

STATEMENT OF OBJECTS AND REASONS

As a part of the scheme of reorganisation of the north-eastern areas, it is proposed that the Union territory of Mizoram contemplated under the scheme should have a legislature and Council of Ministers. It is proposed to achieve this object by including the Union territory of Mizoram in article 239A of the Constitution (clause 2).

The Study Team appointed by the Administrative Reforms Commission on the Administration of Union Territories and NEFA has recommended that the Administrator of a Union territory with legislature may have the power to promulgate Ordinances when the legislature is not in session. It is proposed to accept this recommendation and include a suitable provision in the Constitution conferring on such an Administrator the power to promulgate Ordinances (clause 3).

Under paragraph 18(2) of the Sixth Schedule to the Constitution read with article 240 of the Constitution, the President is empowered to make Regulations for the North-East Frontier Agency. It is proposed to continue these powers even after the Agency becomes the Union territory of Arunachal Pradesh under the reorganisation scheme. It is also proposed to have similar powers with respect to the Union territory of Mizoram (clause 4).

When the legislature of a State is dissolved or its functioning is suspended by a proclamation under article 356 of the Constitution, the Parliament is empowered to confer legislative powers on the President in respect of that State by passing a law under article 357(1). No such provision exists in the case of Union territories with legislatures, with the result that whenever the legislature of any Union territory is dissolved or its functioning is suspended by an order of the President, all legislation relating to that Union territory has to be passed by the Parliament. It is proposed that in such circumstances the Regulation making power under article 240 should be available to the President (clause 4).

Hill Areas of Manipur are predominantly inhabited by members of Scheduled Tribes. To safeguard their interests special provisions were made in section 52 of the Government of Union Territories Act, 1963 for a Committee of the Legislative Assembly of the Union territory of Manipur consisting of members from the Hill Areas. When the Union territory of Manipur becomes a State under the reorganisation scheme, the said section 52 will cease to be operative. It is proposed, as a part of the scheme of safeguards for the people of the Hill Areas, to continue this arrangement even after Manipur becomes a State. So, a specific provision is being made in the Constitution for the formation of such a Committee (clause 5).

This Bill seeks to give effect to the above proposals.

NEW DELHI;
The 12th December, 1971.

K. C. PANT.