
MIZORAM WINE & ALCOHOL REGULATION: AN ANALYSIS ON THE POLICY OF GOVERNMENT

Hmingthanpuii Ralte, Asst.Professor, Govt. Mizoram Law College
K. Lalnuntluanga, LLM, Govt. Mizoram Law College
Hmingthanmawii Ralte LLM, Govt. Mizoram Law College

ABSTRACT

Government changes and the policy towards the regulation of wine and alcohol also undergoes a changes in Mizoram. Prior to British annexation of India, Mizo people have a unique style of living before the influence of English Christian Missionaries in 1894. One of the distinctive features of the society was that, liquor/ rice beer was consider an integral part of the society and served in almost all the important occasions like marriage, completion of harvesting in a year, festivals, successful hunting and any other important occasion of the society. With the impact of christainity most of the culture was transform, including the way of dressing, eating and consuming liquor and making rice wine was consider as anti Christian behavior and unholy. Many protests were made to prohibit the sale of liquor in Mizoram which was supported by the most influential pressure group like YMA and the churches. The Mizoram Liquor (Total Prohibition) Act, 1995 was pass that came into force on 1997 and make the state a totally dry state. With the emergence of the Congress ministry, The Mizoram Liquor (Prohibition & Control) Act, 2014 was implemented from 2015, this act make a provision for selling and manufacturing of liquor in the state but when the Mizo National Front won the election in 2018, The Mizoram Liquor (Prohibition) Act, 2019 replace the previous act of 2014 and Mizoram become a dry state again. The 2019 act allows the sale of grape wines that are manufacture and harvest purely in Mizoram with little alcohol content from 10% to 14%. The selling of grape wine contributes a decent amount of government revenue of the state. In the present scenario, the state of Mizoram need a systematic procedure for the selling of liquor with a more stringent punishment of the drunkard who have done activities against the limit of the act. Keeping in mind the contribution in the government revenue made by the regulation of sales of liquor, the law maker needs to amend the law for orderly execution.

Key words: Grape wine, Liquor, Revenue, Act, dry state, Christianity.

Method of Data Collection

The author employs qualitative and quantitative method of data collection. Primary data like news paper, Excise and Narcotic Department of Mizoram website and gazette of Government are used. For secondary data, books, journals and E- resources are utilized.

Introduction

The mizo are a close knit society having its own unique culture, a society with indigenous religious practice and superstitious belief. In the earlier society of mizo's, it was assumed that all the sicknesses were the mischievous work of the demons whom they cannot define the exact nature. So in order to cure the sickness they had to make sacrifices to the demon¹. Before the Christianization by the British Missionaries, they have a tradition of serving rice wine in their important occasion and each family has their own style of making it. In the primitive mizo lifestyle, zu (rice wine) have plays a very important place in the society, Mizo used Zu (Rice wine) for sacrifice, marriage, birth, death, festival, for celebration of successful hunting and harvesting and other important ceremony of the society. In 1894, two English missionaries, J.H. Lorrain and F.W. Savidge landed in Lushai Hills (the present Mizoram) and began their missionary works by imparting education, formulating alphabet and preaching Christianity to the people and slowly the mizo were wholly transform to Christianity and thereby have faith in Jesus. The first two young men named Khuma and Khara became the first fully converted Christians among the Mizos on 25th July, 1899². The first congregational worship started in Aizawl the capital of Mizoram while the first church was started on 1902 at Lunglei District. Today the work of the Christian missionaries change the mizo society and now, Mizoram has the highest percentage of Christians among all the states in India and rank number 2 in literacy rate but at the same time the culture undergoes an enormous change. Though many of the custom and tradition are adhered by the people, much has undergone change in the society like the making and consuming of “zu” in the family and the society at large was among the abandon tradition of the people. Today, manufacturing and consuming “zu” become a prohibited practice in the society and is totally

¹ T. Lalremruata, Impact of Colonialism on the Traditional Beliefs and Practices of the Mizo, Mizoram University Journal of Humanities & Social Sciences (A Bi-Annual Refereed Journal) Vol V Issue 1, June 2019 ISSN (P) : 2395-7352 eISSN : 2581-6780

² https://en.bharatpedia.org.in/wiki/History_of_Christianity_in_Mizoram retrieved on 1st January, 2022

prohibited by the government by enactment on laws. The prohibition of Zu in Mizo society was no doubt the impact of British colonialism and the efforts of the missionaries, but some historians believed that it was not the missionaries that actually prohibited Zu, rather it was the early Mizo Christians that prohibited the drinking of Zu³. It was not only the Christianity that influence the people not to consume “Zu”, even the large NGO like MHIP, YMA etc are against it and suggested for its prohibition to the Government. Zu which was one of the most integral part of the mizo society become the prohibited practice. Apart from “zu” missionaries changed the belief of the Mizo which was based on superstition and blind faith to Christianity and the fear of evil spirits and demons were substituted by inner peace and faith in Jesus Christ.

