

**S P E A K E R** : 'And as you wish that men would do to you, do so to them'.

Luke 6 : 31

Starred question No. 26 to be asked by Pu Lalhmingthanga.

**PU LALHMINGTHANGA** : Mr Speaker Sir, will the Hon'ble Minister for Local Administration Department be pleased to state -  
The amount spent by the Government for the Village Council's election held in 24.2.2006.

**S P E A K E R** : Let the Minister for Local Administration Department answer the question.

**PU H. VANLALAUVA MINISTER** : Mr Speaker, the total expenditure incurred for the election of Village Council was Rs. 1,61,94,983/- presently, Rs.111.82 lakhs has already been sanctioned, and another Rs. 50,12,983/= lakhs is still expected as an additional sanction.

**PU LALHMINGTHANGA** : Mr Speaker, a supplementary question please. We cannot deny that the fiscal involvement for election of Village Council is rather high. This is partly due to the existing voting system. If there are 6 candidates in a particular place, it would mean that a person has six votes. As this is the case, there cannot be free and fair election of Village Council. Realising this problem, it has often been suggested that a single ballot paper be used as a precautionary measure. However, in the last Village Council election, the old system was still practised. Mr Speaker, what is the obstacle that hinders the modification of the existing system of the election of the Village Council.

Secondly, the number of Village Council members have been decreased by means of an Ordinance. Also, nominated seats have also been abolished. As this is the case, there is a possibility of tie in the number of the elected members. Why is the Government return to the old system ?

How many villages are there where Village Councils cannot be formed due to a tie ?

**PU H.LIANSILOVA** : Mr Speaker, I believe that the authority has realised the defect of the existing voting system. This case has even been dealt by the Subordinate Legislation Committee. After having thorough discussion with the concerned department, the Committee, under the Chairmanship of Pu Liansuama has recommended that the present voting system of the Village Council should be modified immediately. Unfortunately, this recommendation had not been pursued. I would like to enquire the reason why the recommendation of the Subordinate Legislation Committee is not carried on by the Government.

Another point I would like to raise is polling booths. It has been experience that the number of polling booth is rather small considering the number of voters. In certain places, voting cannot be completed in a day and needs to be extended to the next day. Therefore the Department concerned is advised to increase the number of polling booths.

**PU R. LALZIRLIANA** : Thank you, Mr Speaker, I ask if there is prescribed amount of fund to be spent by a candidate in the last Village Council election.

Second, as seen in my constituency, each MNF Unit were given Rs.10,000/- and smaller units were given Rs.8,000/-. It is said that these funds are spent to obtain votes. As we have known, an amount of Rs. 126 lakhs was spent for the last Village Council election. Are the MNF units been given fund from this 126 lakhs ?

**S P E A K E R** : Let the Minister in-charge Local Administration Department reply the questions.

**PU H. VANLALAUVA  
MINISTER** : Thank you, Mr Speaker. In response to the question raised by the member from Lunglei 'S' and Aizawl North-II, I would like to say that the concerned department has taken every possible steps for the improvement of the existing voting system of the Village Council. However, the Village Council Act is set to be amended and therefore, there is no time to follow the recommendation of the Committee.

In regard to the number of seats of the Village Council members, the Government has cut down the number of Village Council seats, it is planned to introduce new system in the Village Council election.

In the last Village Council election, there are 94 villages which have drawn results. Detailed reports cannot be produced now as District Local Administration Officer reports have not been fully submitted. I hope detailed information could be produced before the end of this session.

During the 1999 Village Council election, the case of nominated seats and draw village were the main center of debate. Realising this problem, a nominated seat which is the advantage of the ruling party has been abolished with anticipation for better and more efficient administration in the village council. It has also been experienced that there are drawn results in villages where the number of candidates are not even.

**PU LALDUHOMA** : Mr Speaker, how can drawn result be produced if the number of candidates is not even.

**PU H.VANLALAUVA  
MINISTER** : Mr Speaker what is more complicated is when there is no single party to form a village council. This is more problematic than a drawn Village Council members.

- PU LALRINLIANA SAILO** : Pu Speaker, is it true that in case of a draw, the ruling party would appoint a Ministry Village Council ?
- PU H. VANLALAUVA MINISTER** : Mr Speaker, there is no intention to appoint ruling party member as a Village Council President in a village where there is a tie.
- PU R.LALZIRLIANA** : Mr Speaker, how many village are there where 2 parties have drawn results and another 1- Independent members.
- PU H. LIANSAILOVA** : Mr Speaker, by means of an Ordinance, the member of village council member has been reduced. If so, can the system of balloting be also changed or modified through an Ordinance.
- PU H. VANLALAUVA MINISTER** : Mr Speaker, all I can say is that we have not enough time to fulfil that.

In regard to the question raised by Pu Lalduhoma, the Government has set Guidelines/Rules to be followed for the Village Council election. Pu Liansailova has raised a suggestion to make more polling booths due to the increase in the numbers of voters. Returning Officer/P.O./candidates are authorised to conduct and make arrangement on polling system. Therefore, the House members are informed to advise their respective Returning/Polling officers and candidates.

In the case of the fund for MNF candidates, the Government does not make allotment.

- PU R.LALZIRLIANA** : Mr Speaker, in my constituency, I was informed that Rs. 200/500 are distributed to the voters. As a result, the MNF came out victorious. Can this practice be stopped ?
- PU LALTHLENGLIANA** : Mr Speaker, I think the member from Saitual constituency has the tendency to dig out strange cases. If what he was saying is true, it may be probed.
- PU H. VANLALAUVA MINISTER** : Mr Speaker, as far as I know there is no distribution of money to the public. If that happens in Saitual, the Government may look in to the matter to find out the culprit or culprits.
- PU LALDUHOMA** : Mr Speaker, there are 94 villages with drawn results. If the two parties cannot compromise, what would be done ?

