

S P E A K E R : "Do not judge by appearance, but judge with right judgement",
John 7 : 24.

Let us call upon Pu Lalrinliana to ask starred question No. 166.

● **PU LALRINLIANA SAILO** : Thank you, Hon'ble Speaker Sir.
(a) Whether Government knows it is more profitable when Hydel Project is looked after by Private Enterpreneur? (b) If so, the total profit of Government from it ?

S P E A K E R : Let us call upon Pu Tawnluia on behalf of the Hon'ble Chief Minister to give answer to it.

PU TAWNLUIA MINISTER : (a) Yes.
(b) Rs. 155.42 lakhs.

● **PU LALRINLIANA SAILO** : Whether the said figure by the Hon'ble Minister is a Gross Profit other than Net profit? A supplementary question, any step taken by this Ministry to generate power project in the State ?

PU ZODINTLUANGA : Supplementary questions. (a) If Teirei Mini Hydel Project is more profitable to hand over its enterpreneurship to Private Company why did other Hydel Projects are not hand over to the Private Company ?

(b) The House Leader said the Teirei Mini Hydel Project could not be managed properly. If so, whether this Project will be hand over to Private Company for the said reason.

(c) A large member of staffs of Public Works Department have stagnation in this service. If so, whether there is intention to partition the said Department ?

● **PU LIANSUAMA** : Teirei Mini Hydel Project earns Rs.155.42 lakhs within three years. The reason is that the dam is higher than Maicham Project. If so, whether Maicham can be made a little higher than before ?

PU D. THANGLIANA : Mr Speaker Sir, may I ask the following
(a) Rate of purchase of Power
(b) Figure of Mega Watt purchased by Government.

- (c) The reasons for highly improved power supply in the State?
(d) Figure of Power in mega watt produced by Government of Mizoram.

S P E A K E R : Let us call upon Pu Tawnluia Minister to give answer to the above questions.

PU TAWNLUIA MINISTER : Hon'ble Speaker Sir, Teirei Mini Hydel Project is handed over to a Mizo. But he employed non Mizo. Rs. 155.42 lakhs is not actually net profit.

PU LALRINLIANA SAILO : Hon'ble Speaker Sir, Power Supply is purchased at the rate of 0.93 paise per unit now and the private Company worked out at the rate of 0.93 paise. It is profitable, in short.

PU TAWNLUIA MINISTER : Hon'ble Speaker Sir, it is not to be spoken in the wrong way of what the Government earned which is Rs. 155 lakhs. Speaker Sir, we, the Government increased the rate to the consumers while the company reduced their rate to the Government as requested. We should appreciate the work done by Public Health Engineering.

The power required by Mizoram is 55 megawatt during this period and 33 megawatt during another period. And Mizoram produced 36.77 megawatt. Besides this, Mini Hydel Projects Produced 30 megawatt during rainy season.

And the rate of power purchased from other state is Rs. 2.10 per unit. It is very easy to guess that we need only 25 megawatt to purchase from other state. But we need 55 megawatt because Mizoram produces power only during the rainy season. Besides this, usually there is technical problem. That's why, we can poorly produce only 8 megawatt.

And Bairabi Thermal Power produced 22 megawatt. But each magawatt is produced by Rs. 4 per unit when the Thermal Power is on. It is start only when no power supply is received from other State.

PU ZODINTLUANGA : The Hon'ble Minister said that we should appreciate the work of Public Health Engineering. Why should we appreciate Public Health Engineering ? Is not it privatised due to improper functioning of Public Health Engineering.

- PU LALDUHOMA** : Hon'ble Speaker Sir, we, the Aizawl West regularly have no power today, What is the reason?
- PU LALRINLIANA SAILO** : Supplementary question (a) When will Serlui 'B' Hydel Project be completed? (b) How many mega watt will it produces?
- PU SAILOTHANGA SAILO** : Will the Serlui 'B' Hydel Project be handed over to Power and Electricity Corporation?
- PU H. LALSANGZUALA** : Hon'ble Speaker Sir, How will this Government treated power mini Hydel Projects in the State especially Vawm Lui Hydel Project?
- PU S. HIATO** : Hon'ble Speaker Sir. How will the Tuipang Lui Mini Hydel Project be carried on?
- PU H. ROHLUNA** : Hon'ble Speaker Sir, Whether NEEPCO handed over Tuivai Hydel Project to the hands of Government of Mizoram?

