

## **Appendix – (iv)**

### **MEMORANDUM OF SETTLEMENT BETWEEN THE GOVERNMENT OF MIZORAM AND THE HMAR PEOPLE'S CONVENTION**

#### **PREAMBLE:**

1. The Government of Mizoram have been making earnest effort to bring about an amicable solution to the problems arising out of the demands of the Hmar People's Convention (HPC).
2. Towards this end, an initiative was taken by the Government of Mizoram and a series of Peace Talks were held with the HPC leaders. Settlement on various issues reached during the course of the Talks are incorporated in the following paragraphs.

#### **OBJECTIVE:**

3. The main objective of the Memorandums of Settlement is to give adequate autonomy to the Sinlung Hills Development Council for social, economic, culture and education advancement of the people under the jurisdiction of the Council.

#### **RESTORATION OF NORMALCY;**

4. 1. With a view to restoring peace and normalcy in Mizoram, the HPC, on their part agree to undertake, within the agreed timeframe, all necessary steps to end all under-ground activities to bring out all underground personnel of the HPC with their arms, ammunition and equipments to ensure their return to civil life, to abjure violence and help in the process of restoration, of normalcy. The modalities of bringing out all underground personnel will be worked out. The implementation of the foregoing will be under the supervisors of Government of Mizoram.
4. 2. The HPC shall take immediate steps to amend, as may be necessary, its Article of Association/Constitution so as to make them conform to the provision of Law..
4. 3. The Government of Mizoram will take steps for relief/rehabilitation of all HPC underground personnel who had joined the HPC prior to 18<sup>th</sup> December, 1992, coming over ground and ex-gratia will be paid to the next of kin/heirs/dependant of the HPC killed during the insurgency..

4. 4. The HPC undertake not to extend any support to NSCN, ULFA and any other such underground groups by supply of arms or providing protection or any other manner..

**ADMINISTRATIVE AND OTHER STEPS;**

5. 1. With a view to satisfying the desires and aspiration of Hmar community in Mizoram, the Sate Government will initiate measures for use of Hmar language as a medium of instruction upto Primary level and recognition of the Hmar language as one of the major language of the State of Mizoram.
5. 2. The Government of Mizoram will take steps for the promotion and preservation of Hmar culture and assistance may be provided as permissible under the rules by the Department of Art and Culture.
5. 3. A new Civil Sub-Division will be opened at Sakawrdai and the Sub-Divisional Offices of difference departments will also be established at convenient location in the area. The Primary Health Center at Sakawrdai will also be upgraded into 30-bedded Community Health Centre.
5. 4. For the 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. Sinlung Hills Development Council will, by notification in the Official Gazette, be constituted by the Government of Mizoram and separate fund will be earmarked for area of the Council.

**COMPOSITION OF COUNCIL:**

5. 5. The composition of the Sinlung Hills Development Council during the interim period of 2 years shall be as follows:-

1. President, Hmar People's Convention - Chairman

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|----|--|---|---------------|
| 2. | Any sitting MLA of the area<br>(to be nominated by Govt)   | - | Vice Chairman |
| 3. | 17 Nominated member from the area (14 members to be<br>nominated by Chairman of the Council and 3 members by<br>Govt.) | - | Members       |
| 4. | All sitting MLAs of the area   | - | Members       |
| 5. | Representative of Finance Department   | - | Members       |
| 6. | Representative of Planning Department  | - | Member        |
| 7. | Representative of Rural Development Department   | - | Member        |
| 8. | Deputy Commissioner Concerned  | - | Member        |
| 9. | Development Officer<br>(Sr. I A S or M C S Officer)  | - | Member-Secy   |
5. 6. The headquarters of the Council shall, during the interim period of 2 years be Sakawrdai and it shall have a separate office with supporting staff. Permanent headquarters of the Council after the interim period shall be decided by the Government in consultation with the Interim Council. No salary or TA/DA will be admissible to the Vice Chairman and he will draw his salary and TA/DA as MLA from the Budgets of the Mizoram Legislative Assembly. The non-official members of the Council will be entitled to such allowances as are admissible to the non-official members of the State Planning Board.
5. 7. The Chairman of the Council will initially be the President, HPC, who will be provided with vehicle and residential quarters/bungalow and personal staff as determined by the Government. The Chairman will hold office for two years initially. Composition of the Council and the manner of nomination/election of Chairman and members, after expiry of the interim period of two years, shall be decided by the Government in consultation with the Interim Council. The term of office of the Chairman and the Council shall be three years.

## **POWERS AND FUNCTIONS OF COUNCIL:**

5. 8. The power and functions of the Council will be as follows:
- (i) To make plan out of the earmarked funds. The plan will be implemented by the Department concerned. The plan made by the Council will be subject to the approval of the Government.
  - (ii) The reallocate fund from one scheme to another within the area and within the Sectoral allocation provided that in case the proposed new scheme is not identical in nature with the approved scheme, approval of the Government will be necessary;
  - (iii) To draw up calendar of works for various Departments in the area and oversee their implementations:
  - (iv) To make recommendation to the Government as deemed necessary in the interest of better planning, implementation and monitoring;
  - (v) To obtain information from any officer in the area regarding progress of plan schemes:
  - (vi) To review the progress of the area plan once in a quarter; and
  - (vii) Any other functions that the Government may allot from time to time.

## **FREQUENCY OF COUNCIL MEETING ETC:**

5. 9. The Council shall meet at least once in three months. The Chairman will have the power to invite any two Government officials or non-officials, to attend any particular meeting of the Council, if considered necessary.

**OTHER MATTERS;**

6. 1. The Government of Mizoram have appreciated the concern and pressing demand of the HPC delegation, particularly regarding political safeguards as available under the Sixth Schedule to the Constitutions of India. Accordingly, the Government of Mizoram will take immediate measures for inclusion of an area to be specified within the HPC Demand Area of Mizoram and the other non-Scheduled area of Mizoram in the Schedule (Tribal) Area of the Sixth Schedule to the Constitutions of India so that the above mentioned areas are safeguarded under Sixth Schedule to the Constitution of India.
- 6.2. On fulfillment of the stipulation contained in Para 4.1. no member of the HPC now coming over ground shall be prosecuted for offences committed in connection with undergrounds activities. Investigation of all cases registered in Mizoram, which are in the progress currently against HPC personnel shall be dropped forthwith and those convicted of any such offences shall also be granted remission of sentences.

Sd/-

(HMINGCHUNGNUNG)

President,  
Hmar People's Convention

Sd/

(LALFAK ZUALA)

Chief Secy.,  
Govt, of Mizoram