

**FIFTH LEGISLATIVE ASSEMBLY OF MIZORAM
(THIRTEENTH SESSION)**

BULLETIN – PART – II

(General information relating to Legislative and other matters)

No. 236

Friday, 5 September, 2008.

OFFICIAL RESOLUTION

The following is the Official Resolution submitted by Pu K. Vanlalauva, Minister and admitted for consideration on 9.9.2008.

WHEREAS Article 371G of the Constitution provides, inter alia, that –

“Notwithstanding anything in this Constitution

(a) no Act of Parliament in respect of –

(i)

(ii).....

(iii).....

(iv) ownership and transfer of land,

shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram by a resolution so decides;”

AND WHEREAS the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007), an Act of Parliament, was made with effect from 31st December, 2007 to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be recorded, and to provide for a framework for recording the forest rights so vested and the nature of evidence required for such recognition and vesting in respect of forest land.

AND WHEREAS sub-section(1) of section 3 of the said Central Act no. 2 of 2007 recognises a number of rights – both individual and community – to be the

forest rights of forest dwelling Scheduled Tribes and other traditional forest dwellers on all forest lands, including the following:

“(g) rights for conversion of pattas or leases or grants issued by any local authority or any State Government on forest lands to titles;

(h) rights of settlement and conversion of all forest villages, lod habitation, unsurveyed villages and other villages in forests, whether recorded, notified or not, into revenue villages;”

thereby involving transfer or conferment of ownership of land, and thus attracting sub-clause (iv) of clause (a) of Article 371G of the Constitution, accordingly necessitating, for the application of the Act, a resolution to this effect to be passed by the Mizoram Legislative Assembly;

AND WHEREAS the said Act of Parliament has been enacted for the benefits and in the interest of the forest dwelling Scheduled Tribes and other traditional forest dwellers throughout the country, including those of Mizoram, in recognition of their various forest rights and other traditional and customary rights;

NOW, THEREFORE, this House resolves –

“That the Schedule Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Central Act no. 2 of 2007) stands applied to the whole State of Mizoram with effect from 31st Day of December, 2007.”

NGURTHANZUALA
Secretary.

**MIZORAM LEGISLATIVE ASSEMBLY
SECRETARIAT**

BULLETIN PART-II

(General information relating to Legislative and other matters)

No. 237

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ALLOTMENT OF SEAT

The Hon'ble Speaker is pleased to allot seat No. 45 to Pu Liansuama, MLA.

Other Members' seats remain unchanged.

NGURTHANZUALA
Secretary.