

Regd. No. NE 907



The Mizoram Gazette

Published by Authority

Vol XIII Aizawl Friday 25. 5. 1984 Jyaistha 4, S.E. 1906 Issue No. 21

NOTIFICATIONS

Government of Mizoram PART I

Appointments, Postings, Transfers, Powers, Leave and other
Personal Notices and Orders.

ORDERS BY THE LT. GOVERNOR (ADMINISTRATOR)

No. FAT. 23/PF/81/21, the 23rd May, 1984. In continuation of this Department's Notification No. FAT. 23/PF/81/12 dt. 5. 12. 1983, Shri N.C. Barua, Finance & Accounts Officer attached to the Directorate of Forest, Mizoram is hereby granted an extension of 15 (Fifteen) days Earned Leave on private affairs with effect from 25. 2. 1984 to 10. 3. 1984 (both days inclusive) under the C. C. S. Revised (Leave) Rules, 1972 as amended from time to time.

Certified that the Officer would have continued to hold the same post but for his proceeding on leave and on expiry of leave, there is every likelihood of his returning to the same post and place from where he proceeded on leave.

No. FAT. 1/PF/76-77/22, the 19th May, 1984. In continuation of this Department's Notification No. FAT. 1/PF/76-77/7 dt. 1.2.84, Shri S.R Dey Choudhury is hereby granted 57 (fifty seven) days Commuted Leave with effect from 20.1.84 to 16.3.84. (both days inclusive) on Medical ground under the Central Civil Services (leave) Rules, 1972 as amended from time to time.

Certified that the Officer would have continued to hold the same post but for his proceeding on leave and on expiry of leave there is every likelihood of his returning to the same post and place from where he proceeded on leave.

Rual Zakhuma,
Secretary to the Govt. of Mizoram,
Finance Department.

No. A. 19014/62/80-APT(A), the 23rd May, 1984. The following family members of Shri Lebow Solo, S.D.M. Champhai, Aizawl District are allowed to avail L.T.C. for the block year 1982-85 to visit Kanya Kumari without the Government Servant.

Name	Relationship	Age
1. Smt. K. Pari	wife	x
2. Silvia	daughter	13
3. Lucy	daughter	11
4. Vabeidawhrua	daughter	9
5. Derick Salai	son	7
6. Ivory	daughter	6

No. A.19015/1/81-P & AR (D), the 18th May, 1984. It is hereby notified that on attaining of the age of 58 Years on the 27th May, 1984, Smt. Lalthanchhungi, Superintendent in the office of the Commissioner of Excise and Taxation, Mizoram Aizawl retired from the Government Services on superannuation pension with effect from the afternoon of the 31st May, 1984.

No. A.19015/30/82-P & AR (D), the 25th May, 1984. The Lt. Governor (Administrator) of Mizoram is pleased to sanction 30 days Earned Leave with effect from 18.5.84 to 16.6.84 continued by 30 days Half Pay Leave with effect from 17.6.84 to 16.7.84 (both days inclusive) to Shri S.P. Bhattacharjee Superintendent of Co-operation Department Secretariat on private ground under the C.C.S. (Leave) Rules, 1972 as amended from time to time.

2. Certified that the Officer would have continued to hold the post of Superintendent but for his proceeding on leave.

3. Certified that the Officer on expiry of leave is likely to return to the same post and place from where he proceeded on leave and is authorised to draw during leave period the pay and allowances as admissible under the Rules.

4. Daughter of the Superintendent namely Miss Lupamudra (10 years) is hereby allowed to avail L.T.C. for visiting Vellore for the block year of 1982-85.

No.A.19015/74/83-P&AR (D), the 25th May, 1984. The Lt.Governor (Administrator) of Mizoram is pleased to sanction 6 days Earned Leave with effect from 7.5.84 to 12.5.84 (both days inclusive) to Shri Lianzuala, Superintendent of P.W.D. Secretariat on private ground under the C.C.S. Leave Rules, 1972 as amended from time to time.

