5.4 of the Memorandum of Settlement signed on 27.7.1994 between the Government of Mizoram and the Hmar People’s Convention has been under active consideration of the Government, for the implementation of the provisions of the Memorandum of Settlement for quite sometime;

And whereas many rounds of Talks have been held between Government of Mizoram and the Hmar People’s Convention to discuss implementation of the provisions of the said Memorandum.

Now, the Government of Mizoram and Hmar People’s Convention have today been able to finalise the boundary of the proposed Sinlung Hills
Development Council. The area of the Council and its boundary will be as per annexeure attached hereto. The Sinlung Hills Development Council will start functioning with immediate effect and in accordance with the provisions of the Memorandum of Settlement with its Headquarters at Sakawrdai.

Haukhum Hauzel.
Acting Chief Secretary to the Govt. of Mizoram.

ANNEXURE
DESCRIPTION OF THE BOUNDARY LINE OF
SINLUNG HILLS DEVELOPMENT COUNCIL (SHDC)

Starting at the point where River Serlui crosses the Mizoram-Cacha boundary, the SHDC boundary follows Serlui River southwards. The boundary line then turns eastwards, following the village boundary lines of Saiphai Village Council and it then joins Saipum Village Council boundary. From here the boundary line meets the Village Council boundary of North Hlimen between Saipum and Parsenchhip and follows the Village Council boundary of North Hlimen towards the coast unto Tuirial River. The boundary line then follows Tuirial River Southwards and then turns eastwards following the boundary line between N.Serzaw and Sunhluchhip Village Councils. The boundary line turns eastwards, crosses the main road at Sa-ui-tan Kawn in between Tengtawng and Darlawn; then
follows Khualui eastwards and reaches Tuivawl River. The boundary then follows the Tuivawl River southwards till it reaches the boundary points between Zawngin and Phullen Village Councils. Then it follows the Village Council boundary line between Zawngin and Phullen Villages eastwards by following Tuiriza River and reaches Tuivai River. It then follows Tuivai River upstream surrounding Phuaibuang Village and reaches Manipur border.
7.3. DELAYING PROCESS OF IMPLEMENTATION OF THE ACCORD AND ITS CONSEQUENCES:

7.3.1 Proposal for dissolution of the existing Autonomous District Councils with its repercussion;

In confirmation of the Peace Accords between the Government of Mizoram and Hmar People’s Convention, the then Chief Minister Lal Thanhawla while welcoming them (HPC) overground had already said, *Sinlung Hills Development Council which will be headed by the HPC President Hmingchungmunga will meet the aspiration of Hmars.*¹ However, implementation of the Memorandum of Settlement could not be easily arrived at. This was mainly because of the fact that in the opinion of many people in Mizoram, more correctly, the Mizo (Lushai) speaking people including intellectual groups like Lalthara I.A.S., Additional Chief Secretary, Govt. of Nagaland, Implementation of the Settlement, especially, the Provision of inclusion of the Sinlung Hills Development Council area under the Sixth Schedule to the Constitution of India would be a catalyst for disintegration of the Mizo people. C. Ngura, a veteran prominent citizen of Chaltlang, Aizawl wrote an Open Letter to the President of M/F requesting to safeguard the integrity of Mizos. In his letter, among other things, he said, *as it may harm the Integrity of the Mizos, the idea of carving out

district council on ethnic lines must be given up as far as practicable. As such, they strongly advocated the theory of dissolution of the existing Lai, Mar; and Chakma Autonomous District Councils and Non-implementation of the Memorandum of Settlement for the cause of Mizo Integration. This greatly affected the impetus for immediate implementation of the Memorandum of Settlement on the part of the Government.

Mr. Lalthara wrote a lengthy article regarding the Integration of Mizos and non-existence of area/council/district, etc. for a particular tribe of Mizoram or/and in the name of a particular tribe or sub-tribe or clan of Mizoram group of people for the cause of Integration. He also delivered a lecture in the YMA General Conference on the same topic in 1998.