Secondly, we know that Teirei Mini Hydel Project earned Rs. 155 lakhs within three years. Will other Mini Hydel Project in the State be handed over for privatisation?

S P E A K E R : He is only incharge, let us call him to give answer only to what he could.

PU TAWNLUIA MINISTER : Hon'ble Speaker Sir, Government of Mizoram has a policy of privatisation like the Central Government Privatisation will be done by Government of Mizoram from every corner.

And Teirei Mini Hydel Project is not used for Commercial purpuss as said by the hon'ble Member. Mizoram needs Power. We, the ministry try to work out power Supply. In this connection, we apply any appropriate ways and means.

PU LALDUHOMA : Pu Speaker, we do not complaint about Privatisation but only complaint the higher rate of consumption.

PU TAWNLUIA MINISTER : Hon'ble Speaker Sir, Government of Mizoram fixed the rate of Power tariff according to its own will. Secondly, Serlui 'B' Mini Hydrel Project expected to be complete in December this year.

PU R. LALZIRLIANA : Hon'ble Speaker Sir, Rs. 387.75 lakhs is reserved for clearing the area. Where is the money ?

PU TAWNLUIA MINISTER : Hon'ble Speaker Sir, Aizawl West could not receive Power properly due to load shedding problem. It is beyond our control. And Tuipang lui project machine needs checking in Foreign. Therefore it takes more time to improve it.

Thirdly, Ministry of Power agreed Maicham project to be handed over to the Government of Mizoram. Proposal is now sitting on.

Hon'ble Speaker Sir, Government of Mizoram tried its best to meet the requirement of Power Supply in Mizoram. Accordingly we have enough Power Supply but it is not an ideal one.

Thank you.

S P E A K E R : Let us call upon Pu Lalhmingthanga to ask Starred Question No. 167.

PU LALHMINGTHANGA : Mr Speaker Sir, will the hon'ble Minister for Social Welfare Department be pleased to state-whether the Government is aware or not the existing road between Remand Home and Horticulture Department's land at Ramthar Veng Lunglei is encroached by the fencing of the compound of Remand Home?

PU R. TLANGHMINGTHANGA MINISTER : Mr Speaker Sir, the said fencing work is done by Public Works Department. We are afraid that the existing road will be encroached by the fencing. So, we sacrificed 2 feet each of Department's land along the road.

PU LALHMINGTHANGA : Mr Speaker Sir, I am very happy to know that 2 feet each of land along the road had been sacrificed by Social Welfare Department. However, when I visited the said place in the month of February this year. I found that the road is one way only. Can the hon'ble Minister Co-ordinate Horticulture Department too to widen that road as it is a public interest?

PU LALRINLIANA SAILO : Mr Speaker Sir, I would like to ask about old-aged pension. there are many old-aged persons who have no proper Guardians. Can the state Government take steps to increase the number of receipients of old-aged pensions?

PU R. TLANGHMINGTHANGA MINISTER : Mr Speaker Sir, I heartily support the opinion of Pu Lalhmingthanga. We have sacrificed 2 feet of land all along the road. If Horticulture Department also sacrifice their land for widening of the road, we can have enough space to make double-lane road. I hope that his desire would be fulfilled soon.

Replying to Pu Lalrinliana Sailo, as far as my knowledge is concerned, 15,200 old-aged persons are still given pension which will be increased by 12,000 persons during this year, proposal had already been made by Planning Department.

S P E A K E R : Let us call upon Pu Lalduhoma to ask Starred Question No. 168.

PU LALDUHOMA : Mr Speaker Sir, will the hon'ble Minister for Relief & Rehabilitation Department be pleased to state-What amount of money had been spent for construction of Refugee camp at Sakawrdai? What other expenditures have been spent by the Government to relieve refugees?