2. Certified that the officer would have continued to hold the post of Superintendent but for his proceeding on leave.

3. Certified that the officer on expiry of leave is likely to return to the same post and place from where he proceeded on leave and is authorised to draw during leave period the pay and allowances as admissible under the Rules.

L.S.Sailo,
Deputy Secretary to the Govt. of
Mizoram.

No. FAT.38/PF/84-F. Est/7, the 18th May, 1984. Shri R. Kapenga, Asstt. Director of Accounts & Treasuries is hereby granted 12 (Twelve) days Earned Leave on private affair with effect from 1. 5. 1984 to 12. 5. 1984 (both days inclusive) under the Central Civil Service Revised (Leave) Rules, 1972 as amended from time to time.

Certified that the Officer would have continued to hold the same post but for his proceeding on leave and on expiry of leave, there is every likelihood of returning to the same post and place from where he proceeded on leave.

Sd/-
Secretary to the Govt. of Mizoram,
Finance Department.

No. FAT. 23/PF/81/20, the 19th May, 1984. Shri N. C. Baruah, Finance & Accounts Officer, attached to Directorate of Forests, Mizoram is hereby granted 20 (twenty) days Earned Leave w.e.f. 9.4.84 to 28.4.84 (both days inclusive) on private affairs under the C.C.S. Revised (Leave) Rules, 1972 as amended from time to time.

Certified that the Officer would have continued to hold the post but for his proceeding on leave and on expiry of leave, there is every likelihood of his returning to the same post and place from where he proceeded on leave.

Sd/- Secretary, Finance.

No. ESS (PF) 10/73/153-A, the 22nd May, 1984. The Lt. Governor of Mizoram is pleased to grant commuted Leave for 121 days w.e.f. 15. 10. 82 to 22. 2. 83 (both days inclusive) on medical ground to Shri Lalbiaka, District Education Officer, Lunglei as admissible under the C.C.S. (Leave) Rules, 1972.

The Officer would have continued to hold the post but for this proceeding on leave.

This is in supercession of this Deptt's Notification No. ESS (PF) 10/73/108 dt. 11. 1. 83 and No. ESS(PF)10/73/112 dt. 31. 1. 1983.

Denghnuna,
Secretary to the Govt. of Mizoram,
Education Department.

No. A. 36016/2/80-APT(A), the 18th May, 1984. The powers of Executive Magistrate conferred on the following Officers vide this Department's Notification even number dated 14.5.1982 stands withdrawn with immediate effect as investment such powers is considered no longer necessary.

1. Shri R. Lalzauva, Superintendent of Excise, Aizawl.
2. Shri Lalkhawhluna, Treasury Officer, Aizawl.
3. Shri Nghaklianmawia. Circle Officer, Aizawl.

S.L. Sailova,
Secretary to the Govt. of Mizoram,
Personnel & Administrative Reforms 'B' Department.

No. A. 19013/1/83-Vig, the 24th May, 1984. Subject to admissibility of leave at his credit the Lt. Governor (Administrator) of Mizoram is pleased to grant commuted leave for 20 (twenty) days w.e.f. 13. 12. 83 to 1. 1. 84 and Earned leave for 9 (nine) days w.e.f 2. 1. 84 to 10. 1. 84 to Shri R.C. Kohli, Superintendent of Police, A.C.B., Aizawl (now S.P., Crime, Aizawl) on medical ground under A.I.S (Leave) Rules, 1955 as amended from time to time.

2. Certified that the officer would have continued to hold the same post but for his proceeding on leave.
3. Certified that the officer on expiry of leave was likely to return to the post and place from where he proceeded on leave and was authorised to draw during leave period the pay and allowances as admissible under the Rules.

A.H. Scott,
Chief Secretary to the Govt. of Mizoram.