The theory of dissolution of the existing Autonomous District Councils and delaying of implementation of the said Memorandum however, had side effect on Mizoram and Mizo people. Let us discuss it briefly:


The Unification theory propounded by Lalthara IAS was much resented and reacted by T.T. Nohmung, Ex-Chairman, Lai Autonomous District Council, Lawngtlai in AN OPEN LETTER in Mizo Aw Daily Newspaper on 21.1.1999 (Excerpts from the Text):

"I was much concerned about your speech in the Press Conference held at Aizawl Press Club on 9.1.1999, flashed in different local newspaper especially concerning about District Councils of Mizoram.

"It is very difficult to understand the theory of dissolution of Mara and Chakma Autonomous District Councils for the cause of Integration......almost in line with the achievement of Mizo District Council, the Pawi (Lai) & Lakher (Mara) Autonomous Regional Councils were granted. It should be just if we were upgraded to UT status when Mizoram achieved Union Territory. But, instead, we were granted three Autonomous District Councils in the name of Lai, Mara and Chakma respectively. When Mizoram was elevated to full-fledged State, our long cherished hope for UT gained momentum. Though our political goal has not yet achieved, we are somewhat satisfied with the present status of Autonomous District Councils as there is peace and harmony in our respective Councils.

"It is deplorable and baseless, for an aged youngman like you. of ha..."

4. Ibid p.2
ingsuch an idea of dismissal of the said District Councils in the name of Mi:
Intagration. Last year (1998) also, you had presented paper of the same kind to
YMA. Had the said existing District Councils been dissolved, the courageou
Lai (Pawi) and Mara (Lakher) tribes which the Whites (the Englishmen) could
not easily suppressed and ruled, would, surely, not see it with folded arms.
They would, rather, fight tooth and nail to save their motherland. If the said
District Councils were dismantled, indeed, the Lai (Pawi), Mara (Lakher) and
Chakma would resolve that they were excluded from the Mizo Community and
Mizoram, and the map of Mizoram, in the long run, might have different shape.

Opinion of the MNF in respect of the Implementation of the Acco

dis as follows:-

MIZO NATIONAL FRONT

General Headquarters, Aizawl Mizoram

Letter No.1/Pre/98/1 Phone 3221530

Date 5.1 198

The MNF Party with utmost strength, will be trying to implement
the Memorandum of Settlement, 1994 between the Government of Mizoram
and the HPC.

As the MNF Party High Command have already passed and it used
to communicate to the Prime Minister of India and also it has taken up in the Mizoram Assembly House, the MNF Party, with utmost strength, have been trying to implement all the items contained in the Memorandum of Settlement between the Government of Mizoram and the Hmar People’s Convention (HPC) in toto.

Sd/-

(ZORAMTHANGA)

President,

MNF, Mizoram.

MIZO NATIONAL FRONT

General Headquarters: Aizawl, Mizoram

Letter No__ Phone: -322153(0)

Date_________

We solemnly re-affirmed that we, the MNF and the HPC, are Communal Parties, both having patriotic feeling, already sacrificed blood and strength whether it is big or small; knowing that we are real brothers, the MNF Party will stand along with the HPC till the end.

May God bless you.

Dated Aizawl

5th, January, 1998

Sd/-

(F.MALSAWMA)

General Secretary,

To,

The President.

HPC, Gen. Hqrs.

Sakawrdai

(i/c Minorities,


Mizoram

(Translation into English is done by the author which was originally given in Mizoi
7.3.2 Mizoram Accord Implementation Demand Army (MAIDA)

The long cherished hope of the people of the Demand Area as envisaged in the Memorandum of Settlement was not achieved even after four years from the date of signing of the Memorandum. Rampant discontentsments were seen everywhere. A new underground outfit called Mizoram Accord Implementation Demand Army (MAIDA) came into existence in 1998 with the sole purpose of pressing the Government of Mizoram to implement the Settlement.