**PU H. VANLALAUVA  
MINISTER** : Mr Speaker, that is an important question. It is the desire of the Government for the majority party to form a Village Council. Each Village Council is informed to form a Village Council not later than March 15. And if Village Council can not be formed by 15<sup>th</sup> March, the Government will take up the case on whether more time to be allotted or to dissolve the result.

**PU LALRINLIANA SAILO** : Mr Speaker, in my constituency where there are drawn results, they are threatened that if Village Council is not formed immediately, the Circle Assistant would rule. Is the Government aware of this ?

**S P E A K E R** : The Minister has already stated the decision of the Government. The modification of the system of Village Council has already been considered by the Subordinate Legislation and the Department also concluded that it can be done. This is an important matter. The financial involvement would also be increased. The concerned department should also be very cautious to find out the best system.

**PU R. LALZIRLIANA** : Mr Speaker, when there is a drawn result, an independent member may give his support from outside. In that case, an unofficial support of an independent member cannot be counted for making up a majority.

**S P E A K E R** : We shall go on to the next question.

**PU LALTHLENGLIANA** : Mr Speaker, I ask starred question No. 27. Will the Hon'ble Minister for Home department be pleased to state -

- (a) When will the proposal to raise 3rd Battalian I.R. be carried out. ?
- (b) Whether the headquarters for 3rd I.R. Battalion is selected ?
- (c) If so, where ?

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

**PU TAWNLUIA  
MINISTER** : Mr Speaker, the answer to starred question No. 27 is -  
(a) The Government plans to raise 3rd Battalion I.R. shortly. (b) There is no proposed site (c) Not arise.

**PU LALTHLENGLIANA** : Mr Speaker, a supplementary question please. I would like to raise a suggestion in regard to the station for 3rd I.R. Battalion. As the western area of Mizoram is a sensitive area, I suggest that the 3rd Battalion I.R. be placed in the western belt.

**PU LALHMINGTHANGA** : Mr Speaker, in order to have equitable distribution of forces, the 3rd I.R. Battalion headquarters may be placed in the Chhimtuipui District area.

**PU P. P. THAWLLA** : Mr Speaker, I am the one who have submitted an application in regard to the site of headquarters for 3rd I.R. Battalion. As suggested by the member before me, I too would like to say that being a remote area. Saiha District has been bordered by Bangladesh and Myanmar. Hence, Saiha district may best be selected as the headquarters for the 3rd I.R. Battalion.

In support of my suggestion I have come to understand that the party division of Lunglei Sub-Headquarters and 7 Groups of YMA have voiced their desire. Therefore, I would like to stress that it is most necessary to choose Saiha district as the headquarters for 3rd Battalion I.R.

**PU F. LAL THANZUALA** : Mr Speaker, what is the proposed strength for 3rd I.R. Battalion. What is the amount sanctioned by the Centre for raising of I.R. Battalion. Please clearly state the exact remuneration of I.R. Battalion personnel. To what extent will the new I.R. Battalion provide employment to the youths in Mizoram?

**PU LALRINLIANA SAILO** : Mr Speaker, It is pleasing to that another I.R. Battalion is set to be raised. However, it is imperative that the existing I.R. Battalion is strengthened and modernised.

Also, the approached road to the Headquarters of 2nd I.R. Battalion at khawzawl also needs black topping. During the rainy season, communication become very difficult due to the poor condition of road. Thus, I request the authority to take priority towards this.

**PU LAL THANHAWLA** : Mr Speaker, we have heard various suggestions in regard to the headquarters of the 3rd Battalion I.R. The case of the boundary dispute with Cachar has now been revived. We have passed a resolution the other day in this connection. In pursuance of that resolution, Vairengte may be most convenient.

**S P E A K E R** : Let the Home Minister reply the questions.

**PU TAWNLUIA MINISTER** : Mr Speaker, I will try to give my replies as clearly as possible.

The Central Government had initially sanctioned Rs. 13 crores as raising cost for 3rd Battalion I.R.. As this is found to be too meagre, efforts are being on to press the Centre to raise the initial sanction. Due to the efforts rendered by the Chief Minister and the two M.Ps, the centre has increased the raising cost to 25 crores.

The member has questioned the remuneration of the I.R. personnel. In this regard, the Home Ministry has reserved the right that in case the Ministry deploy the I.R. Battalion to other State, the borrowing State would meet all the necessary expenditure. I.R. Battalion is raised to back up para military force.

Normally there are 1007 posts in the I.R. Battalion which will be created officially. A Cabinet memorandum is being underway.

As for the site, it will be decided by the cabinet.

We are expecting that, around 1000 youth will get employment under this new battalion, and 100 senior from MAP and I.R. battalion will be up-graded, which in turn will create chain re-action of promotion vacancy. As for the internal route in 2nd I.R. battalion mentioned by the hon'ble member Pu Rina, it is our priority, steps will be taken soon. Pu Speaker the total amount invested for 2nd I.R. battalion till dated 20.2.2006 is Rs. 42,67,83,127/- Thank you.

**PU K. LARINLIANA** : Pu Speaker, will the selection be held from all the District headquarters? What will be the duration of training? I would also like to know if, sport persons, Home Guard and Ex-servicemen will be given priority. Further, will the MLAs be given quota?

**S P E A K E R** : Pu Lalduhoma.

**PU LALDUHOMA** : Pu Speaker, thank you. I would like to know, for how long has the Home Minister taken up the Portfolio of Home Minister? and during his tenure, is there any consultative Committee? If so, how many times has this Committee had a sitting? If there is no sitting, will the hon'ble Minister assure the House that, sitting will be convened regularly? I would like to remind the hon'ble House Leader that if sitting is not convened regularly it is against democratic principle. Being in the consultative Committee. So far, we have had only one sitting. I therefore, request the hon'ble House Leader to follow the usual practice.

**S P E A K E R** : We will now call the hon'ble Home Minister to answer the questions.

**PU TAWNLUIA MINISTER** : Pu Speaker, the answer to Pu Rina's questions is Recruitment will be conducted District-wise and there will be equal representation, 59 each.