PU LALRINCHHANA MINISTER : Mr Speaker Sir, this question is not under my portfolios. However, let me give answer as I got information from Home Department. Meanwhile I will not be able to reply supplementary questions. So, I request you to understand me first. Rs. 7 lakh had been spent for construction of Refugee camp at Sakawrdai. Other expenditure are as the following:

- (1) Rs. 18,200/- for buying 13 Nos. of water reserviour.
- (2) Rs. 99,560/- for electrification
- (3) Rs. 8,772/- for transportation of diesel.
- (4) Rs.1,17,888/- to buy 2760 Litres of petrol for VIP, NGO and Officer who visit the place.
- (5) Rs. 23,500/- for TA/DA of the Verifying Officers.

- (6) Rs. 66,105/- for repairing of water pipe lines.
- (7) Rs. 88,340/- for buying 94.99 quintals of rice.
- (8) Rs.2,01,656/- for buying silpoulin
- (9) Primary School is also established where 3 temporary teachers are employed on contract basis at the scal of Rs. 1000/- permonth under S.S.A.
- (10) Medical facilities are also provided. The total expenditure till date is recorded as Rs.13,24,021.00.

S P E A K E R : Now let us call upon Pu Lalthlengliana to ask Starred Question No. 169.

PU LALTHLENGLIANA : Mr Speaker Sir, will the hon'ble Minister for Rural Development Department be pleased to state whether SGSY can be implemented in other Districts as in Lunglei district ?

S P E A K E R : Pu Aichhinga, hon'ble Minister for Rural Development Department now gets Medical treatment at Chennai. He, therefore, authorised Pu Tawnluia to give answer. Let us call upon him.

PU TAWNLUIA : Mr Speaker Sir, special SGSY scheme of Integrated Piggery Development (IPD) cannot be implemented in other District. But now, other schemes under SGSY are proposed to be implemented as the following

- (1) Enhancement of Horticulture Crops in Champhai District.
- (2) Development of Tea Plantation and setting up of Tea Processing Unit in Kolasib District.
- (3) Comprehensive self-employment generate programme, through integrated Ginger cultivation in Mamit District.

S P E A K E R : Now, Pu Zodintluanga to ask starred Question No. 170.

PU ZODINTLUANGA : Mr Speaker Sir. I ask Starred Question No 170 to be replied by the hon'ble Minister for I & PR Department. Is there any intention to have PRO of Aizawl District functioned as it should be ?

DR R. LALTHANGLIANA : Mr Speaker Sir, The work load of Aizawl District PRO to very heavy and it cannot be afforded by an indi-
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vidual person. So, the work is carried out from Directorate Office. There is no intention to do as asked by the hon'ble member.

S P E A K E R : Let us call upon Pu Sailothanga Sailo to ask Starred Question No. 171.

PU SAILOTHANGA SAILO : Mr Speaker Sir, will the hon'ble Minister for Land Revenue & Settlement Department be pleased to state-

whether there is a proposal or not to revise the rate of the following taxes.

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| (1) Zoram tax | (2) Building tax |
| (3) Land Revenue | (4) Mutation Fee |
| (5) House pass premium | (6) LSC extension |
| (7) LSC land recording Fee | (8) LSC/Periodic Patta Fee. |

If so, What steps would be taken.

PU B. LALTHLENGLIANA MINISTER : Mr Speaker Sir, the rate of the said taxes, as asked by the hon'ble member from Kawnpui Constituency is still revised.

PU R. LALZIRLIANA : Mr Speaker Sir, I was happy for hearing assurance from the hon'ble Leader of the House to revise the rate of various taxes. But, collection of various taxes is still going on till date. Besides taxes are paid without having assessment first. In this way the buildig owners can cheat the Department by telling lies. If the rates are to be revised, may I request the Government not to be hasty in collection of taxes.

PU H. LIANSAILOVA : Mr Speaker Sir, when we passed The Mizoram Taxes on Lands, Buildings and Revenue Assessment Act, there is clear provision to make assessment. In which the amount of tax to be paid would be assessed first. But today taxes are collected with the new rates without making assessment first. If the rates are to be revised, can the Government stay collection of taxes till the new rates are finalised.