No. A. 19038/1/83-FST, the 25th May, 1984. The Lt. Governor (Administrator) of Mizoram is pleased to grant 25 days Earned Leave to Shri P. Liankhama, ACF with effect from 7.3.1984 to 31.3.1984 under C.C.S. (Leave) Rules, 1972 as amended from time to time.

Certified that the Officer would have continued to hold the post but for his proceeding on leave and on expiry of leave there is every likelihood of his returning to the same post and place from where he proceeded on leave.

W.B. Bathew,
Secretary to the Govt. of Mizoram,
Forest Department

No.ESS/MBSE/37/80-81/88-A, the 25th May, 1984. In partial modification of the Govt. of Mizoram Education Department's Notification No. ESS/MBSE/37/80-81/60 dt. 12.9.83, the Lt. Governor of Mizoram is pleased to appoint the Deputy Registrar, Mizoram Campus N.E.H.U., Aizawl as one of the members of the Mizoram Board of School Education in place of Shri Rokamlova, Deputy Registrar N.E.H.U. Campus, Aizawl who had resigned from his Service. This will take effect from the date of publication of this Notification in the Mizoram Gazette till the expiry of the term of the other members of the Board constituted under Notification referred to above.

J. Pazawna,
Deputy Secretary to the Govt. of Mizoram,
Education Department.

C O R R I G E N D U M

No. A. 19018/60/82-HFW, the 25th May, 1984. The date shown in 2nd line of the Notification issued under No. A. 19018/80/82-HFW dt. 7th Dec, '83 in which Dr. J.C. Chhuanliana AS-I, Medical Officer i/c Darlawn S.H.C. was granted 30 days Earned Leave should be read as 12. 11. 1983 to 11. 12. 1983.

T. Gupta,
Secretary to the Govt. of Mizoram.

O R D E R

No. L.JE. 17 (A)/ 82/259, the 25th May, 1983. The Lt. Governor (Administrator) of Mizoram is pleased to depute Shri P. Singthanga, Judicial Officer, Subordinate District Council Court, Lunglei and Shri K. L. Liana, Magistrate, Addl. Sub-District Council Court, Tlabung at Lunglei for four months training course for Judicial Officers in the North Eastern Judicial Officers' Training Institute at Ulubari, Gauhati commencing on 4.6. 1984. They are instructed to report to the Secretary
NEJ

2. Shri P. Singthanga and Shri K. L. Liana will hand over charge to Shri Chawng-tinthanga, Magistrate, Addl. Sub-District Council Court, Lunglei who will hold charge until further orders, in addition to his own duties, but subject to paragraph 3 below.
3. On relief by Smt. Lucy Lalrinthari, Shri Saingura Sailo, Magistrate, ASDCC Aizawl is appointed to officiate as Magistrate, Addl. Sub-District Council Court, Tlabung vice Shri K. L. Liana deputed for training at NEJOTI, till Shri K.L. Liana joints duty on the expiry of the training, on the same terms or mentioned in Notification No. LJE. 17 (A)/82/228 dt. 13. 1. 84.
4. The period of absence of the Officers during the training will be treated as on duty.

J.W. Sundara Raj,
Secretary to the Government of Mizoram,
Law etc. Department.

Government of Mizoram

PART II

Resolutions, Orders, Notifications etc.
Issued by Heads of the Department and High Court.

NOTIFICATION

NO. LAD/VCA-69/77-78/54, the 18th May, 1984. In exercise of the powers conferred by section 7(6) of the Lushai Hills District (Village Councils) Act, 1953, the Lt. Governor (Administrator) of Mizoram is pleased to declare vacant of one elected seat of Zote Village Council due to death of Pu Thangvela, elected member of Zote Village Council with effect from 12.9.1983.

NO. LAD/VCL-36/77-78/45, the 18th May, 1984. In exercise of the powers conferred by sub-section (6) of section 7 of the Lushai Hills (Village Councils) Act, 1953, the Lt. Governor (Administrator) of Mizoram is pleased to accept resignation tendered by Pu Nothanga, nominated member from his membership of Cherhlun Village Council with effect from 9.5.84.