**PU LALRINLIANA SAILO** : Pu Speaker, will the hon'ble Minister give assurance that alcoholic will not be selected?

**PUTAWNLUIA MINISTER** : Pu Speaker, we are very strict, therefore it will not be a problem. 200 persons were dropped from I.R. battalion due to this reason. We are therefore, taking careful measure.

The duration of training is 9 months. As for giving priority to sports persons, Home guard and Ex-servicemen, the Government is considering to give priority.

Regarding Pu Duha's question, why is consultative Committee not convene regularly? It is true, we will convene within this year.

**S P E A K E R** : We will now call Pu F. Lal Thanzuala to ask starred question No. 28.

**PU F. LAL THANZUALA** : Pu Speaker, starred question No. 28 - Will the Hon'ble Fisheries Minister be pleased to state - Why is the fund allotted for fish-farm under BAFFACOS reduced? Previously it was Rs. 1,50,000/- now it has been reduced to Rs. 35,000/- . What is the reason?

**PU B. LALTHLENGLIANA MINISTER** : Pu Speaker, the answer to Pu F.Lal Thanzuala's question is - The fund allocation for fish farm is according to the given rate, which is, Rs. 1,50,000/- for 1 hectre. The fund allotment is made accordingly.

**PU ANDREW LALHERLIANA** : Pu Speaker, I would like to ask, if there is a proposal to arrange fish market? Pu Speaker, does the Government verify the beneficiaries under BAFFACOS?

**PU B.LALTHLENGLIANA MINISTER** : Pu Speaker, we are expecting to have a fish market in the up- coming Aizawl New Market building. After spot verification conducted by the officials, the Board select the beneficiaries.

**PU SAILOTHANGA SAILO** : Pu Speaker, starred question No. 29. -  
(a) When will Mualkhang Gas bottling plant function? and -how many gas cylinder will be produced per day.

**PU K. SANGTHUAMA MINISTER** : Pu Speaker, the answer are as follows - (a) From the information received from I.O.B., it will function from May/June, 2006. (b)- 1200 cylinders will be produce per day.

- PU SAILOTHANGA SAILO** : Pu Speaker, thank you. Starred question No. 30 - In which area does Soil & Water Conservation Department takes up developmental programme ? A brief outline, if any ?
- S P E A K E R** : To answer the questions, we will now call Soil & Water Conservation Department's Minister.
- PU AICHHINGA MINISTER** : Pu Speaker, the answer to the Hon'ble Member's questions are - Soil & Water Conservation Department has a Division under each District. Under these Division there are 36 Ranges. Under these Ranges, Coffee, rubber and tea plantation is taken up by the Department. The Department construct terraces, wells and walls along the river during rainy season. The Department is having a new proposal to safeguard Soil erosion during rainy season. However, due to lack of fund, the Department is unable to take up steps as required, therefore, plans has been submitted to the Central government for centrally sponsored scheme.
- S P E A K E R** : Pu F. Lal Thanzuala.
- PU F. LAL THANZUALA** : Pu Speaker, Supplementary question. Is there any proposal to shift Hnahthial Soil Division ?
- PU H. ROHLUNA** : Pu Speaker, Supplementary question. Tea plantation is under which Department, Soil & Water Conservation department or Industry Department ? Pu Speaker, I would like to ask, if large cardamom plantation could be taken up in my constituency ?
- PU LALTHLENGLIANA** : Pu Speaker, agreement has made to rent a house for Soil Conservation office at Mamit, but till now nothing has been finalised. When will the authorities finalise the agreement ?
- PU P.P. THAWLLA** : Pu Speaker, how far has step being taken for D.O. office at Saiha.
- S P E A K E R** : We have few minutes left, however, we will call the hon'ble Minister to answer the questions.
- PU AICHHINGA MINISTER** : Pu Speaker, the answer to Pu Thanzuala's question is - Since there is two divisional office under Lunglei District, it was discussed that, Hnathial division should be shifted to Saiha, as Saiha District does not have division office. However, nothing has been finalised.



As for the answer to hon'ble member Pu Rohluna's question, as per the cabinets discussion on transaction of business - tea plantation is taken up by Soil & Water Conservation Department from last year. However, Industry Department is still taking up the on going project. Regarding tea-plantation, tea leaves are picked during rainy season, therefore, this hinders huge production. However, the department is taking up steps wherever necessary.

Regarding, Mamit Divisional Office, agreement has been signed for renting of a house for office. But, General Administration Department has not given their approval. However, the department has approached General Administration Department to give permission to rent the whole building for Godown, quarter and office. We have purchased land site at Mamit. Very soon, the department will be constructing its own building.

**S P E A K E R** : We will move on to the next Business. Pu Lalduhoma has submitted calling Attention Notice, I will read the notice.

The Hon'ble Speaker,  
Mizoram Legislative Assembly.

Subj : Notice of calling attention.

Sir,

'Under Rules 69 of the Rules of Procedure and conduct of Business in Mizoram Legislative Assembly', I have the honour to submit a notice for calling attention to a matter of urgent public importance. The subject is regarding the problems being faced by local Mizo bamboo Suppliers to supply bamboo from Mizoram to Cachar paper Mills. In the past, concession were given to the Mizos but as of now, the Mizos will not be able to supply our own bamboos. The problem requests immediate attention of the Government I shall be grateful if you give me an opportunity to raise the matter on the floor of the House at the earliest .....

**S P E A K E R** : Will now call Pu Lalduhoma to move, let us expect that it will not take more than 5 minutes.

**PU LALDUHOMA** : Pu Speaker, thank you. Hindustan Paper Corporation, Cachar requires 4½ metric ton of bamboo every year. 60% of their requirement is based on Mizoram bamboo.

It is supplied by Non-Mizos, the only revenue the Government collects is from Royalty. Now, Mizos are permitted to apply contract at Cachar Paper Mill. It is therefore, pleasing that Mizoram Bamboo Association can be constituted. But, Pu Speaker, Non-Mizo traders joined hands with Hindustan Paper Corporation leaders and called tender on 2005 September in such a way to block the Mizo traders. The qualification as per the tender is, the tenderer should be able to supply at least 30000 metric tonnes for 2 years, 5 lakhs, for earnest Money deposit. The tenderer should have supplied at least 10,000 metric tonnes per annum for the last 3 years.