Prior to the demarcation of Mizoram from Assam, control and use of narcotic and liquor was regulated by the Assam Excise Act-1910, after the recognition of Mizoram as Union Territory, the Legislative Assembly pass The Mizoram Excise Act- 1973 and was implemented along with the rules on 10th October, 1984. Under the Mizoram Excise Act- 1973 and Mizoram Excise Rules – 1983, person manufacturer, carrying, selling of liquor can be punished with two (2) years of imprisonment and fine but there was no punishment for consumption of it. When the state of Mizoram achieved its statehood in the year 20th February, 1987, the need to have a stricter control of liquor was felt and The Mizoram Liquor (Total Prohibition) Act, 1995 was passed and enforced during 1997 to 2015 and the Excise Department become the Nodal Department for the execution of the Act. As a result of this, the Excise and Narcotic Department was enlarged and spread to another district like, Champhai, Kolasib and Serchhip in addition to the existing one in Aizawl, Lunglei and Saiha District. In this Act, Liquor was totally prohibited in the state. When the congress party wins the election, from 2015-2019, The Mizoram Liquor (Prohibition & Control) Act, 2014 (Act No. 8 of 2014) was enforced and under this Act, Liquor could be sold to any licensed holder against their monthly quota. (Any person who attains 21 years could apply for a license.). Later, The Mizoram Liquor (Prohibition) Act, 2019 was passed in the Assembly on 20th March, 2019 by the MNF Government. It came into force from 28th May, 2019⁴. Importing of alcohol and wine was prohibited, but the MLTP Act 1995 and 2007, as amended allows wine to be made from guavas and grapes, but with restrictions on the alcohol content and the volume

³ Malsawma, K., “Zu” Zu leh Mizo Kristianna, Aizawl (1995) Synod Social Front Committee.

⁴ <https://excise.mizoram.gov.in/page/profile> retrieved on 5th, January, 2022.

possessed. According to the act, it is illegal to transport these products out of the state⁵. As permitted by section 2 of the said act, The Mizoram Excise and Narcotics (Wine) Rules- 2008 was enacted to regulate Grape wine mostly to regulate Champhai Grape grower association, Hnahlan Grapes grower Association and later Blu Gem winery, sesawng and RK Winery, Chite obtain winery license from the concern department.

Important points under The Mizoram Liquor (Total Prohibition) Act, 1995

Firstly, the manufacturer, seller and transporter are liable to punishment of 5 years imprisonment and fine upto Rs. 10000/-, the minimum punishment for the same is 3 months imprisonment with fine of Rs. 1000/-

Secondly, for the first time in the history of Mizoram, this act made the person who consume liquor liable with punishment of imprisonment for 24 hours to 1 month with maximum fine of Rs. 1000/- and minimum Rs. 500/-. And if the person consume in public place he will be liable for imprisonment of 7days and up to 3 months and fine of Rs. 500 to Rs. 1000/-

Thirdly, liquor license are permissible exclusively for the security forces in all the district and license can also be obtain by doctors prescription for medical purpose.

Fifthly, According to END (Excise and Narcotic Department), between 1997 and 15 September 2014, 57 people died from the consumption of spurious liquor; a figure is belief to be much higher than the record. The survey by END also shows that there was a steep rise in cases of alcohol-related liver disease and psychiatric referrals for alcoholism during total prohibition. Opponents of the lifting of prohibition say it will lead to more money flowing out of Mizoram, while the local alcohol sellers ensured that most of the money was kept in circulation within the state.⁶.

Important points under The Mizoram Liquor (Prohibition & Control) Act, 2014

The MLPC Act-2014, replace the Mizoram Liquor Total Prohibition Act, 1995 in force in the state for the past 17 years. After winning the state elections in 2013, the Congress government initiated

⁵ https://en.wikipedia.org/wiki/Alcohol_prohibition_in_India retrieved on 5th, January, 2022.