The MNF Party, the ruling Party then, for fear of going things from bad to worse, called the new outfit back home and to induce them to come overground on the condition that all the points in the Memorandum of Settlement would be implemented without any exception. The Chief Minister and House Leader Mr. Zoramthanga declared in the Assembly House during Budget Session, 1999 that the Memorandum of Settlement would be implemented. As a good will gesture, the MAIDA agreed to lay down arms and the Government of Mizoram organised Arms Laying Down Ceremony at Sakawrdai on 7th April 1999. While welcoming them overground, Mr. Tawnluia, Home Minister addressing the gathering, promised the people of the Area full implementation of the Memorandum of Settlement (MOS). But, unfortunately, no substantial action had been taken to implement the said Accord so far.
7.3.3. DEMAND FOR INCLUSION OF THE HPC DEMAND AREA IN THE SCHEDULED (TRIBAL) AREA OF THE SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA:

The Hmar Students’ Association (HSA) the lone student organisation among the Hmar Community submitted a Memorandum to the President of India (through the Governor of Mizoram) demanding inclusion of the HPC Demand Area in the Scheduled (Tribal) Area of the Sixth Schedule to the Constitution of India on 19th November, 1998. In the Memorandum, they mentioned that inclusion of the said area in the area as demanded, was the sole measure to check another outbreak of hostilities in the HPC Demand Area and to fulfill the aspirations of the Hmar people. But no response was received.

The Hmar Students’ Association again submitted representation to the Chief Minister of Mizoram on 9th March, 2000.

The full text was as follows:-
To,

The Hon’ble Chief Minister,
Government of Mizoram,
Aizawl.

Subject : Full and Immediate Implementation of Memorandum of Settlement (MOS) signed by HPC and Government of Mizoram.

Hon’ble Sir,

We, the undersigned, on behalf of the Hmar Students’ Association of Mizoram do, hereby, submit this memorandum for favour of your kind information and sympathetic urgent action.

That, during the HPC movement, the progress and development of social, economic and education in our area were badly hampered. The impact of the movement has been our problem even today. Meanwhile, the Hmar People's Convention (Democratic) has recently submitted a memorandum to the Government of Mizoram demanding the same subject. We strongly do not like to face the political turmoil once again. Full and immediate implementation of the aforesaid MOS is the sole measure to check another impending outbreak of hostilities in the Damand Area in the near future.
In connection with this, we have also contacted the Hon’ble Chairman, National Commission for Scheduled Castes and Scheduled Tribes and submitted a Memorandum for inclusion of the Sinlung Hills Development Council Area in the Scheduled (Tribal) Area of the Sixth Schedule to the Constitution of India.

We, therefore, do appeal your fatherly consideration and timely action to implement the MOS as mentioned above at the earliest possible time.

Yours faithfully,

Sd/-
(JAMES HRANGCHHAL )
President

Sd/-
(THANGNUNTLUONG RALSUN )
Secretary

In the meantime, the Sixth Session of the Fourth Mizoram State Legislative Assembly was scheduled to be held from 15th March, 2000 - 13th April, 2000. During the Assembly Session, on the request of the HPC, Mr. Lalthai Kunga, M.L. A. of Ratu Constituency, within the area of the Sinlung Hills Development Council, moved a private Resolution concerning the implementation of the Para 6.1 of the Memorandum of Settlement between the Government of Mizoram and the HPC. The Resolution was adopted unanimously. The full text of the Resolution is as follows (excerpt from the proceedings of the Sixth Session of the Fourth Mizoram State Legislative Assembly):-
Resolution Adopted:

Sixth Schedule of the Constitution paragraph 20, sub-para (1) - a Tribal Area tarlan Part-III-ah hian Mizoram pumpui dahlut turin Central Sawrkara siamthat (Amendment) dil ni rawh se. - Pu Lalthan Kunga.

The Central Government be requested to amend the Constitution of India Part III, Sixth Schedule paragraph 20 of sub-para (1) so as to include the whole area of Mizoram in the Schedule Area. - Mr. Lalthan Kunga.

Towards the end of 2000, the under Secretary to the Government of Mizoram, G.A.D., K. Lalthawmmawia sent a letter to the under Secretary, District Council Affairs. The copy of the letter was given to the Secretary-Cum Development Officer, Sinlung Hills Development Council for information. The copy of the letter was as follows:
GOVERNMENT OF MIZORAM
GENERAL ADMINISTRATION DEPARTMENT

Subject: Inclusion of the Sinlung Hills Development Council area under the Sixth Schedule to the Constitution of India.