No. LAD/VCL-75/83/13, the 19th May, 1984. In exercise of the powers conferred by section 7 (4) of the Lushai Hills District (Village Councils) Act, 1953, the Lt. Governor (Administrator) of Mizoram is pleased to declare vacant of one elected seat of Hnahchang Village Council due to death of Pu Darzawa, President, Hnahchang Village Council with effect from 4. 4. 1984.

Further, in exercise of the powers conferred by section 7 (4) of the above said Act, the Lt. Governor (Administrator) of Mizoram is pleased to accept election of Pu V. Lalthlamuana, (elected) as a new President of Hnahchang Village Council with effect from 5.4.84.

S.Lianhrima Hauhnar,
Under Secretary to the Govt. of Mizoram,
Local Administration Department.

No. B.13012/27/83-EDN (SP)/127-A, the 18th May, 1984. In continuation of this Deptt's Notification No. B.13012/27/83-EDN (SP)/111 of 18. 12. 1983, the Lt. Governor of Mizoram is pleased to add the following as members of State Co-ordination Committee on Inter-National Youth Year, 1985 under terms of references given in the said notification with immediate effect and until further orders :—

- | | | |
|---|----|--------|
| 1. Shri Rochhunga Ralte, M.L.A, President
N.S.U.I. Mizoram Branch. | -- | Member |
| 2. Director, S.W. Dept. | -- | -do- |
| 3. Deputy Commissioner, Aizawl District, Aizawl. | -- | -do- |
| 4. Superintendent of Police, Aizawl District, Aizawl. | -- | -do- |
| 5. Director, Health Services, Mizoram. | -- | -do- |
| 6. Director, Labour & Employment Deptt. Mizoram. | -- | -do- |
| 7. Director, Community Development, Mizoram. | -- | -do- |
| 8. Youth Co-ordination, Nehru Yavak Kendrya,
Mizoram, Aizawl. | -- | -do- |
| 9. President, Central Y.M.A., Aizawl. | -- | -do- |
| 10. President, M.H.I.P., Aizawl. | -- | -do- |

No. ECL. 31/81/305-A, the 23rd May, 1984. The Lt. Governor of Mizoram is pleased to constitute the National Service Scheme State Advisory Committee with the following members and under the terms of reference as noted below with immediate effect and until further orders :—

- | | |
|---|----------|
| I. 1. Hon'ble Education Minister | Chairman |
| 2. Education Secretary, Govt. of Mizoram | Member |
| 3. Director of Education, Mizoram | -do- |
| 4. Director of Forest, Mizoram | -do- |
| 5. Director of Health Services, Mizoram | -do- |
| 6. Director of Agriculture, Mizoram | -do- |
| 7. Director of Community Development, Mizoram | -do- |
| 8. Director of Local Administrative Department, Mizoram | -do- |
| 9. Principal, Pachhunga University College, Aizawl | -do- |
| 10. Co-ordinator, N.S.S. NEHU, Shillong | -do- |
| 11. Youth Officer, N.S.S, Regional Centre Gauhati | -do- |
| 12. Dr. S. Hom Choudhury, Programme Adviser N.S.S. NEHU
Camp. Pachhunga University College, Aizawl | -do- |

13. Principal, Government College, Lunglei
 14. Deputy Director of Education i/c N.S.S., Mizoram
- do-
Member Secy.

II. Terms of Reference.

1. The N.S.S. State Advisory Committee shall be concerned with all aspects of N.S.S. Activities and exercise executive and advisory functions.
2. To prepare plans for immediate and long terms development of N.S.S. in the State both qualitative and quantitative.

J. Pazawna,
Deputy Secretary to the Govt. of Mizoram,
Education Department.

No.DCA/R-23/79/49, the 22nd May, 1984. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act made by the Pawi District Council under sub-paragraph (1) of paragraph 3 of the said Schedule and assented to by the Administrator of Mizoram is hereby published for general information.