Pu Speaker, the tender was not published in Mizoram Local Newspaper. The Chief Secretary has discussed the problem of Bamboo traders with the Hindustan Paper Corporation leaders, but, there has not been any fruitful result. Now 6 Non- Mizos has been selected to supply bamboo. They are to supply 3 metric tonnes of bamboo for 2 years. From the condition of the tender,

there can never be a qualified Mizo tenderer. Pu Speaker, out of the 3 metric tonnes given to Non-Mizos, 30 thousand is given to Mizo traders to be supplied from Bairabi. There are various difficulties that could be faced like, 1) There is no room to stock bamboo in the rail station. 2) To stock bamboo, at least 2 weeks is needed, by this time the bamboo dries up. 3) During rainy season truck cannot enter the station. 4) It is difficult to collect the amount required when the train Wagon arrives. 5) The bamboo coming from different region does not reach Bairabi at the same time.

Pu Speaker, the Government should therefore stop the system which prevents us from supplying bamboo forever. Since Mizoram has 60% of the bamboo required. Hindustan Paper Corporation does not have enough bamboo to feed their Industries, thus we have a strong foothold to solve the problem. We should be given concession.

The Government should therefore, make an agreement with the Hindustan Paper Corporation. So that, sons of the soil could supply bamboo. If the Government is unable to make an agreement, the Government should understand if the task is taken up by the people who are willing for the welfare of the State.

Thank you.

**S P E A K E R** : As per rules 59(1). A member may, with previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and of recent occurrence. The Minister may make a brief statement or ask for time to make a statement at a later hour or date. Therefore, we will now call the hon'ble Minister to make his statement.

**Dr R. LALTHANGLIANA  
MINISTER** : Pu Speaker, the calling attention motion concerns my Department and partly Industry department. As we have heard, meeting was held in September, where several important points were discussed. The Bamboo Supply Association has met me in my office, we discussed their problems. I planned to visit the site during harvest season, and study their problems. Pu Speaker, regarding tender system and by law mentioned by the hon'ble member, I have discussed the matter with Hindustan Paper Corporation leaders. However, since nothing has materialised, this proved that, immediate steps needs to be taken.

Pu Speaker, technically I am not prepared, however, what I would like to state is - it is the on-going priority. After the session is over, step will be taken to further deal with the tender system and by law to solve the problem of the Mizo suppliers.

Thank you.

**S P E A K E R** : The main issue is to protect and safeguard the Mizo Suppliers. Now, we will move on to the next list of Business. Today Pu Sainghaka is absence due to ill-health. We will now call Pu Zoramthanga Chief Minister to lay at the House table, 'Finance Accounts for the year 2004-2005 relating to Government of Mizoram; and Appropriation Accounts for the year 2004-2005 relating to Government of Mizoram.

**PU ZORAMTHANGA CHIEF MINISTER** : Pu Speaker, with your permission, I lay the 'Finance Accounts for the year 2004-2005 relating to Government of Mizoram'; and Appropriation Accounts for the year 2004-2005 relating to Government of Mizoram.

**S P E A K E R** : Let the copy be distributed. We will now call Pu K. Sangthuama to lay, 'The Mizoram Consumer Protection 1st Amendment Rules, 2005'.

**PU K. SANGTHUAMA MINISTER** : Pu Speaker, with your permission, I lay "The Mizoram Consumer Protection 1st Amendment Rules 2005".

**S P E A K E R** : Let the copy be distributed. Presentation of report, Pu Zodintluanga, Chairman, Subject Committee - II will present 'The First Report of subject Committee-II relating to 'Fisheries and Sericulture Department'.

**PU ZODINTLUANGA** : Pu Speaker, with your permission and the House, I present 'First Report of Subject Committee-II relating to Fisheries and Sericulture Drepartment'.

**S P E A K E R** : Thank you Let the copy be distributed. We will move on to the next list of business. We will call Pu H.Vanlalauva to beg leave of the House to introduce 'The Lushai Hills District Councils, Amendment bill, 2006'.

**PU H. VANLALAUVA MINISTER** : Pu Speaker, I beg leave of the House to introduce 'The Lushai Hills District Village Councils Act'. Thank you.

**S P E A K E R** : Let the copy be distributed. We will now call the hon'ble Minister to move 'The Lushai Hills District Village Councils Amendment bill, 2006.

**PU H. VANLALAUVA MINISTER** : Pu Speaker, thank you. The Lushai Hills District Village Councils Amendment bill has to be introduced, because of me, I beg the hon'ble members' forgiveness.

Pu Speaker, I would like to clarify that the recommendation of the Subordinate Committee, could not be fulfilled as the number of seat was large. We tried out various formula, which could be best suited. Pu Speaker, in the process, I fell ill and was unable to attend office, therefore, in the end as the Governor gave ordinance on February, 24. 2005, this bill has to be introduced in the House.

Village with 200 houses and below will have 3 members seat. And Village consisting of 201 to 500 will have 4 members seats. 5 seats consisting of 5001 to 800 houses and above will have 6 seats. As per the Governor's ordinance, Mizoram Village Council General election 16th was held in 2006.

Pu Speaker, I would like to thank various Political parties and the officials for the smooth election. I request all members to support this bill, as we have practised this system effectively in the last election.

Pu Speaker, I would like to highlight various points for the information of the members. In the previous Village Council term i.e. 2002-2006, there are 531 with 2339 seats. In this new term as per ordinance, there are 556 Village Councils but, election was not held in 3 Village Councils, therefore, there are 553 Village Council, with 2036 seats. In this new term, members are decreased by 303 inspite of Village Council being increased by 25 Village Councils. In the previous Village Council term, 200 houses and below has 3 members, while 201 houses to 400 houses has 5 members, and 401-700 houses has 7 members, 701-1500 houses has 9 members, lastly 1500 and above houses has 11 members. Pu Speaker, the decreased in Village Council seat is not adviceable. Looking back our previous records it is a common practice and this does not violate the rules.