Under Secretary, District Council Affairs may please find herewith an extract notes received from His Excellency, the Governor of Mizoram. He is requested to take necessary steps as incorporated in the Para 6. i. of the Memorandum of Settlement between the Govt. of Mizoram and the HPC.

Sd/-

( K. LALTHAWMMAWIA )
Under Secretary to the Govt. of Mizoram
General Administration Department.

Under Secretary
District Council Affairs.


Copy to: -
Secretary-Cum-Development Officer, SHDC for information.

Sd/-

( K. LALTHAWMMAWIA )
Under Secretary to the Govt. of Mizoram
General Administration Department.
Though Mr. Zoramthanga, President of the MNF had promised in writing that "the Memorandum of Settlement would be implemented in total", he had not taken up this issue at any level even after six years from the signing of the said Settlement. As such, fresh MEMORANDUM was submitted to him in the name of HPC (D) on 1st January, 2000:

MEMORANDUM TO THE CHIEF MINISTER OF MIZORAM

Hon'ble Shri Zoramthanga,
Chief Minister,
Govt. of Mizoram.

Subject: Representation against non-implementation of the terms and provisions of the Memorandum of Settlement.

Hon'ble Sir,

We, the undersigned, have the honour to lay down the following lines of our grievances and dissatisfaction before your Hon'ble self in favour of your kind consideration and redressal.

1. That Hon'ble Sir, the benign Government of Mizoram signed an accord with the Hmar People's Convention (HPC) on the 27th July, 1994. The Hmar people had a great hope on the fulfilment of the terms and provisions of the accord. The underground wing of the HPC surrendered and laid down arms on the 26th October, 1994 and with that peace and normalcy returned in Mizoram as well as its adjoining areas.
2. That Hon'ble Sir, as per the terms and provisions of the accord, the HP has been doing its utmost for the welfare of the people by following peaceful ways and means. The use of force and arms were given up and all were ready to participate and to do their utmost they could do for the overall development of the Hmar inhabited areas of northern Mizoram as envisaged in the accord.

3. That Hon'ble Sir, as far as our knowledge is concerned, the State Assembly has neither ratified the accord nor has it taken any action for its Official Notification in the Gazette. Though the boundary of Sinlung Hills Development Council (SHDC) is, of course, notified in the Gazette, that also is yet to be ratified by the State Assembly.

4. That Hon'ble Sir, the Interim Council for SHDC was constituted on 27th August 1997 for a period of 2 (two) years. As per provision of the accord nominations and election process should have been initiated on expiry of the tenure of the council. But even after 4 (four) months have elapsed from the expiry of the tenure of the Interim Council, nothing has yet been done by the State Govt. for election and nomination of the new Council.

5. That Hon'ble Sir, no notification was made for the creation of a new Sub-Division at Sakawrdai, but a Sub-Divisional Officer was just posted there without any mandate which make the appointment questionable as well as irrelevent.
6. That Hon'ble Sir, according to the provision of section 5.8(1), the SHDC was to have been maintained and its plans to have been carried out of earmarked fund. Proposals were made by the interim Council for creation of the earmarked fund by deduction of 5% of the funds allocated to different departments, but the proposal was neither accepted nor was any alternative amount earmarked for the SHDC. The action plans made as per provision of the accord and the resolutions of the Council also were not accepted by the Government. Thus, it is clear that the Interim Council was constituted just in the name and no power and functions whatsoever was delegated to it by the State Govt.

7. That Hon'ble Sir, as per the provision of Art. 5.1, the State Govt. is to initiate measures for use of Hmar language as a medium of instruction up to Primary level and recognition of Hmar language as one of the Major languages of Mizoram. But no notification has been issued to this effect.

8. That Hon'ble Sir, as per provision of Art. 6.1, that State Govt. is to take immediate steps for safeguarding the political rights of the people of the area by inclusion of the area in the Scheduled (Tribal) area of the Sixth Schedule to the constitution of India. But so far, the state Govt. has not initiated any steps towards such proposal.

In view of the above stated facts, it may be inferred that the Govt. of Mizoram is going back on the accord and has no intention to fulfill the terms and provisions of the Accord.
It is, therefore, our urgent and ardent appeal to the Hon’ble Chief Minister of Mizoram, to take immediate steps for the full implementation of the terms and provisions of the Memorandum of Settlement as stated herein.