⁶ <https://www.hindustantimes.com/india/lifting-the-liquor-ban-in-mizoram-will-it-help-the-state/story-M3YgBMxeoyURpthmI8pulJ.html> retrieved on 15th Febraury, 2022

the process of amending the Mizoram Liquor (Total Prohibition) Act, 1997 to allow sale of a fixed monthly quota of liquor to permit holders. Under the new law, a permit holder (the license costs Rs 500 a year) can buy six bottles (750 ml) of liquor and ten bottles each of beer and wine per month⁷. Wine shops are opened under the MLPC Act 2014 from March 16, 2015, for the first time after 28 years as partial prohibition was in place since 1987 and the dry law was in force for 18 years. People over 21 years of age can drink and purchase liquor after applying for a liquor card from the nodal department. The first two Wine shops are opened on 16th March 2015 which are both located in the main market. One is located in the only mall in Mizoram called Millennium Centre and the other is located at New Market which is both Government properties. There are a total of 16 outlets all over the state, and the END⁸ has issued more than 52,000 liquor cards at an annual fee of Rs 500. Three state-owned corporations have been chosen to operate retail outlets.

Important points under The Mizoram Liquor (Prohibition) Act, 2019

Some of the few changes and key point of the MLP Act, 2019 are as follows:

Firstly, The Mizoram Liquor (Prohibition) Act, 2019 come into existence with effect from 28th May, 2019 and total prohibition is enforced and Mizoram became a "completely dry state" again from the date of its implementation. Under the new act, all liquor and its related activities, such as production, import, sales, consumptions etc are totally prohibited. According to the state government, the move would cause a loss of Rs 700 million every year to the state exchequer⁹.

Secondly, According to the new law, buying, selling and possession of liquor would invite a jail term of up to five years and consumption of liquor could land a person in prison for six months or the magistrate may order the convict to undertake community service for up to five working days.

⁷ <https://economictimes.indiatimes.com/news/politics-and-nation/Mizoram-Prohibition-ends-despite-strong-protest-by-the-church/articleshow/46651275.cms> retrieved on 15th Febraury, 2022

⁸ Excise and narcotic department, Mizoram Manual

⁹ From April 1, Mizoram to go dry as Assembly passes prohibition bill (2019)

<https://www.hindustantimes.com/india-news/from-april-1-mizoram-to-go-dry-as-assembly-passes-prohibition-bill/story-aL0NgznVmLBqa5lPy0XbAO.html>

Thirdly, apart from the listed penalties, causing nuisance in public places under the influence of alcohol or drunken driving would invite a jail term of up to two years or community service of not less than two working days.

Fourthly, for the import, export, selling, buying, manufacturing of liquor, the punishment would be proportionate to the quantity - up to six months in jail for small quantities, up to two years in jail for intermediate quantities and up to five years of imprisonment for commercial quantities.

Year wise achievement of the Excise Dept in term of money¹⁰

The prohibition and non-prohibited period of the state revenue through excise department as shown below show the impact on the revenue. As a Christian state, the prohibition of Liquor may seem to be very holistic and a sign of commitment in the Christian belief but state likes Mizoram, without any permanent and reliable revenue need to rethink a more systematic way of selling wine/liquor in the state to improve and secure the government revenue. There is some few other state that totally prohibits the selling of liquor in India along with Mizoram like the state of Gujarat, with the only Indian state that impose death penalty for the manufacture and the sale of homemade liquor that result in fatalities. Bihar became a dry state in 2015 when the then Chief Minister Nitish Kumar prohibited the sale of Alcohol state-wide. The state of Nagaland became a dry state in 1989 when the Nagaland Liquor Total Prohibition Act (NLTP) banned the sale and consumption of alcohol. Lakshadweep is the only Union Territory in India to ban the sale and consumption of alcohol except the island of Bangaram, which is an inhabited island but has a bar, alcohol is banned in the rest of Lakshadweep.