J.W.Sundara Raj,
Secretary to the Govt. of Mizoram,
Law etc. Deptt.

Pawi District Act No. 1 of 1984
 The Pawi Autonomous District (Jhum Regulation) Act, 1983.

No. B. 14015/102/83-ARCOOP (L)/15, the 8th June 1983. Under Section 11 of the Assam Cooperative Societies Act 1949 (Act of 1950) a Cooperative Society under the name of the Darzo Labour Cooperative Society Ltd in the District of Lunglei Mizoram, have been registered in my Office and numbered as L/94/83-84 dated this the eight day of June of the year one thousand nine hundred eighty three Anno Domini.

No. B. 14015/103/84-ARCOOP(L)/13, the 10th March, 1984. Under Section 11 of the Assam Cooperative Societies Act 1949 (Act of 1950) a cooperative Society under the name of the Springdale School Canteen Cooperative Society Ltd in the District of Lunglei Mizoram, have been registered in my office and numbered as L/103/83-84 dated this the tenth day of March of the year one thousand nine hundred eighty four Anno Domini.

L.S Lianhulha,
Assistant Registrar,
Cooperative Societies,
Lunglei, Mizoram.

AN ACT

to provide for the regulation and control of the practice of jhum or other forms of shifting cultivation.

PREAMBLE :- Whereas it is expedient to provide for the regulation and control of the practice of jhum or other forms of shifting cultivation within the Pawi Autonomous District.

It is hereby enacted in the Thirtyfourth year of the Republic of India as follows:—

1. **SHORT TITLE EXTENT AND COMMENCEMENT:-** (1) This Act may be called the Pawi Autonomous District (Jhum Regulation) Act, 1983.
 - (2) It extends to the whole of the Pawi Autonomous District.
 - (3) It shall come into force at once.
2. **DEFINITIONS :-** (1) This Act, unless the context otherwise requires:—
 - (a) “Executive Committee” means the Executive Committee of the Pawi Autonomous District Council;
 - (b) “Jhum” means shifting paddy cultivation;
 - (c) “Jhumer” means any person who practices jhum;
 - (d) “Other shifting cultivation” includes all sorts of temporary and seasonal cultivations for any kind of crops;
 - (e) “Village Council” means a Village Council constituted under the provisions of the Pawi Autonomous District Councils (Village Councils) Act, 1974.

(2) The Provisions of this Act, in relation to jhums shall be construed as applicable equally to other shifting cultivation.
3. **TIME FOR DISTRIBUTION OF JHUM :-** Distribution of jhums and other shifting cultivation shall be done by the Village Council after 15th of October every year.
4. **DISTRIBUTION OF JHUM LANDS :-** (1) Subject to the provisions of section 15 of the Pawi Autonomous District Council (Forest) Act, 1979, the Village Council shall have the power to distribute land for jhum.
 - (2) No Village Council is allowed to distribute dense Forest within the Council forests for jhum except with the previous permission of the Executive Committee.
 - (3) In the event of a dispute arising out of the distribution of jhum lands, the matter shall be referred to the Executive Committee and the decision of the Executive Committee thereon shall be final and binding.

5. SPECIAL PRIVILEGE TO SELECT JHUMS.- Privilege to have the special choice of jhums shall not henceforth be enjoyed by anyone, unless the District Council so declares in its full sitting.

6. MODE OF DISTRIBUTION OF JHUMS.- (1) After the commencement of this Act, distribution of jhums shall be done by the Village Council within their respective jurisdiction on the principles and in the manner hereinafter provided:-

- (a) The area allotted shall, as far as practicable, be compact.
- (b) No one shall select the jhum site for another alongwith his share.
- (c) The Village Council shall have the power over any person in the selection of jhum site for common share with another family or families.
- (d) The Village Council may impose penalty not exceeding one hundred and fifty rupees on any person who after drawing of the lots in pursuance of clause (a) or clause (b) of sub-section (2) refuses to accept the allotted site without sufficient reason.