Dated 1st/January/2000

Your’s faithfully.

For & On behalf of the HPC(D)

Sd/-

(LALHMINGTHANGA SANATHEI)

President

Hmar People Convention (Democratic)

Due to the non-implementation of the Accord even after seven years from the date of signing of the Memorandum of Settlement, most of the people in the Demand Area were frustrated. Out of frustration, one gentleman H.A. Laldawngliana Khawhring by name, wrote a petition to His Excellency A.R. Kohli, Governor of Mizoram, Aizawl demanding immediate implementation of the Accord. He submitted the petition on 31st. May, 2001

True copy of it was as follows:-
To,

His Excellency,
Governor of Mizoram
Aizawl.

Subject : Prayer for implementation of Memorandum of Settlement signed by Mizoram Government and HPC in 1994.

Hon’ble Sir,

I beg to bring to your attention the fact that Hmar People’s Convention (HPC) and the Mizoram Government representatives signed a Memorandum of Settlement (MOS) on July 27, 1994. But till date, none of the points in the Settlement has been implemented.

In 1997, due to the divide and rule policy of the then Congress Ministry, two factions in the HPC was born. The minority group led by Lalrosiem was given a chance to form the first Sinhjung Hills Development Council (SHDC). But the Council did not function well, neither did it draw public support.

The non-implementation of the Settlement even after five years gave a death-blow to the people. As a result, a new underground outfit called Mizoram Accord Implementation Demand Army (MAIDA) came into existence in 1998 with the sole purpose of pressing the Government of Mizoram to implement the settlement.
Then MNF party leaders called out the outfit to come overground on the condition that all the points in the settlement would be implemented without any exception. The Hon’ble Chief Minister and House Leader declared in the Assembly House during Budget Session 1999 that the MOS will be implemented. As a goodwill gesture, the MAIDA agreed to lay down their arms and the Government of Mizoram organised arms laying down ceremony at Sakawarda on April 7, 1999. In the ceremony, Mr. Tawnluia (Home Minister) addressed the people and promised full implementation of the MOS. But no action has been taken in this direction. This outfit regrets and is willing to re-group.

Mr. Zoramthanga, President, MNF promised in writing that all the points in the Settlement would be implemented. But he has not taken up the issue at any level. The document is attached.

On 31-11-2000 the then Governor of Mizoram, Mr. A. Pamanabha issued Governor’s Ordinance to the Government of Mizoram to include SHDC under Sixth Schedule to the Constitution of India. But this order is neither processed nor respected. This document is attached herewith.

With all these promises showered upon the people of SHDC the people have been kept waiting for the last seven years. The Government o
Mizoram might have forgotten the long cherished hope of the people of the Area.

We, the area people, are not demanding a new thing, but we only ask the Mizoram Government to fulfil its tall promises.

Now, SHDC is given only the post of the Chairman without members. It is absurd that a Chairman alone is allowed to run the Council. According to the MOS, 14 members are to be appointed. How can only the post of a Chairman be created without members? This may be the first of its kind in the world.

Now Sir, it is very difficult to control the sentiments of the people living in the demand areas vis-a-vis the MAIDA outfit. This kind of deception will not serve any purpose. The treatment of the Mizoram Government towards the area people has gone to the limit. The people expect honest dealing with the issue and any deviation from real politic will surely draw serious repercussions for which the Mizoram Government should be blamed.

In the light of the above developments, I personally request your honour to look into the aspirations of the people and influence the Mizoram...
Government through your position to take concrete steps toward the implementation of Memorandum of Settlement signed by the Mizoram Government and HPC in 1994.

Yours faithfully,

Sd/-

Dated Aizawl (H.A. DAWNGLIANA KHAWLHRING)
the 31st of May, 2001
Vaitin, N.Mizoram
Camp: Aizawl.

Copy to: Secretary, Ministry of Home Affairs, Government of India
for kind information and necessary action.