PU SAILOTHANGA SAILO : Mr Speaker Sir, we seemed to have common idea. The new rate of taxes are greatly increased beyond affordability of the people. If so, can the Government take rapid steps for implementation of my questions?

PU H. ROHLUNA : Mr Speaker Sir, on the basis of what Act does the collection of the said taxes are carried on ?

PU B LALTHLENGLIANA MINISTER : Mr Speaker Sir, replying first to Pu R. Lalzirliana, Building tax is imposed since 1994-95 at the rate of Rs. 50 for Assam type building and Rs. 100 for RCC. Building. Besides, if a man has buildings to be rented by others, he has to pay 2% of the annual rental charge after deducting 10% for repairing the building. (**PU R. LALZIRLIANA**: Mr Speaker Sir, the Minister now stated that Rs. 50/- is fixed for Assam Type building. But, some days back, one person was told to pay Rs 80/- he said that he had dismantled his building so, the Department cancelled his building tax on the spot. But his building is still there. In this way, the Government can easily be cheated if assessment is not made first.) Mr Speaker Sir, I will reply such questions along with Pu Liansailova's question.

During this year, there may be some mistake in the collection of taxes due to revision of the rate of various taxes and shortage of staff. Anyway, we can hope better system in the next year. The department will take rapid steps to make assessment and land record first. I, therefore request the hon'ble members to understand our problems. We will try our level best to solve such problems.

PU SAILOTHANGA SAILO : Mr Speaker Sir, we hear from the Newspaper that the MPYCC. requested the people not to pay taxes. Further, the same newspaper published withdrawal of such request. Is the Government aware of this ?

PU B. LALTHLENGLIANA MINISTER : Mr Speaker Sir, the Government has norms - Therefore, we cannot abolish the collection of taxes without revision.

S P E A K E R : Question hour is over. The question owner has stated that tax had not been collected in accordance with the law. And the Minister had replied by stating that the Government has collected tax in accordance with the law/rule.

Today, the House Leader is absent from the House as he is on tour. Pu Aichhinga Pu Sainghaka and Pu Lianzuala are also absent due to ill health.

We shall go to the next business, that is Private Members Bill. let us now call upon Pu Andrew Lalherliana to beg leave of the House to introduce 'The Aizawl Municipality Bill, 2005'.

PU ANDREW LALHERLIANA : Mr Speaker Sir, with your approval and permission of the House, I beg leave of the House to introduce 'The Aizawl Municipality Bill, 2005'

S P E A K E R : If the House agree to introduce the Bill, Pu Andrew Lalherliana may be asked to move 'The Aizawl Municipality Bill 2005'.

PU ANDREW LALHERLIANA : Mr Speaker Sir, with your permission I move the House to pass 'The Aizawl Municipality Bill 2005'. The term 'Municipality' may be explained as 'town' or 'City' having local self Government. Local self government. Under a Democratic Country is needed in areas like Aizawl and Lunglei. Realising their fact, 'The Mizoram Municipality Steering Committee has even been constituted in Aizawl' The ruling party has also realised the needs to have a Municipal Government in the State Draft Mizoram Municipality, 2004 was also prepared. However, the Government seems to hesitate when the bill is about to get meterialised. I have also come to know that Municipality steering Committee has more than once pessed the Government to pursure the matter. And now, the responsibility comes to me as the Municipality Steering Committee has forced me to take initiative as they lose hope in the Government.

In the Constitution we have seen the functions of Municipality. At the same time, under Article 243 Z (E) Sub-clause 'A' it says that 'nothing in these parts shall apply to the schedule area refer to in Sub-clause I and the tribal area refer to in Sub-clause II of art 244'. However, the Indian Constitution further states in art 243 Z(C) Sub-clause (C) Sub-Clause III that '...notwithstanding anything in this Constitution the Parliament may by law extend provision of this part to the schedule areas and the tribal areas refer to in Sub-Clause I subject -to Sub-exception and modification as may be specified in such law and such law shall not be deemed to be an amendment of the Constitution for the purpose of article 368'.

In fact, the Central Government wants us to adopt this municipality provision. Even the 11th and 12th Finance Commission had made a separate budget provision of 10 crores under the budget head of (Municipal). It appears that the Rajiv Gandhi Foundation has also implored the State Government to set up Municipality.

I have submitted this Bill in the earlier session but it was kept pending as more importance was given to Private Resolution. The Bill was referred to the Governor for his recommendation. Today, I would like to inform the House that the Bill has been recommended by the Governor for consideration.

If we look closely into the Bill, we can see that it ratifies all the demands mentioned in the Constitution under Article 243 to 243 Z(G) and the 12th schedule. But, we have to know that the Constitution has vested high authority to the State Government in regard to municipality. Therefore, the MNF Ministry is advised to make a municipality Governing rules.

Mr Speaker, I think it would be the best if we follow the pattern of Delhi Municipality Cooperation but in accordance with the culture and religious adaptability of our State. The Constitution also provided that for tribal area it says that " Subject to Sub-exception and Motification as may be specified in such law".

The Government of Mizoram has copies of the Municipal Acts of other India State. But, many provision needs to be reviewed as we are different from them. For a State like Mizoram where Protected Area permit is still necessary, it may not be a wise thing to copy the Municipal Act of other states. The most sensible thing should be to form a Committee or Commission to make rules.

Mr Speaker, I think it is not necessary to mention the urgency of having Municipality for Aizawl City. In order to have proper construction of building, internal roads, drainage system and garbage disposal, Municipality is a must. As for Aizawl City, we are all aware that it has been growing without master plan. therefore, in order to have an efficient and well-organised admistration in a city, a municipal body is the only remedy. It will also make the people participate in the administration of that particular area as it is a local self government. This Bill, The Aizawl Municipality Bill, 2005' will also make the people look after the city.

Financial constraint hampers the formation of municipality in all the 20 notified towns and cities. Though it is desirable to set up municipality in the notified towns and cities it cannot be done due to high financial involvement. Therefore, I suggest that municipality be started in Aizawl which may be extend further to other places after another.

Starting with the Preamble, the Bill has 44 articles consesting of 14 pages. One thing I would like to say is that by passing the Municipality Bill, we also have to constitute the long needed State. Finance Commission and State Election Commission.

The Bill contains the provision for State Delimitation Commission and Municipal Council which will be the highest body of administration. The city area will be divided into 20 wards from which a representatives of 20 Councils would be elected for a teem of five years. This Council will be the highest authority for the city administration. These twenty municipal Council will then form an executive council headed by a Chairman, under which there will be Vice Chairman and 4/5 Council members. These Council Member are to be selected from amongst the 20 Municipal Council. The Bill also provides for the conduct of business, record of proceedings, salary and allowances and how to conduct election. Besides, there is also provision for electoral Roll and eligibility of voters.

There is also Power and Function of Municipality in Chapter IV. This chapter is based on the 12th Schedule of the Constitution.

Clause 28 provide for transfer and function of other departments towards the Municipality Councils.

Chapter VI further provides for appointment and salaries of the CEO, Health officers and Engineers.

Again Chapter VII States the Municipal fund account Credit and clause 37 of the same chapter mention budget for Municipality.

Article 39 States about State Finance Commission and Article 40 provides for Power to make rules and Article 41 to 43 provide for enforcement of rules and penalty and punishment.

The last provision in the Bill is Repeal and saving of Acts. As Municipality Act has to be formed, other minor Acts need to be repealed. For this purpose, the Act needs to have power to repeal and save the existing Acts.

As I have Stated earlier, it is the manifesto of the ZNP Party to set up Municipality in all the notified towns. I believe this is also the purpose of the ruling party. However by estimating our financial capacity, the Government afford to set up municipality in Aizawl city only. Mr Speaker, I hope that this strong Government can take rapid step to make proper governing rules after passing the Bill. Therefore, Mr Speaker, I move this Bill for the passing of the House

Thank you.

S P E A K E R : The Bill will be discussed by the House. The members will be allotted 10 minutes each let us now call upon Pu H. Vanlalauva.

**PU H. VANLALAUVA
MINISTER** : Pu Speaker, thank you. I would like to thank for the hon'ble member Pu Andrew Lalherliana's bill 'The Aizawl Municipal Bill'. Pu Speaker is it 'Municipal' as Municipality ?