Regarding the idea of forming Village Council of odd numbers, it is to be noted that even Village Councils formed by members of even numbers does not evade the problem. As for this reason, the Government decided to maintain our usual practices and I do hope the members too would support this bill, 'The Lushai Hills District (Village Council) (Amendment) Bill, 2006 without further ado.

**S P E A K E R** : The concern Minister has now moved the bill. 10 minutes each be allotted to the members and 15 minutes to the leaders. I, now call upon Pu Rohluna to have his speech.

**P U H. R O H L U N A** : Mr Speaker sir, as we know this Bill is not a new thing to this House. In my opinion, it may be more interesting if suggestion is made to revise the whole Act but not as amended, as the Act itself needs revision repeatedly. For example, the nominated seat was abolished and now being recreated, and now there is a suggestion to increase numbers of members.

Regarding the suggestion for numbers of Village Council members, I want to point out that we are now having problem relating to this matters as there are 94 Village Councils which cannot be formed immediately as no party have majority. It is confusing as to whether those Village Council are to be dissolved despite unhealthy consequences that has already taken place in that case.

Mr Speaker sir, it is also important to determine who is holding responsibility on the problem of forming a Village Council. Obviously it is not responsibility of the concern people but the Government who decides formation of Village Council members as 4:6 and the people are just the victim of inappropriate judgement. In my opinion, the statement of 'objects' and reason of this resolution is not submitted out of want of efficient administration but with a view to see demands of the present situation and as demanded by the administration of the Village Council. If we have to lead our Village Councils in this direction I doubt an efficient administration will be achieved in Mizoram. I therefore find it difficult to support this amendment bill.

Thank you.

**PU ANDREW LALHERLIANA** : Mr Speaker sir, we have seen here at the end of the first paragraph of statement of object and reason that it is meant to save the budget fund. In regard to reduction of member of seat I would like to give an example of Khawzawl village where there are 11 seats for more than 2000 households. But when election was held there are 20 members which means the village council is split up into 5 village councils and expense for the election is increased and this is against statement of object and reason.

Relating to the statement of the hon'ble Minister of the reason for objection made against our suggestion. I want to mention that Subordinate Legislation have already presented our suggestion to the Speaker on 16th 8.2005 and then forwarded it to the concern department. There is no reason to make objection because of limit time. I, therefore find it difficult to support the statement of object and reason as the Minister does not address solution to the problem with village council. I must say that there is no devaluation of power of local-self government. It is important to enhance more power to village council. It is obvious that most of the problem with village councils in the selection of beneficiaries originated due to partiality of certain political party and this problem has not been mentioned in the statement of the Minister. Likewise, the practice of corruption in the election of village council too should be mentioned.

Mr Speaker Sir, the concern Minister for Higher & Technical Education department while submitting ICFA Bill consulted Consultative Committee beforehand and the Committee too expressed its desire. But surprisingly, the Minister who submitted this bill ignored Consultative Committee and as such I have no reason to vote for it.

Lastly, as already pointed out by various members, I opine it is not appropriate to make even number of village council. It is only a mean for oppressing any other Political Parties with the power of the ruling party. Hence I cannot support the idea. Thank you.

**PU ZODINTLUANGA** : Thank you Mr Speaker sir. I opine it is a waste of time for the House to discuss this bill where as there are number of important bills to be discussed instead. With the growing population of the state, number of MLA too increases as the situation demands. But instead, it is regretted to learn that there is a proposal to decrease number of village council and I opine it is not a matter to be taken into account. It may be wise if the concern Minister withdraw this bill. Besides, Mr Speaker sir, it is necessary to follow mode of conduct while submitting this kind of Bill. It is regretted to learn that during the last Village Council election, some were threatened so as to vote for a particular party failing which application submitted by them will not be fulfilled. All such incidents signified lack of mode of conduct in the village council election. I, therefore insist on the concern Minister to withdraw his bill for the welfare of the State and the people. Thank you.

**D. THANGLIANA** : Mr Speaker sir, the hon'ble Minister for Local Administration Department has now submitted the Lushai Hills District (Village Council) Amendment Bill, 2006 and is much appreciated. Here in the Bill, it is suggested that any Village Council of 200 households may have 3 seats and 200-250 households - 4 seats, 500 households - 5 seats, 800 households or more - 600 seats, the ordinance which has already in existence is now being submitted. This does not concern with the idea of conception practice and it has already been applied in the previous Village Council election. It is intended to prevail smooth formation of Village Council throughout the State. It is to be noted that an ideal Village Council does not depend on the number of seats but on the members themselves.

As already mentioned, Mizoram is having 40 seats of MLAs and we are not having any problem because of the number of seats. In the same manner, the problem of Village Council has nothing to do with the number of seats. I therefore find no difficulty in voting in favour of this bill.

Thank you.

**PU H. LIANSILOVA**

: Mr Speaker sir, our common practice and procedure of the election of Village Council is undoubtedly far from an ideal system and it is much necessary to improve. Keeping in mind its importance, Subordinate Legislation Committee too make a suggestion so that Village Councils election is conducted free and fair and that the suggestion is submitted to the concern department for necessary action. Even before Subordinate Committee takes up this matter, the concern department, various Political Parties and voters are well - aware of the fact and the need for some sorts of improvements.

Secondly, I feel the need to review power given to Village Council and the reward given to them. As this matter is repeatedly mentioned in every seminar of Village Council, it is surprising to learn that this has not been included here in the statement of the hon'ble Minister. Anyhow, Mr Speaker sir, I don't think it is necessary to take up this matter in a harsh situation. If its importance is truly our concern, we had enough time to do so during 2002 to 2005. It may be wise to determine instead amendment of the constitution 73 and 74 concerning PRI which is of the matter interested by various NGOs and experts. But it is regretted to learn that no appropriate step is taken in this regard. It may not be appropriate to pass this bill as it is as there are various opinions in this connection. If we insists on passing it, it may be wise to take the opinion of Consultative Committee beforehand.