Sd/-

(H.A. DAWNGLIANA KHAWLHRING)
Vaitin: N.Mizoram
Camp: Aizawl.
In spite of their repeated request for the immediate implementation of the Memorandum of Settlement, the HPC and its supporters could not feel any substantial progress on the part of the Government of Mizoram, they could rather feel deterioration. As such, one section of the hardcore members of the HPC, under the leadership of Mr. Lalhmingthanga who once had requested the Chief Minister of Mizoram to take immediate steps for the full implementation of the terms and provisions of the Memorandum of Settlement (1.1.2000), out of frustration now changed their course of action altogether. They declared that they totally rejected the MOS.

On 1st July, 2001, they submitted a Memorandum to the Union Home Minister, L.K. Advani (through the Governor of Mizoram), in the name of HPC (D). In their Memorandum, they condemned all the terms and provisions of the Settlement between the Government of Mizoram and the Hmar People's Convention saying that they were not involved in that Agreement nor did they subscribe to that 'vague idea' of the so-called Settlement which hold 'nothing substantial'. They also declared that they had been demanding nothing less than the outright creation of the HMAR AUTONOMOUS DISTRICT COUNCIL under Sixth Schedule to the Constitution of India.

The full text of their Memorandum was as follows (True Copy).
To

Shri Lal Krishna Advani,
Hon'ble Union Home Minister of India.
(Through His Excellency Governor of Mizoram)

Subject:-
Creation of the Hmar Autonomous District Council under Sixth Schedule to the Constitution of India within Mizoram.

Sir,

On the demand for the creation of Hmar Autonomous District Council within Mizoram, various Memoranda have already been submitted to the Government of India on different occasions for sympathetic consideration.

1. As you might perhaps be aware, the First Memorandum was submitted to His Excellency, Governor of Mizoram, on 5th October, 1987 pressing the need for the creation of the Hmar Hmar Autonomous District in Mizoram comprising all the Hmar inhabited areas in the North Mizoram bordering Manipur and Assam, which would not only pave the way for better and more efficient administration and speedier economic development in these backward areas but also ensure protection of the rights and privileges of minorities as envisaged in the Constitution of India and this was also specifically mentioned at Article 9 of the Mizoram Accord which was concluded between the MNF and the Government of India on 30th June 1986.
2. Again, the Second Memorandum was submitted to the Hon’ble Prime Minister on 17th March 1988, highlighting among others that the Hmar have a distinct culture, rich traditions and customs and speak a common language called HMAR which is a different in accent and tune from the Lushai, Paw (Lai), Lakher (Mara) and Chakma. These languages are properly developed, preserved and used in Primary Schools in Mizoram as these people have their own Autonomous District Councils under the Sixth Schedule of the Constitution of India. But, most unfortunately the Hmar culture, traditions, customs and language find no Government patronage for its development and as a result no primary education can be imparted in our mother tongue. We, therefore, strongly feel that unless and until our cultural interests are protected and our constitutional right and privilege ensured, we shall soon be assimilated and far lagging behind our brethren in Mizoram. In reply to this Memorandum, the Home Ministry, Government of India, by its letter on 6th May, 1988 had instructed the Government of Mizoram to provide facilities for imparting education to the Hmar children up to Primary Stage in their mother language. But no proper action was taken by the State Government. The Central Government was deliberately silent on the basic issue for the creation of an autonomous district council. The State Government under the then MNF ministry had left no stone unturned to sabotage the move. When the MNF ministry was dissolved on 7th September, 1988 the Hmar People’s Convention delegates had no other alternative but to fall back upon His Excellency, Governor of Mizoram and the latter advised the Hmar People’s Convention (HPC) delegates to make direct contact with the Central Government. Accordingly, the Hmar People’s Convention del
egates met the Hon'ble Union Minister of State (Home) to kindly make an arrangement for direct talk between the Hon'ble Prime Minister and the Hmar People's Convention (HPC) delegation. Unfortunately, this was never materialized.

3. In the meantime, after the Mizoram Assembly Election, the Congress ministry was installed in 1989 and the Hmar People's Convention (HPC) leaders urged the Hon'ble Chief Minister on 21st January, 1989 to take a decision on the prepared Cabinet's memorandum in favour of their demand. The Hon'ble Chief Minister assured the Hmar People's Convention (HPC) that his Cabinet would take up the matter and make recommendation towards the fulfillment of their demand. However, this remained an empty promise.