(2) The manner of distribution shall be as under :-

- (a) by draw of lots to distribute jhum lands already demarcated;
- (b) by draw of lots to decide the order of preference of jhum shall be done;
- (c) by allotment of old jhum areas to the respective holders in the last cycle of jhuming in case the majority of the jhumers in a village so desire.

7. PRECAUTION AGAINST FIRE.- (1) It shall be the duty of the Village Council to take every precaution and enforce necessary measures against the spread of fire caused by burning of jhum.

(2) When any damage has been caused by fire to the forest or jhum lands due to the negligence of a Village Council, the Executive Committee may impose on such Village Council penalty to the extent of five hundred rupees.

(3) When the fire spreads from the jurisdiction of one Village Council to that of another Village Council, and is likely to cause damage to some properties, public or private, it shall be the duty of the latter Village Council to put out the fire by all available means and it shall equally be the duty of the Villagers of the former Village Council to assist the Villagers of the other Village Council in the work of extinguishing the fire.

8. POWER OF THE EXECUTIVE COMMITTEE TO ISSUE ORDERS :- The Executive Committee may, where the provisions of section 6 cannot be followed due to any reason whatsoever, formulate a method other than the method provided in section 6 and order that the same should be followed.

9. PREVENTION OF EROSION :- (1) The Executive Committee may at any time make such general or special order for the re-forestation of jhum land as it thinks fit, and also for ensuring that a reasonable area within any jhum may not be cultivated.

(2) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation is resulting or likely to result from the excessive cutting of trees in any jhum land, the Executive Committee may direct that a part or the whole of such jhum land shall be protected forest reserve as provided in section 17 of the Pawi Autonomous District Council (Forest) Act, 1979 and no person shall thereafter cut any tree in such protected forest reserve without the permission of the Executive Committee or any Forest Officer empowered in that behalf under the said section 17.

(3) Where it appears that undue erosion or diminution of the supply of water required or likely to be required for irrigation is resulting or is likely to result from the cultivation of any jhum land, the Executive Committee may direct that the jhum land shall not be cultivated by any person for a period not exceeding ten years.

(4) No order shall be made under sub-section (2) or sub-section (3) unless a reasonable opportunity has been given to those having customary rights to the land to prefer objections against such order and unless all objections so preferred have been considered and rejected as unreasonable or untenable.

(5) The Executive Committee may direct that for the purpose of preserving water supply, any particular area under jungle and previously in jhum land shall remain uncultivated, provided that the existing rights of the community or the individual to collect forest produce shall not be interfered with.

10. FINAL DECISION OF EXECUTIVE COMMITTEE TO SETTLE DISPUTES :— Any dispute arising out of the distribution of jhum or allocation of other shifting cultivation shall be decided by the Executive Committee or Officer appointed in that behalf by the Executive Committee and such decision shall be final.
11. PENALTY :— (1) Wilful disobedience of any direction issued by the Executive Committee or by a duly authorised Officer shall be punishable with a fine not exceeding one hundred and fifty rupees.
(2) Any person who after selection of jhum as provided for under this Act and without sufficient reason subsequently fails to cultivate that land shall be liable to fine which may extend to one hundred and fifty rupees.
12. EXECUTIVE COMMITTEE'S POWER TO DISTRIBUTE JHUMS :— In the absence of a Village Council due to its having been dissolved or not in existences, the distribution of jhums shall be done under instructions issued by the Executive Committee.
13. REPEAL AND SAVING :— (1) The Pawi Lakher Region (jhum) Regulation, 1956, (Regulation No. II of 1956) is hereby repealed.
(2) Notwithstanding such repeal, all actions, taken, orders made or directions given under the provisions of the Pawi Lakher Autonomous Region (jhum) Regulation, 1956 shall be deemed to be taken, made or given under the respective provision of this Act and subsequent action, if any, with regard to any action, order or direction, shall be in accordance with the provisions of this Act.