Thank you.

**PU LALRINLIANA SAILO**

: Mr Speaker sir, as opinion raised by the hon'ble member, I dont think it is necessary to take this matter as an urgent case as it is not very long since the last Village Council election was hold and it is unknown how the newly formed Village Councils are heading to. I do not think this is an urget need of the Government. It may be taken up and passed if the urgency is felt.

Secondly, regarding formation of Village Council as given here i.e. 4+4, 2+2 etc. I would like to give an example of Village Council formation of Biate Village. Here, Ruling Party formed the Village Council as member elected are 2+2. Supposing one of them has to take the chair in their meeting, there will be 2 opposition members and only one for the ruling party. If the opinion of the meeting has to be taken, casting of vote cannot resolve the problem as the formation itself is not appropriate. As for this reason odd number is more appropriate for an ideal formation of a village council.

Moreover, Mr Speaker sir, as we are in a democratic state, it is hardly suitable to change elected number of leaders in a diminishing direction.

Going back to formation of Village Council, we all are well aware of the negative effect of villages under the administration of Circle Assistant particularly in maintenance of Law and Order and of village administration. Supposing, mode of formation of village council is applied as proposed, we are only paving the way for administration of Circle Assistant and therefore, this is not suggestive, and may not be passed for now.

Thank you.

**PU SAILOTHANGA SAILO** : Mr Speaker Sir, by the grace of God and of the leaders, I have hold the post of Village Council for 6 years and finished my term by last March this year. From my experiences I would like to make few points relating to amendment of this bill.

To start with, I do not think it is good to reduce the number of Village Council members and I still prefer the existing system keeping in mind insufficiency of our budget fund to increase reward given to village council members.

Secondly, if we have to apply as being proposed now, there will be a problem in making decision particularly in 3 seated village councils where as one of them may not attend the meeting and is not possible for the other two to make firm decision. It is therefore, wise for us not to lessen the number so as to evade the problem. I think they will make demand to have more members anyway. When I was a member of Village Council the matter is discussed in the meeting and about the need to increase remuneration. Hon'ble Speaker sir, I would like to request the House to amend the rules for a Village Council to have more Members.

Nowadays, various departments used them as an agency and they have many duty to perform. Accordingly, it is necessary to increase even their remunerations.

Anyway, it is good to have good citizens and educated persons to contest Village Council election. Anyone will like to increase the number of Village Council Members if one knows the enormous duties of Village Council Members. The amendment bill is good but it is not good to reduce the number of Village Council. If not otherwise, it is difficult to pass it.

Thank you.

**S P E A K E R** : Only two minutes left for lunch break. Now, we will have a recess and resume the meeting at 2 :00 P.M.

2:00 P.M.

**S P E A K E R** : Now, we will continue our business. Let us call upon Pu Lalhmingthanga.

**PU LALHMINGTHANGA** : Thank you, Hon'ble Speaker sir. There are two or three points to be highlighted for discussion. Rules for Village Council must be a very good Rule preserving the liberty of people. The Village Council Rules that we have is old as Lushai Hills District. It was practiced from 1953. An amendment to accord with our social life today is truly necessary. It is not only appropriate to reduce the members by an amendment made only by ordinance. The Rules itself needs to be reviewed for which the hon'ble members may contribute ideas.

Secondly, administrative system turns a new leaf since 1980. The central Government want to decentralise various developmental schemes in the country. Various funds allocated by Finance Commission for Panchayati Raj cannot be utilised for being Village Council. Hence, it is time to have Panchayati Raj system in our State, so that such development fund could be received at the Village level. I therefore request this House not to pass this Amendment Bill instead the House may formulate rules, so that the poorest may benefit such central budget. That is why our Legislature party will not support to pass it now for it does not contain needs of the people.

Next to this, the voting system needed amendment to prevent selling of votes by Voters and that casting of votes may be seen by the Returning Officers and Polling Officers openly.

Lastly, the power of Village Council is so weak that it can impose fine upto Rs.50 only. It appears that they need to be empowered to be able to impose penalty when needed. The Model Code of Conduct contained in the Lushai Hills District Village Council Rules is no more applicable nowadays. The Rule could not bind the Government to restrict people who are in the opposition party. That is why the whole provisions needed amendment. It is now time to have comprehensive Rules to maintain Justice all around. As such, the present amendment Bill is inadequate for such things. We therefore, will not support the bill for passing now. Thank you.

**PU R. LALZIRLIANA** : Hon'ble Speaker sir, there is much to speak about this bill. It appears that the Hon'ble Minister who moves this bill is unfortunate that once he had moved not a very good bill recently. If it were appealed, it will be surely hopped because the provisions contravene the principles of democracy.

It seemed that this amendment bill is made for Government to execute works through the Village Council according to its own will. The member of Village Council member is reduced and the nominated seats are also abolished. This amendment bill abolishes 330 members of Village Council/Court. There is much good rules to be passed while such inappropriate rules is prepared for passing. If it is passed without the will of the opposition groups it shall be reamended immediately when a new Ministry is formed.

Secondly, this amendment is processed for Government to rule over the choice of the people according to its own will. This can not be passed.

Thirdly, it is an instrument to win others to the side of Government.

Fourthly, it is a policy to ruled over democracy principles. That is why it must not be passed. Truly speaking, purchase of vote by the candidate is doing the round among the people. I would like to make suggestion for its remedial measure. That is why, this amendment bill should not be passed.

**PU LALTHLENGLIANA** : Thank you, Hon'ble Deputy Speaker sir. It is highly obliged to discuss this Amendment Bill. All the former Ministries had never raised amendment bill for discussion in the House. The rules of Village Council is practised in the State not less than forty three years without any alteration. In such situation, the opposition groups did not propose amendment. Even if they win minority seats, they formed many Village Council by means of filling up of nominated seats. Knowing such bad effect, this Government abolished the provision of nominated seats. If not, we can form ninety four Village Council. I think we should be thankful for proposing amendment to further good governance. The Government persuaded Village Council within 15 days cordially, because of its intention to keep up with the democratic principles.