¹⁰ Excise and Narcotic Department website-achievement report

	2010	2011	2012	2013	2014
1.Foreign liquor and spirit	Rs.190,28,618/-	Rs.174,01,913/-	Rs.162,93,182/-	Rs.193,22,214/-	Rs. 158,60,777/-
2. Fines & Confiscation	Rs. 33,71,740/-	Rs. 51,70,490/-	Rs. 115,39,837/-	Rs. 110,77,835/-	Rs. 137,13,827/-
3.Other receipt	Rs. 291,000/-	Rs. 3,00,343/-	Rs. 2,35,610	Rs. 450,730/-	Rs. 1,83,600/-
	2015	2016	2017	2018	2019
1.Foreign liquor and spirit	Rs.4054,18,962/- Rs. 56,18,999/-	Rs. 7156,03,644/- Rs. 7,89,464/-	Rs. 6289,31,799/- Rs. 2,22,445/-	Rs.6879,00,749/- Rs.1, 87,197.00/-	Rs.1561,29,492/- Rs. 2,40,897/-
2. Fines & Confiscation	Rs. 304,61,314/-			Rs. 148.43,571/-	Rs. 11,03,976/-
3. Other receipt		Rs. 122,59,513/-	Rs. 208,38,799/-		
	2020				
1.Foreign liquor and spirit	Rs. 92,56,326/- Rs. 2,27,150/-				
2. Fines & Confiscation	Rs. 9,84,683/-				
3. Other receipt					

Mizoram grape winery and its present condition

Mizoram have a grape growing district purely for winery and not for the table fruits, a variety name Isabella or in the other name Bangalore Blue Variety. The Eastern region of Mizoram cultivate and run a grape winery and Champhai and Hnahlan Grape Winery Ltd was established in 2007 to be one of the largest grape wine manufacturer in Mizoram. They have a production unit in Champhai and another in Hnahlan. The famous name wine “**Zawlaidi**” to be translated as “**love potion**” was launched in 2010, after 13 years of prohibiting grape cultivators from producing wine. The local wine has the alcohol content of just 11% that does not intoxicate the consumers that much. The state produced around 20,800 tonnes of grapes in 2012-13 and in the year 2021, 750 families of the area depend solely on grape growing and winery while the Indian Made Foreign Liquor industry in Northeast India is worth Rs 1400 crore selling 7 million cases annually and

registering year on year growth of 7 to 8%¹¹. The winery is operated under Government of Mizoram supervision and under current regulations production must be consumed within Mizoram.

One of the important thing that cannot be ignored is that, the grape grower in the said district was done under the initiatives of the government program MIP (Mizoram Intodelh pawl) by the MNF ministry, but now the same ministry that led the growing of grape has a large intention of lifting the law that allows the manufacture and sell of grape wine in the state that will result a disaster for the entire region. A very devastating condition is being face by the destitute grape grower in the region as there is an attempt to amend the law that banned the grape wine in that state recently, while 80% of the people of Hnahlan and Champhai village have used grape growing as their means of living by occupying 3000 acre of land¹². As per the local news paper vanglaini¹³ the Champhai Grape Grower Association has a sale value of Rs. 17, 06, 04,323/- during the year 2011 to 2021 and the excise recipe paid by the vendor of the grape wine during the year 2012-2013 to 2015 - 2016 was Rs. 13, 62,539/-. At present Mizoram grape is manufacture with three brand names like “Zawlaidi” the first to be manufacture followed by “Champhai Wine” and “Isabella” with a high demand in the state.

The proposed amendment on The Mizoram Liquor Prohibition Rules was discussed by MLP Rules Drafting study-committee headed by the Deputy Chief Minister that get the support of the YMA and churches in the state as they felt that the alcohol content in the grape wine is till 14% is too high, but at the same time a large number of the general population and the opposition parties ZPM are against the proposal. Many argue that the grape wine are consider as a “food item” as per the Food Safety and Standard Authority of India and winery a food processing unit as per the FSSAI. At the same time, the Mizoram winery become a little more popular in the neighboring state, the Radiant manufacturer of Guwahati purchase a huge amount every year with Rs. 65/- per litre. A short while ago, in the project Focus – The North East Acceleration organized by the Japan

¹¹ Singh, Bikash (2014). Mizoram gives up dry state status after 17 long years hoping to earn Rs 30 crore more revenues. The Economic Times, English Edition. Retrieved From <https://economictimes.indiatimes.com/news/politics-and-nation/mizoram-gives-up-dry-state-status-after-17-long-years-hoping-to-earn-rs-30-crore-more-revenues/articleshow/38639285.cms?from>

¹² Lalramnghinglova. H (2022, March, 1).Grape vine Vs Grape wine. Vanglaini Daily Local News Paper, pp 6

¹³ Lalduhawma (2022. February, 10) Mizoram Grape chingtute hnenah Zangnadawmna pek ngei kan phut. Vanglaini Daily Local News Paper, pp 1.