4. Such being the attitude of both the Central Government and the Government of Mizoram, the Hmar People's Convention (HPC) leadership had felt the need for strengthening their autonomy movement by mobilizing the masses within the demand area. Since the very inception of the Hmar People's Convention (HPC), the Party has resolved:

(i). To get an autonomous self government which can best protect their cultural and ethnic identity through peaceful and non-violent means and

(ii). To maintain social justice in pursuit of moral and human right.

It was within the framework of this policy the Hmar People's Con
vention (HPC) sent another Memorandum on 12th March, 1989 to seek immediate solution to the problems through the intervention from the Central Government and in the said Memorandum, the demand for the creation of the Hmar Autonomous District was reiterated. At the same time, the Hmar People’s Convention (HPC) launched its First Phase of 24-hour Peaceful Bandh in the Demand Area. Surprisingly, the Government of Mizoram and its armed police reacted violently against the Peaceful Bandh, causing brutal torture and bloodshed to the harmless and unarmed picketers. Then the Second Phase of the 144-hour Bandh was called again on 16th April 1989 and the Government of Mizoram had let loose a reign of terror by resorting to manhunt which finally compelled the Hmar People’s Convention volunteers to flee into the jungle for safety. The Hmar People’s Convention (HPC) leadership had never entertained any idea of armed revolt, nor has been this the objective of the Party. The next Memorandum on 10th January, 1991 had again demanded the mediation of the Central Government to provide meaningful and lasting solution to the problem through tri-partite dialogue consisting of the Government of Mizoram, the Hmar People’s Convention (HPC) and the Central Government. Even this Memorandum did not receive any attention as it had been expected.

5. On the initiative of the Peace Committee of Mizoram, ministerial level talks between the Hmar People’s Convention (HPC) and the Government of Mizoram had started since 1992. After nine rounds of talks, the Memorandum of Settlement was signed at Aizawl on 27th July, 1994. It may be pointed on
here that regarding the political safe-guards as available under the Sixth Schedule to the Constitution of India, the Government of Mizoram is to take immediate measures for inclusion of an area to be specified within the Hmar People's Convention (HPC) demand area of Mizoram and the other non-schedule area of Mizoram in the Schedule (Tribal) area of the Sixth Schedule to the Constitution of India, so that the above mentioned areas are safeguarded under the Sixth Schedule to the Constitution of India.

6. Hon'ble Sir, we would like to make our position clear that we are not a party to this agreement nor do we subscribe to this vague idea of the so-called Settlement, which hold nothing substantial. We are clear and also well aware of the fact that as provided in the Constitution of India, Mizoram is under the Sixth Schedule Zone and we have been demanding nothing less than the outright creation of HMAR AUTONOMOUS DISTRICT COUNCIL under the Sixth Schedule to the Constitution of India.

Having come to know that the Government of India under the enlightened statesmanship and paternalism of the National Democratic Alliance Government as has been reflected by the recent creation of Uttarakhand, Jharkhand and Chhattisgarh States, we are confident and do hope that your good office will surely take up concrete steps towards the fulfillment of our long-standing demand and initiate the creation of the Hmar Autonomous District Council under
the Sixth Schedule to the Constitution of India within Mizoram without further delay.

We have enclosed herewith a map showing our Demand Area.

On behalf of the Hmar People's Convention (HPC) and the Hmar of Mizoram.

Yours faithfully.

Sd/-
(LALHMINGTHANG SANATE)
Gen. President,
Hmar People's Convention (Democratic)
Hqrs. Sinlung, Mizoram.
1.7.2001.

Sd/-
(LALROPUI HMAR)
Gen. Secretary.

Under such circumstances, it is very difficult to predict whether the Memorandum of Settlement between the Government of Mizoram and the Hmar People's Convention will be a lasting and honourable Settlement or not.
HPC (D) DEMAND AREA:
PROPOSED HMAR AUTONOMOUS
DISTRICT COUNCIL

Myanmar
PHULLEN
V
A
Sub. Div. Hers
Village
International Boundary
State Boundary
District Ecundary
H.P.C.(D) Demand Area: