

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

LIST OF BUSINESS

**FOR SECOND SITTING ON WEDNESDAY, THE 19TH SEPTEMBER, 2007
(Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)**

PRESENT

1. **SPEAKER** at the Chair, Chief Minister, Deputy Speaker, 10 Ministers and 21 Members were present.

QUESTIONS

2. **QUESTIONS** entered in separate list to be asked and oral answers given.

LAYING OF PAPERS

3. **PU ZORAMTHANGA** to lay on the Table of the House "The Mizoram Fiscal Responsibility and Budget Management Rules, 2007".
4. **PU ZORAMTHANGA** to lay on the Table of the House 12th Annual Report of MIFCO for the year 2001 - 2002.

PRESENTATION OF REPORT

5. **PU C. LALRINSANGA** to present to the House First Report of House Committee (2007 - 2008)
6. **PU LIANSUAMA** to present to the House Eleventh Report of Subject Committee-V relating to Agriculture Department.
7. **PU H.LIANSILOVA** to present the following Reports of Public Accounts Committee :
 - (i) Thirty Ninth Action Taken Report relating to Power and Electricity Department.
 - (ii) Fortieth Action Taken Report relating to School Education Department.
 - (iii) Forty First Action Taken Report relating to Public Health Engineering Department.

LEGISLATIVE BUSINESS

Bill for introduction, consideration and passing

7. **PU H.RAMMAWI** to beg leave of the House to introduce "The Mizoram Civil Courts (Amendment) Bill, 2007".

ALSO

to introduce the Bill, to move that the Bill be taken consideration

AND

to move that the Bill be passed

SPEAKER : "Finally, all of you, have unity of spirit, sympathy, love of the brethren, a tender heart and a humble mind".

I Peter 3 : 8

As Pu Lalduhoma who is to ask Starred Question No.21 is absent today and has not entrusted any one, his question will be passed over. Let us now call upon Pu R.Lalzirliana to ask Starred Question No.22.

PU R.LALZIRLIANA

: Mr. Speaker, I ask Starred Question No.22.

Will the hon'ble Minister incharge Home Department be pleased to state –

- (a) Governor's Award has been given to police personnel for their meritorious services and gallantry. Does this Award has any benefit in their service.
- (b) Where has the certificate of Governor Award been printed?

PU TAWNLUIA
MINISTER

: Mr. Speaker, the answer to Starred Question No.22 is –

- (a) President's Police Medal for Gallantry have been given to 10 Police personnel.
- (b) Police Medal for Gallantry to 27 Police personnel.
- (c) President's Police Medal for distinguished service to 5 Police personnel.
- (d) Police Medal for meritorious service to 96 Police personnel.
- (e) President's Fire Service Medal for meritorious service have been awarded to 5 Fire Service personnel from Mizoram.
- (f) President's Fire Service for Gallantry.
- (g) Governor's Gold Medal to 87 persons.

Mr. Speaker, President's Medal for distinguished services and gallantry have been given to a number of police personnel. Also, Governor's Medal has been received by 72 police personnel.

The recipients of President's Police Medal for Gallantry and President's Medal for Fire Services for Gallantry have received an extra emolument of Rs 250/- per month. The recipients of Police Medal for Gallantry received an extra emoluments of Rs 450/- p.m. plus 75% discount while traveling in Indian Airlines. Income tax has also been exempted.

The recipients of Police Medal for Distinguished Services are provided the facility of 30% railway concession after reaching 60 years of age.

Though Governor's Medal does not carry cash award it has weightage on the ACR and promotion of the recipient.

The certificates for Governor's Award are printed at Government Printing Press.

PU R.LALZIRLIANA

: Mr. Speaker, it seems that the award has affected the ACR and promotion if the recipient is a gazetted post holder. However, there has been no service benefit for subordinate officers. Hence, I suggest that these awards should be made more meaningful and beneficial regardless of posts or ranks.

Another important point I would like to raise is the case of 6 youths missing from Khawpuar village. In a recent incident 6 young lads from Khawpuar were induced by one person to work under a contractor at Ngopa. Since they were taken out of Khawpuar their families have not heard from them and reported as missing as there has been no sign of them at Ngopa either. In this regard I would like to ask the hon'ble Minister to assure the House that prompt action would be taken.

PU H.LIANSAILOVA : Thank you, Mr. Speaker. This morning I was informed that an amount of Rs 1400/- each has been deducted from the salaries of the newly recruited IR Battalion. It would be appreciated if the hon'ble Home Minister could clarify this matter.

Secondly, what is the insurance facility provided to IR personnel deployed outside the state?

PU LALTHLENGLIANA : Thank you, Mr. Speaker. I think my question is relevant to the main question. Is there an intention to create new police battalion?

PU LALCHHANDAMA RALTE : Mr. Speaker, a supplementary question please. The newly recruited police personnel have been undergoing training in different centres. After completion of training, these police recruits are to be classified as IRP and MRP. What will be the criteria for this classification?

PU S.HIATO : Mr. Speaker, there is another untoward incident in the account of the District Council. A hunger strike has been observed in front of the council office in protest against the dismissal of 300 employees by the Council Executives. I have even approached the hon'ble Chief Minister in this regard. What is the reaction of the Government to this?

PU LALRINLIANA SAILO : Mr. Speaker, a supplementary question please. The newly recruited IR personnel have been undergoing training at Thenzawl and PTC. We learnt that they have problems regarding the supply of drinking water. It is further learnt that there is no proper accommodation at the training centre. It would be appreciated if the hon'ble Minister could react to their grievances and see that rations are properly supplied to the police trainees.

S P E A K E R : The Home Minister may now be called to furnish his replies.

PU TAWNLUIA MINISTER : Mr. Speaker, I will try to react to all the questions raised by the members.

First, Governor's award Certificate has been printed at the Government Printing Press. In regard to the quality I will see that better materials are used for the certificate.

The members have expressed their concern over service facility of the police. Mention has even been made on how far police award has affected one's service. In this case, I would like to inform the House that the State Government has been going as per All India Norms. The Government makes recommendation and then forwarded to His Excellency, the Governor for his approval. Anyhow, we will see that if improvement could be made.

Regarding the case of the missing persons from Khawpuar mentioned by the member Pu R.Lalzirliana, the Government had received information about it. Our police forces have been working on it since then but there is no positive result so far.

PU LALRINLIANA SAILO : Mr. Speaker, is it a fact that insurgent group has been newly set up at the expense of Chhinlung Hill Development Fund. Is the Government aware of this?

PU TAWNLUIA MINISTER : Mr. Speaker, though there is report of this matter the Government has no proof. Anyhow, the matter has been under investigation.

In reaction to the case of the insurance policy mentioned by Pu Liansailova, I would like to inform the member that all police lives have been covered with Life Insurance Policy. For this policy, an amount of Rs 1400/- each has to be deducted.

The Government is aware of the problem of water supply in various police training centres. We have been taking various measures to solve this problem.

Regarding the classification of the newly recruited IR into IRP and MRP, the Government will follow the Recruitment Rules. The Recruitment Rules has demanded a qualification of matriculate for the posts of MRP and IR Constable. However, for IR Constable, the Government made a relaxation and accept class VIII passed as the required qualification. As for their posting, after completion of training course the recruits would be classified on the basis of their qualification. As for now, all the recruits have been undergoing the same training course.

The hon'ble member from Mamit has asked whether there is proposal to create new Police battalion. In this regard I am proud to mention that the Ministry of Home Affairs has made financial sanction for raising of a new police battalion. The state Government has now been working on this matter.

S P E A K E R : Today, Pu AB Chakma is unable to attend the session due to ill health and he has authorized Pu H. Vanlalthaliana to ask his question. Unfortunately, the member has also been having health problem. Therefore, question No. 23 would be passed over to question No. 24 to be asked by Pu Sailothanga Sailo.

P U S A I L O T H A N G A S A I L O : Mr. Speaker, there seems to be a mistake in the wording of the question. Can that be corrected?

S P E A K E R : That could be adjusted later.

P U S A I L O T H A N G A S A I L O : Mr. Speaker, I ask Starred Question No. 23.

Will the hon'ble Minister incharge Education be pleased to state –

Whether the Government settle the condition of Government Aided School.

S P E A K E R : Let us now call upon the Minister incharge to answer the question.

Dr. R.LALTHANGLIANA : Mr. Speaker, there are a number of Government Aided Schools under School Education Department. Steps have been taken to provincialise more schools. The condition of lump sum Aided School has also been considered.

P U S A I L O T H A N G A S A I L O : Mr. Speaker, a supplementary question please.

How many lump sum Aided Schools are there under School Education Department?

How far the Government has taken steps to upgrade these lump sum Aided School to Adhoc status?

What is the estimated additional expenditure if these schools were upgraded?

Amongst the many private high schools, Kawnpui Green High School, Pu Lalthanhawla High School Serkhan and Zanlawn High School have often been proposed for provincialisation. However, much to the dismay of the local people the status of the said High Schools has not been considered till date. If the authority is not reacting immediately, it may invite public demonstration against the Government.

PU H.LIANSAILOVA : Mr. Speaker, my first question is in regard to Hindi teachers. A number of Hindi teachers have been terminated from their posts due to shortage of fund as the Central Government had wrongly disbursed the fund meant for their salary. Does the Government intend to reinstate those Hindi teachers?

Secondly, a number of Plus-2 teachers have been regularized of late. However, the majority of Plus-2 teachers are still left behind. As seen from the local newspaper there arose an agitation amongst the teachers whose posts have not been regularized by the Government. What is the Government's reaction to this matter?

PU LALCHHANDAMA RALTE : Mr. Speaker, there are schools in rural areas that are being operated by the local community and the salaries of the teachers has also been paid from local development fund. As for my constituency, there are 4 Middle Schools, 3 High Schools and 1 Higher Secondary School which are being under the management of the local community. In this regard, I would like to ask whether these schools could be provincialised.

Many Higher School buildings within my constituency are highly in need of reconstruction. Is there proposal to reconstruct the said buildings?

PU LALHMINGTHANGA : Mr. Speaker, I come to know that the Government has made rules and guidelines to be followed by private school operators. It seems that the provisions are rather vigorous for a poor state like Mizoram. Can the Government review the guidelines?

PU R.LALZIRLIANA : Thank you hon'ble Speaker, it is known that school teachers used to take their salaries twice or thrice in a lump sum in a year which creates problems for the teachers. I, therefore, would like to ask whether it is better to go as before i.e in a deficit system. I also would like to ask why SSA State Project Director is deployed from other Department. Lastly, it is learnt that posting / transfer for Kulikawn Government High School teachers is to be done. Has this been done?

S P E A K E R : Let us call upon the hon'ble Minister to give answer.

Dr. R.LALTHANGLIANA
MINISTER

: Hon'ble Speaker, I'll try to answer although it is not relevant with the question. In 2003, 209 Private Schools had been paid lump sum grant which were – 14 Higher Secondary Schools
130 High Schools
65 Middle Schools.

The schools were categorised. 'A', categorized schools were given Rs 1,50,000/- and 'D' were given Rs 1,20,000/- For total Rs 2,61,90,000/- had been spent for this lump sum grant in a year. This lump sum grant had been provided in the Budget. We had deeply thought about the matter. The hon'ble Chief Minister was also invited because it involved more fund. A large fund is required besides the amount Rs 261 lakhs.

Some schools used their lump sum grant for repairing of building. We feel that it is not appropriate for these. It is, therefore, proposed to upgrade those schools in a better position. The time is not clear, but it is expected to be done within this financial year. That is my answer.

As we are in such bad financial position it is impossible to provincialise such 209 schools which will require not less than Rs 40 crores. Government also consider about pension benefit of teachers.

PU R.LALZIRLIANA

: Hon'ble Speaker Sir, under such lump sum grant teachers could not draw salary in time and then the teachers need to work for food and the students suffer for this. Will the lump sum grant be given to those 209 schools as pay given to deficit schools?

Dr. R.LALTHANGLIANA
MINISTER

: Hon'ble Speaker Sir, we are going to give them the lump sum grant as the salary of the teachers. Anyway we are now following guidelines properly, but we will try to follow such proposals.

PU R.LALZIRLIANA

: Hon'ble Speaker Sir, will the SSA Project Director be posted from Director of Schools if the guideline does not provide proper guidelines as SSA is regarded as the most corrupted post.

Dr. R.LALTHANGLIANA
MINISTER

: Hon'ble Speaker Sir, the matter will be considered later. Regarding the functioning of SSA, it is a long term scheme. When 'India Today' conducted a survey it is very pleasing to know that Mizoram is the best state in Primary Education among all states and Union Territories. The President of India and Union Finance Minister too attended the function where the award was distributed. If I had known that such question will be raised I should have brought the said certificate.

PU LAL THANHAWLA : Hon'ble Speaker Sir, it is very pleasing to know that we received such best state award. What I want to know is whether we did right in starting SSA in our state? Did the state sent true report to the Central. I am afraid that we, the Christian state will sent wrong information to the Central Government for want of money.

Dr. R.LALTHANGLIANA : Hon'ble Speaker Sir, I will give reply in written later on. We did not apply norms of our own, we rather applied Central norms which is applied throughout India.
MINISTER

Mizoram state does not achieve the best state award not only in SSA but also in all educational activities with the cooperation of all members and NGOs. Regarding Kulikawn High School, order had already been issued.

Regarding the question of Pu Lalhmingthanga, Education Act had been passed in 2003 under which 6 Rules had been laid in the House. Meanwhile amendment can be made to various sections from time to time.

Pu Liansailoya asked about Primary School Hindi Teacher, 500 Hindi Teachers were newly recruited last year. India entered new five year plan from 1st April. The new Planning Commission Committee committed a technical mistake regarding the pay of Hindi Teacher in our state. The Planning Commission admitted the said mistake I hope that the Planning Commission will do as before as normal fund flows from around October this year.

And I want to inform the House that PGD has been changed as Lecturer. It is also fortunate to say that 11th Planning Commission provided fund for repairing of Higher Secondary Schools. It is expected that all High Schools will be covered within 5 years. Thank you.

PU H.ROHLUNA : Will the hon'ble Minister Rural Development Department be pleased to state :-

- (a) Whether job cards had been issued under NREGS in Lunglei and Champhai districts?
- (b) If not, what's the reason thereof?

PU AICHHINGA : Hon'ble Speaker Sir, the answer is 'Yes'
MINISTER

PU H.ROHLUNA : Hon'ble Speaker Sir, the job card issued by Government in Lunglei and Champhai districts are duplicate cards. Will the Government issue true job card to the said districts?

Secondly NREGS does not cover some districts. When will those districts be covered? Will the Government cover them in the coming year?

PU AICHHINGA MINISTER : Hon'ble Speaker Sir, the job cards had been issued temporarily in those districts because preparation of permanent card will take a long time. But now the Department is preparing to issue the permanent card as early as possible.

Government of Mizoram made a prompt pressure to the Central Government as it is the Central programme. It is now expected to cover those four districts next year which is not yet covered by NREGS.

S P E A K E R : Question hour now come to an end. We will have laying of paper. Now, Pu Zoramthanga, Chief Minister will lay paper on the Table of the House "The Mizoram Fiscal and Budget Management Rules, 2007".

PU ZORAMTHANGA CHIEF MINISTER : Hon'ble Speaker Sir, with your kind permission, I lay on the Table of the House "The Mizoram Fiscal and Budget Management Rules, 2007".

S P E A K E R : Let the copy be laid on the Table of the House. Now, let us call again Pu Zoramthanga to lay on the Table of the House "The 12th Annual Report of MIFCO for the year 2001 - 2002".

PU ZORAMTHANGA CHIEF MINISTER : Hon'ble Speaker Sir, with your kind permission, I lay on the Table of the House "The 12th Annual Report of MIFCO for the year 2001 - 2002".

S P E A K E R : Let the copy be distributed. Members absent are Pu B. Lalthlengliana, AB. Chakma, Pu Nihar Kanti Chakma, and Pu Lalduhoma. To present the PAC Report, hon'ble member Pu Lalduhoma has authorized Pu H.Liansailova. Hon'ble member Pu H.Vanlalthaliana, mistakenly drank medicine meant for external use this morning, so he is taken to hospital by hon'ble member Pu F.Lalthanzuala. However, it is pleasing to know that his condition is stable now.

Presentation of Report. Let us now call the hon'ble Deputy Speaker Pu C.Lalrinsanga to present 'The First Report of House Committee 2007 - 2008'.

DEPUTY SPEAKER : Pu Speaker, with your permission and the House. I present 'The First Report of House Committee 2007 - 2008'.

S P E A K E R : Let the copy be distributed. Let us now call the hon'ble member Pu Liansuama to present 'The Eleventh Report of Subject Committee - V relating to Agriculture Department'.

Let the copy be distributed. We will now call hon'ble member Pu H.Liansailova to present PAC Report as he is authorized by PAC Chairman.

PU H.LIANSILOVA : Pu Speaker, with your permission and the House, I present 'Public Accounts Committee 39th Action taken report relating to Power & Electricity Department, 40th Action taken report relating to School Education Department and 41st Action taken report relating to Public Health Engineering Department.

S P E A K E R : Thank you. PAC presented three reports yesterday and two today, it is a great achievement. Let the copy be distributed, have we distributed Pu Liansuama's report? OK, we will now move on to Legislative business. We have one Amendment Bill, that is, 'The Mizoram Civil Courts (Amendment) Bill, 2007'. Let us now call the Minister to beg leave of the House to introduce the Bill.

PU H.RAMMAWI
MINISTER : Pu Speaker, I beg leave of the House to introduce 'The Mizoram Civil Courts (Amendment) Bill, 2007'.

S P E A K E R : Do we all agree? Now, let the Minister introduce the Bill.

PU H.RAMMAWI : Pu Speaker, with your permission and the
MINISTER House, I introduce 'The Mizoram Civil Courts
(Amendment) Bill, 2007'.

S P E A K E R : The Bill has been introduced and the copy is
distributed. Now, let us call the Minister to beg
leave of the House to move the Bill.

PU H.RAMMAWI : Pu Speaker, the House has passed 'The
MINISTER Mizoram Civil Courts Bill 2005'. This is an
important Bill for separation of judiciary.
The Central Government has vision to bring
uniformity in the Civil Court of the country. In pursuance of this vision, Sethi Commission drafted
model Bill the different states of the country. The different states function according to this Bill, Pu
Speaker, it is reflected in the statement of objection and reasons.

Pu Speaker, as per this model Bill, there are factors which hinders the
progress of separation of judiciary and certain factors which were not taken into consideration at the
time of drafting the Bill.

There are two factors in today's Amendment. The first one is according to
model Bill, it is stated that, the construction of district level court shall be done by High Court in
consultation with the state Government. Pu Speaker, the High Court does not know the actual
functioning of the state, thus, alteration is required in Section 4 and 5, instead of High Court
constructing the district level court in consultation with the state Government, the state Government
should construct the District Court in consultation with the High Court. Further, 'Principal' in
Section 6 is omitted as it may cause confusion since there will be Principal District Judge and
Senior Civil Judge at District - level.

Pu Speaker, 'Subject to the provisions contain in Section 3 of the Act' is
added at the beginning of Principal Act Section 10. In Section 11, it is decided that 'Principal' be
omitted which means it will read as Senior Judge instead of Principal Senior Judge. Likewise,
'Principal' is omitted in Section 23.

Coming to last proposal in Section 32, there is a proposal that, 'The Mizora n
Government will issue Notification in consultation with High Court' instead of High Court's power
to remove difficulty. With this, I request this august House to agree and adopt the various proposals
of 'The Mizoram Civil Courts (Amendment) Bill, 2007.

S P E A K E R : Now that the hon'ble Minister has clarified the Bill,
we will start discussion since it is amendment,
each member will be given 10 mins. Pu H.Liansailova.

PU H.LIANSAILOVA

: Pu Speaker, first of all, the original Bill was moved by DP & AR Minister and the Bill was passed by the House. Now, that the same Bill needs amendment, Law & Judicial Minister moved the Amendment Bill, what is the reason? This needs clarification.

Pu Speaker, while discussing the original Bill, we mentioned that the protection that we have in 'Rules for Administration of Justice Rule, 1953 and traditional court constitution should be included in the main Act. However, we were educated that it will be safe and CPC / CRPC will only be implemented in spirit, and thus it was passed as it is. Pu Speaker, during the discussion of the original Bill, hon'ble members mentioned about High Court, however, nothing was done about it, now after two years of passing the Bill, the same is moved for amendment.

Pu Speaker, what every one is looking forward to is the separation of judiciary, but with the proposed amendment one can assume it is still being delayed. All the points that were pointed out during the discussion of the original Bill is now proposed for amendment after the original Bill is passed 2 yrs back. The hon'ble Minister mentioned that the Act was referred to High Court and it remained pending with them for various reasons. What I would like to know is, which Department DP & AR or Law and Judiciary approaches the High Court. Further, is the Bill forwarded to High Court to act upon? If so, this will cause its delay. It is our duty to take initiative and make efforts to push the High Court to act upon. There could be various reasons to its delay. In my opinion 2 yrs after the Bill is passed it should be readied for implementation. From the proposed amendment 'High Court' is substituted to Government as we feel it is necessary for setting up of various Civil Courts. However, court of small causes are not altered, it remains in the hands of the High Court to be constituted.

Pu Speaker, present Bill will replace the Administration of Justice Rules, 1953 to a certain extent, thus careful examination is needed as to why the present Rules is not suitable. The Bill is drafted for bringing a uniform structure of Civil Courts throughout the country, as per option, we are following Manipur model, it is amazing to note that in regard to the formation of court, we have not heard of any delay in Manipur, it is thus unfortunate that we are facing such delay. Pu Speaker, thus, if we are apprehensive about this Bill, it is the circumstances that drives us and from whatever knowledge we have, thus, the concerned Minister should clarify to ease our apprehension. This is how I observed this proposed Amendment Bill. Thank you.

PU LALHMINGTHANGA

: Pu Speaker, I wish there is a way of understanding more clearly the amendment Bill that the hon'ble Law Ministry moved today. I support what the hon'ble member from Aizawl North has just mentioned. For layman like us, there are certain matters which we are still apprehensive of since it is legal matters. Like, during the discussion of the original Bill, the hon'ble Minister mentioned that CRPC and IPC will be implemented only in spirit, inspite of we raising the question if it will be safe. Now as believed, the said CRPC and IPC is moved for proposed amendment. Even today, the draft amendment Bill though sounded safe, I still have my doubt, if it will safeguard the social and traditional practice.

Pu Speaker, separation of judiciary is what we are looking forward to, infact, separation of judiciary plays key role in the fulfillment of democracy. Pu Speaker, the Principal Act was passed in 2005, we believe that if the Principal Act was passed in 2005, by 2006 there could be a separation of judiciary. However, the Government, it seems cannot implement the Principal Act without amendment. I would like to suggest that the Bill should be handed over to Selection Committee. Let Selection Committee carefully study the amendment to clear all the doubts of layman like us. Pu Speaker, after carefull study by the Selection Committee we will all support the Bill whole-heartedly and with full confident. Pu Speaker thank you, this is my opinion. Thank you.

S P E A K E R : We still have half an hour, any one else? Pu Lal Thanhawla.

P U L A L T H A N H A W L A : Pu Speaker, ' The Mizoram Civil Courts (Amendment) Bill, 2007', which we are discussing now is an important Bill. Members before me voiced their opinion clearly, I do not intend to repeat, however, I would like to thank the Government in regard to Bar Association from statement of objects and reasons. I would like to urge the Government if it is still possible as per memorandum of the Bar Association to shift the High Court Bench to New Capital Complex in the centre of the city?

As we have heard earlier, the proposed amendment Bill, if we simplify is a process to delay the separation of judiciary. In my opinion the Bill needs careful study. If the hon'ble Minister could distribute the model Bill from which they have drafted this Bill, so that we can compare and study. Pu Speaker, the question is, if our neighbouring state could swiftly achieved the separation of judiciary without any difficulties, why is there so much of a delay in our state?

Thus, Pu Speaker, in short I would like to suggest that, we should give priority to how the process of separation of judiciary is not delayed. As we have heard earlier, the Bill should be given to selection committee or consult other state and their High Court as to how the process could be speed up. Thank you.

S P E A K E R : Now that the hon'ble members have spoke of the reservations they have in regard to the Bill, let us now call the hon'ble Minister to wind up and clarify their apprehensions.

P U H. R A M M A W I
M I N I S T E R : Pu Speaker, thank you. Hon'ble opposition members spoke about all the apprehensions that could arise whenever decision is to be taken, there has to be negative and positive approach. It is a healthy approach for this House.

First of all, in regard to the question as to why the Bill was moved by DP & AR in the previous Session and now Law Department. Pu Speaker, since DP & AR Department is service Department, all officers and staff service is in their hands. Now that separation of judiciary is in process, all officers and staff service is placed in the hands of High Court. Thus, Law and Judiciary has to take up the matter.

Pu Speaker, we highlighted how eager we are to fulfill the separation of judiciary. There could be apprehension that DP & AR or Law Department is causing the delay. However, after the Bill was passed, DP & AR Department immediately approached High Court. But, it remained pending in High Court for the past 1yr and 4months, inspite of the said two Department's several reminders. It was recently that the High Court acts upon this matter. The High Court accepts it and was lying pending with them. This is the cause of the delay.

Pu Speaker, if it was that, 'The Mizoram Government in consultation with the High Court', things would have run more smoothly. This amendment is not meant to delay the separation but to speed up the process. Pu Speaker, in regard to CPC, implementing in spirit, there is nothing to be apprehensive, infact it is more safe.

Pu Speaker, regarding Pu Liansailova's question, DP & AR did not forward the Bill, reminder were sent several times and Law Secretary himself has gone to enquire the matter.

Pu Speaker, the Social & Religious practice and custom that is safeguarded in Article 371 (g) is not over ruled, it is still very much the same and safe. As for CRPC the police force are unable to function without CRPC is implemented. As for CPC, only Section - 79,80,81 is implemented. The court cannot function without these sections. I would like to request the hon'ble members to bear these in mind.

PU H.LIANSILOVA : During the discussion of principal Bill, it was discussed that CRPC is implemented in spirit, what I would like to point out is, from what we have heard, it seems that the hon'ble Minister gave a clarification that we have violated the tribal protection that we have as per the peace accord.

Pu Speaker, I agree with the amendment of 'The Government of Mizoram in consultation with the High Court' instead of 'The High Court in consultation with the Mizoram Government'. Pu Speaker, why is Principal Act., Section 7 not altered, it still remains as the High Court in consultation with the Mizoram Government in regard to court of small causes?

PU H.RAMMAWI MINISTER : Pu Speaker, what the hon'ble member have just mentioned is true, if it is not included in the amendment.

PU LALRINLIANA SAILO : Pu Speaker, I don't think the High Court will agree with Section 4, 5, 6. Is it just a delaying tactic?

PU H.RAMMAWI
MINISTER : Pu Speaker, let me speak this way, we will require court at district level, or at Sub – division level. Thus, in order to speed up the process, we believe that the present amendment will speed up the process. Pu Speaker, every one of us is in a hurry to have the separation of judiciary, infact, we are eager to set the lead role for our neighbouring states in the separation of judiciary. Pu Speaker, as I have mentioned earlier, the Rules does not cover Autonomous District Council Area, since it lies under Sixth Schedule Area. However, we have informed the CEM to take steps as it needs the decision of the Executive Committee to be included in the operational area. Thus if they agree, proposed amendment may further be required. Pu Speaker, as it is, every one is in a hurry for the separation of judiciary. I beg this august House to pass, ‘The Mizoram Civil Courts (Amendment) Bill, 2007’. Thank you.

S P E A K E R : The hon’ble Minister has clarified all the apprehensions that the hon’ble opposition members mentioned. Pu Hminga has suggested that the amendment Bill be given to Selection Committee. However as per Rule-79, the mover can suggest that the Bill be handed over to Selection Committee, and the members, after the mover moves the motion, can suggest for its handing over to Selection Committee if it is a motion.

PU LALHMINGTHANGA : Pu Speaker, I was not very sure of the Rules, therefore, it was only a suggestion.

S P E A K E R : Now that the mover of the motion suggests that the Bill should be passed, as it is the mean to speed-up the separation of judiciary. We will now give voice vote. Now all those who agree to pass Clause 2 – 11 of the main body say ‘agree’ and those who do not agree say ‘disagree’. The House has unanimously passed Clause 2 – 11 of the main body. All those who agree to pass preamble, enacting formula, Clause 1, short title and commencement say ‘agree’ and those who do not agree say ‘disagree’. The House has now passed ‘The Mizoram Civil Courts (Amendment) Bill, 2007’.

I would now like to give the summary of business transacted during the Eleventh Session. The following are the business transacted during two days sitting.

1. Question and Answer, Starred Question.

a)	Question submitted	-	52
b)	Reject	-	4
c)	Admitted	-	48
d)	Questions entered on List of business	-	40
e)	Questions answer given in the House	-	5
f)	Questions unable to answer in the House	-	35
g)	Starred Questions turned to Unstarred Questions	-	8

2. Unstarred Questions

a)	Submitted	-	17	
b)	Reject	-	13	
c)	Admitted	-	4	
d)	Starred Questions turned to Unstarred	-	8	
e)	Paper laid on the table of the House	-	12.	

OBITUARY

Obituary was observed by the House for the late Prime Minister of India, Shri Chandra Sekhar, and Pu L.Piandenga, former member of the House. Hon'ble Chief Minister gave short speech on the lives of the two departed leaders, and so did the hon'ble members Pu Lal Thanhawla, Pu Lalhmingthanga and Pu Lalduhoma.

Report present in the House :

1. Business Advisory Committee Report.
2. Thirty Sixth Action taken Report relating to Public Works Department.
3. Thirty Seventh Action taken Report relating to Public Health Engineering Department.
4. Thirty Eighth Action taken Report relating to Public Works Department.
5. Thirty ninth Action taken Report relating to Power and Electricity Department.
6. Fortieth Action taken Report relating to School Education Department.
7. Forty First Action taken Report relating to Public Health Engineering Department.
8. First Report of House Committee (2007 – 2008).
9. Eleventh Report of Subject Committee-V relating to Agriculture Department.

Paper laid on the table of the House :

1. 'Orders of the Governor of Mizoram' (Under paragraph 16 of the sixth schedule to the constitution).
2. The Mizoram Fiscal Responsibility and Budget Management Rules 2007.
3. 12th Annual Report of MIFCO for the year 2001 – 2002.

BILL

During this Session 3 Bills were admitted. After discussion of these Bills, all the Bills were passed by the House. They are –

1. The Indian Stamp (Mizoram Amendment) (Amending) Bill, 2007.
2. The Mizoram Oil Palm (Regulation of Production and Processing) (Amendment) Bill, 2007.
3. The Mizoram Civil Court (Amendment) Bill, 2007.

Bill passed in the House which the Governor has given assent are as follows-

1. The Mizoram Road Fund Bill, 2007.
2. The Mizoram Compulsory Registration of Marriages Bill, 2007.
3. The Mizoram Liquor Total Prohibition (Amendment) Bill, 2007.

I would like to request the hon'ble Minister to take note that, whenever, be it private or official resolution, the concerned Department should inform Assembly Secretariat the steps taken as per provision in the Rules of Procedure.

For the information of the House, we have changed the sound system of the House and so does the carpet. I would like to thank the concerned Department for their co-operation.

I would like to thank the hon'ble members for their co-operation during this Session.

P U L A L T H A N H A W L A

: Pu Speaker, I thank the hon'ble Deputy Speaker for the new sound system. I apologise for not mentioning it in the House. I do appreciate the new sound system. Thank you.

S P E A K E R

: As we have come to the end of our Business, Sitting is adjourned. Sine die.

1 : 10 PM.