International Cooperative Agency and IIM Kolkata, the Mizoram winery was one of the selected projects among the 600 project submitted.

'Shaw Wallace' one of India's leading producers of wine who has visited the state's, the District of Hnahlan region in 2021¹⁴ belief that, as the grape varieties produced in the area are the best quality in the country and have the potential to turn the place as the Bordeaux Province of France, known worldwide for its grapes, used for commercial wine manufacturing. So, if the cultivation, storage and marketing system has been improves by the nodal department the grape wine of the area can have a future of an international market. Manufacturing of grape wine is one of the future of the state that can upgrade the economic condition of the people, and can also be the only exportable item for the state in the current situation.

On August, 31st, 2022, Mizoram has decided to allow the sale of wine made from locally grown grapes in the markets across the State though it was suddenly prohibited in May, 2022 for a certain period. The decision to prohibit the sale of local wine followed large-scale protests after the State Excise and Narcotics Department seized bottles of locally-made grape wine worth Rs.22 lakhs in May, 2022 leading to the death of a woman involved in the wine business.¹⁵ Ever since grape grower's societies from those regions protested to demand legislation to brew wine and return of the seized bottles of homegrown liquor. So, the cabinet meeting headed by the Chief Minister of Mizoram permitted the sale of wine made locally from local grapes.

Conclusion and findings

The development and transition of the alcohol and its related regulation shows that political policy of the government changes the revenue receipt of the state time to time. Good and systematic policy in the need of the hour to increase the Government revenue receipt from liquor and alcohol related product. Though, the state is among few Indian states to impose total prohibition of liquor, the reason can be anything like due to the influence of Christianity and NGO etc, there is a chance that, instead of imposing strict prohibition, having a more stringent

¹⁴Mizoram's 'love potion' wine to hit market (2010). The Indian Express. Retrieved from <https://www.newindianexpress.com/business/2010/jul/20/mizorams-love-potion-wine-to-hit-market-171512.html>

¹⁵ Mizoram allows sale of locally made wine @ <https://www.thehindu.com/news/national/other-states/mizoram-allows-sale-of-locally-made-wine/article65833505.ece>

punishment for drunken driving, drinking in public places, defect manufacture etc can make the law workable. It is clear from the data of Health Department of Mizoram that alcohol related death is not much reduce due to the total prohibition of wine and alcohole within the state.

The systematic approach and orderly selling of the liquor in the state can be a cure for alcoholism that frightens many families. The excise revenue collected during the period of 2015 to 2019 is highest as it is the period of implementation of The Mizoram Liquor (Prohibition & Control) Act, 2014. Though the pressure from the churches and NGO is a big issue for the ruling political party, the state needs secure and permanent revenue to uplift the revenue of the Government. At one point, it is no doubt true that prohibition and control of wine in the state does not prove the dearth of liquor, many people fine ways and means to sell undercurrent without proper guideline and at the same time people who consume still continue to do so.

It can be presume that moving backward to the tradition is the need of the state when liquor or wine was simply used moderately and positively in the village. The law and order was regulated by the king and elders of the society smoothly when rice beer was manufacture in most of the house. Mizo has far already away from their tradition and culture in regards to marriage, divorce, inheritance and costume, the transition took place in such a huge way, in some point it is time to trace back and stick with some of the culture by moderate and systematic consumption of wine. The orderly implementation of law to regulate the liquor will bring the mizo closer to the custom; at the same time it will elevate the revenue of the Government. Though certain step has been taken to lift the manufacture and sell of grape wine in the state, the BCM, one of the largest religious denominations used the grape wine of Mizoram as their sacrament in the church from the year 2016¹⁶, which is one of the sacred church activities of the Christian.

The other North East state successful run wine marketing like the Nagaland manufacture Organic Dragon fruit wine with the prize of Rs. 1,100/- per bottle, Arunachal Pradesh sale a wine made from kiwi and Meghalaya the home made wine is very popular with a license from the Deputy Commissioner, why not in Mizoram the same system be applied to enhance the

¹⁶ Vanlaini daily Local news paper dated 1st, March, 2022, “Grape vine Vs Grape wine”

government revenue not only this, the grape wine manufacturing and harvesting generate a number of permanent job.

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