Hon'ble Speaker, we have 94/90 drawn Village Councils. If we were like them, we will form such village council easily. But such Village Councils are not formed till date. In fact, the congress ministry too reduced the number of seats occassionally.



Even the Central Ministry reduced the number of Ministers in Mizoram. There are times such reduction needs to be enforced. As provided under Rules of Procedure and conduct of Business of this Assembly, the amendment has to be passed that had gone through an ordinance. It will be pleasing if the members could cooperate with the Ruling Party. The better rules will be drafted and passed if this amendment bill is inadequate. If this Amendment Bill is not passed now, members of Village Council will suffer greatly. That is why, let us think deeply and speak for the good of the whole people and pass this Amendment Bill. Thank you.

**PU LALDUHOMA** : Hon'ble Deputy Speaker Sir. The Lushai Hills District (Village Council) Amendment Bill seems to be good as it passes through Ordinance. But if it is examined, it is not fit for passing. Because there is not such alterations except the number of Village Council Members. It is about four lines only, while other necessary alterations are not given thought. That's why, the Zoram Nationalist Legislature Party will not support the bill and will leave the House while voting.

And I would like to point out that the motion of the bill is not fair. That's why such bad amendment bill is not fit to pass. If Zoram Nationalist Party is to form a ministry in the State, it will abolish such amendment bill as soon as possible.

Hon'ble Deputy Speaker sir, a golden rule was read this morning "And as you wish that men would do to you, do so to them". The mover of this Amendment Bill will not like the Bill when he becomes an opposition Member. Let the law of the land be not spoiled by party feelings. The reason is stated to be due to economic problem which is not logical and not fit for passing.

There is much corruption practised at Village level. There is much more corruption where Ruling Party formed Village Council than where opposition party formed Village Council. It is highly better to have amendment that would stop such corruption practices. Business Advisory Committee informed the House that it would raise New Village Council Election Rules, which was included in the programme of the House. But it is not raised. Instead, this Amendment Bill is brought in for passing. Such amendment would be more important for the people and the State and it will also be easier for us to support its passing. It is not fair or proper for the government to have such amendment passed while Village Council election is on hand. The Opposition Legislature Party used to support passing of bills which is good for the State. But now, it is unworthy to support. I, therefore, would like to request the mover of the Amendment Bill to withdraw it from the House. Thank you.

**PU F. LAL THANZUALA** : Hon'ble Speaker sir, It is surprising that the opposition Members do not like this Amendment Bill. Election is to be held in 3 to 6 Village Councils. The opposition Members should protest what they did not like before election is held, but not protested in time. And now, they are strongly opposing .....( interruption ..).....

Regarding formation of Village Council ----- it is not important whether there are odd or even number. In 2002 Village Council Election, 108 Village Council could not form Village Council. But now, 94 Village Councils could not form. In 15 days hence, some of them will be forming village council. In places where Village Council cannot be formed, by-election can be conducted as provided in the Rules. Election has been conducted, which means that the said Act had been implemented. Therefore, today is not appropriated to denounce the said Act. If we want to make further amendment, we can move such amendment in future. No step can be taken to erase the main Act. Therefore, Mr Deputy Speaker sir, it is our duty to pass this Amendment Bill today. Thank you

**PU LAL THANHAWLA** : Mr Deputy Speaker sir, the members from Treasury Bench seemed to forget that we have not seen this Bill even before this day. Ordinance had been issued and according to which election to Village Council was conducted. The Act had already been implemented by means of ordinance before legislating it in this House. There is Subordinate Legislation Committee, in which every political party has representatives we are eagerly waiting for the proposal to amend this Act. But, no proposal had been presented in the said Committee. Therefore, we have no chance to discuss this even before this day. We are over-ruled by means of ordinance. As soon as we knew this, we opposed it and mentioned its demerits in many places on the eve of election to Village Council. We had opposed decreasing of the member of elected body. It really contrasts the democratic system. At the same time, we appreciate the abolition of nominated seats. But, we do not appreciate re-introduction of even numbers for the number of seats in Village Council. This can easily lead to drawn Village Councils. We, therefore, prefer 3,5,7, 11 seats in Village Council. We now speak about our desires.

We do not deny that the existing Act is needed to amend to prevent corruption and unfair means. As we had decided in the Subordinate Legislation Committee, we desire to constitute all party Committee to look at various proposals for such amendment. Because, Village Council is an important body under democratic States. During the election campaign, every political party emphasized implementation of Panchayati Raj system in our election Manifesto. But, today, this Ministry does not seem to implement Panchayati Raj system instead of Village Council. In fact, we declared Aizawl a City, but it is divided into a number of Village Council. Constitution of Municipal body for Aizawl is still neglected.

We proposed constitution of State Election Commission to conduct various elections within the State Jurisdiction like District Council, Village Council, etc. So that election can be conducted better than our existing system. Our Legislature party desire to change the whole Act. We cannot agree to pass this Amendment Bill. If we form a Ministry in future, we will abolish this Act and introduce better Act than this. Today we cannot support this Bill. We will walk out of the House if the ruling party intends to pass it.

**PU K. VANLALAUVA** : Mr Deputy Speaker sir, thank you. I appreciate this amendment Bill moved by the hon'ble Minister. I opine that the proposals contained in this Bill is very important. However, there may be some points to raise from the view of party politics. Besides, I would like to request my fellow members to be careful in our language. It is good for all of us to avoid abusive words. Infact, this Ministry is the first ever in Mizoram to abolish nominated seats in Village Council. The people of Mizoram put their faith in the existing Ministry which was shown in the result of last Village Council election. The Ruling party got high percentage of Village Council and most of the drawn Village Council had already settled now.

I opine that those who do not agree to pass this Bill seemed to neglect their respective constituencies. I am proud of the steps taken by the concerned Minister to reform the existing Act. While I was an opposition member some years back, I never walked out of the House except on very serious cases. It is not a Parliamentary practice to threaten the House for walking out of it. We will try our level best to find out the best result in every Government's Policy. I, therefore, support this Bill to be passed in this House today. Thank you.

**PU LIANSUAMA** : Mr Deputy Speaker sir, we are discussing very important Bill. I do not deny that there may be some points to criticise. But we have conducted Village Council election for 553 villages by means of ordinance. If we do not pass this Bill we will make 553 Village Councils meaningless. Therefore, we ought to pass this Bill today. From the speech of the Governor we know that new Departments called Urban Development and Poverty Alleviation Department is going to be constituted shortly. If so, we will require new Act to replace this existing Act which has been enforced for more than 40 years. But today, our immediate requirement is to legislate the said ordinance. Otherwise, 553 Village Councils will not be functional. I also support the steps taken by the Government to settle drawn Village Councils. Out of 94 drawn Village Councils, more than half of this has been settled till date.

In this connection, I would like to make suggestion to the Government that Village Councils seemed to need more power to mobilise resources of their own. As they are given power to collect animal tax, it is good to entrust them to collect on sand, stone and forest products also, so that we can make them to become self-sufficient. Anyway, I support this Amendment Bill to be passed today.

Thank you.

**PU R. KHAWPUITHANGA** : Mr Deputy Speaker sir, thank you. I think no Act can be made to avoid drawn village council at all. During the previous Ministry odd number like 3,5,7 etc. were used to make the number of seats in Village Council but we have seen more than hundred Villages were drawn Village Council were there. In my constituency also, we have drawn Village Councils in three villages. The Act itself is not responsible for such result. Village Council election had already been held in accordance with the ordinance. As mentioned earlier, the opposition party did not oppose on the day of that election. Today, this Bill is moved to legislate the same ordinance. So, it is our duty to pass it. Anyway, we can make necessary amendment for better utilisation of the Act. Therefore, I support this Bill to pass in this House. Thank you.

**DEPUTY SPEAKER** : Before calling upon the Leader of the House I would like to mention few words. Promulgate Ordinance had already been issued in the matter in accordance with Article 213 of the Constitution. Election to Village Council has also been held by means of the said ordinance. Therefore, we have to regularise the ordinance, otherwise, all elected Village Councils cannot be approved. I do not deny that there are many good points in the speech of the opposition members also. The whole Act may also be re-constituted in future. Anyway, our immediate requirement is to regularise the ordinance which had already been utilised. Now, let us call upon Pu Zoramthanga, the leader of the House which will be followed by the hon'ble Minister who moves this Resolution.

**PU ZORAMTHANGA** : Mr Deputy Speaker sir, Thank you. The opposition  
**CHIEF MINISTER** members had walked out of the House. I am sorry for this. Regarding this resolution, I would like to mention is that ordinance had been promulgated in accordance with the Constitution since the term of the existing Village Councils is over and election to new Village Council is urgently required on that day. Therefore, election had been conducted by means of that ordinance. Now, we need to regularise that ordinance. Anyway, time will come when we want to replace the existing Act as a whole but today legislation of the said ordinance is our immediate requirement.

Regarding the number of seats in Village Council, odd numbers like 3,5,7,9 etc. are not abolished or drawn Village Council are dropped in our experience. Besides this, the number of seats in every Village Council is revised and reconstituted according to the population of the concerned village. I think that less number of member can make common decision easier than more members. So, the number of seats are generally reduced while the number of villages is increased. As we know that the period of ordinance is only six weeks, this resolution is moved to formalise the said ordinance, so that all the elected Village Councils can function smoothly. Regarding practice of corruption I opine that, it is an individual case. Any political party does not favour corruption. Therefore, I would like to request this House to pass this resolution today. Thank you.

**PU H. VANLALAUVA  
MINISTER**

: Mr Deputy Speaker sir, thank you. The hon'ble Leader of the House has clearly mentioned the importance of this resolution to be passed in this House. As mentioned by the Hon'ble member for Hnahthial constituency, those who oppose this Amendment Bill have not mentioned what their idea is before the election. However, they seemed to be disappointed on the result of that election. Mr Deputy Speaker sir, I am sorry that they walk out of the House today. Meanwhile, I would like to state that Subordinate Legislation never deal with the Act. Their purview is to deal with the Rules only. Now, the said Rules is nearly completed. The drafted Rules is now ready to put forward to the meeting of Cabinet. Therefore, I hope that we can use it in the next election to Village Council which will be held in 2009.

The 73rd Amendment of the constitution gives more power to local bodies. According to which Mizoram also prepare new Bills to be passed in the Legislative Assembly. When we have pass this Bill we can expect better functioning from Village Council and the system of election will also be better than today. But, much more time is needed to pass the said Bill. Meanwhile, the term of the existing Village Council has nearly over. So, ordinance is promulgated to conduct election. Since election has been conducted in accordance with the said ordinance we need to regularise it to make elected Village Councils functional. Anyway, today's Bill does not contrast the new Village Council Act which will be introduced shortly. Today, our immediate requirement is to Legislate the existing Ordinance within its validity period. Therefore, Mr Deputy Speaker sir, I beg leave of the House to pass my Bill 'The Lushai Hills District (Village Councils) (Amendment) Bill, 2006'.

Thank you.

**DEPUTY SPEAKER**

: The hon'ble Minister and mover of the Bill has explained his Bill and he begged leave of the House to pass 'The Lushai Hills District (Village Councils) (Amendment) Bill, 2006'. Those who agree to pass this Bill will say 'yes' and those who disagree will say 'Nay'. (Members say 'yes') Now 'The Lushai Hills District (Village Councils) (Amendment) Bill, 2006' is passed in this House.

Our Business for today is over now, We will have a break and meeting will be resumed tomorrow, Dt. 14.3.2006 at 10:30 A.M.

Sitting is Adjourned at 3 : 45 P.M.