DEPUTY SPEAKER : from the Authenticated Copy, it is "The Aizawl Municipality bill "The Aizawl Municipality bill". It must be a mistake made by the office.

**PU H. VANLALAUVA
MINISTER** : Mr Speaker Sir, I accept the Municipality bill. However, the present bill covers only Aizawl, which I feel is not enough. The government is now preparing Municipality bill for the whole state. The mover mentioned the need for this bill which is true, but it is not appropriate to pass for Aizawl city alone at present. Mr Speaker Sir, Municipality is highlighted in MNF party manifesto, therefore, as soon as the government was formed, steps were taken in this regard. Local Administration Department Officer, studied the systems and functions of other states and collected data, there by which, the draft Mizoram Municipality bill, 2002 was prepared. However, there were correction to be made and after necessary correction was made by the department the draft Mizoram Municipalities bill, 2004, is prepared. The bill is now with law department. After which, it will be studied by the cabinet and NGOS.

Mr Speaker Sir, I appreciate the effort and hardwork put in by the mover. However, as it is the on-going issue of the government. I request the hon'ble member to withdraw the bill for now.

Thank you.

PU R. KHAWPUITHANGA

: Mr Deputy Speaker Sir, I appreciate the effort and hard-work put in by the hon'ble member, but as we have

heard from Local Administration Department Minister, Municipality bill for all the district is what we required. Therefore we can accept this bill as only the stepping stone.

The bill itself is not complete. If we look at section-10, it is stated that, 'The chairman may be removed from the office if he losses the support of majority of councillor'. Mr Speaker Sir, it does not clearly define the percentage. Further, the oath of affirmation, needs review. Regarding disqualification, I feel that, it should be made clearer than its present defination.

Mr Speaker Sir, the schedule given is quite less. I would suggest that, the number of schedules must be encreased, so as to clarify the bill incontestably.

As I have mentioned earlier, I admired, the effort put in for the preparation of this bill. However, what is the hurry in passing this bill as we have heard, a bill which covers the whole state. will be laid by the government, after it is carefully studied by experts and NGO's. Further we will be having rules for Aizawl Development Authority. Moreover, Aizawl city is functioning under the guidance of Town Planning department without much problem. Therefore. I would like to suggest that, this bill should not be passed at present.

Thank you.

PU S. HIATO

: Mr Deputy Speaker Sir, Thank you. From listening to the mover, I accept the importance of this bill. But, the

Local Administration Department Minister's Statement is more appealing.

In 1972, when Mizo District Council was dissolved, political parties were not satisfied, as they feel that, the Administration gap is too wide. Therefore, the remedy is to have municipality.

Mr Deputy Speaker Sir, the department handles, planning, land use, water supply, slum area improvement and various other projects and schemes. Therefore, if we have municipality, it will handle these projects which will solve the problem of the government. It could also be a political solution. Therefore, I would like to suggest that, we should start from Aizawl and gradually other district will follow. Mr Speaker Sir, 12th Finance Commission, expect us to have municipality. Therefore, I believe that, it will not be difficult to accumulate fund for municipality. Therefore, I suggest that, we pass this bill for now. If not, I would request the Hon'ble Local Administration Department Minister to give assurance that, the draft Mizoram municipality bill 2004, will be passed within this term.

Thank you.

PU H. ROHLUNA

: Mr Deputy Speaker Sir, thank you. First of all, I would like to thank the hon'ble member for his effort and hardwork for 'The Aizawl Municipality Bill, 2005'.

After, the British rule, we have district council. Under 6th schedule, we have District Council and Village Council. After 1972, the administration gap is too wide, which causes problem for the administrator and the people. At present the Ministers are directly burdened heavily with Village Council problems. Therefore, we are in sincere need of Municipality. I agree that, we are in need of Municipality at Aizawl city. As we are aware, there are confusions and problems regarding boundaries, which causes problem for the people and the administration. Therefore, if we have One authority in Municipality Council, I expect Aizawl city will be able to function as per proper planning.

Aizawl Development Authority is also very often suggested in place of Municipal Corporation. But, I opine that Municipal Corporation will seem to be better than Aizawl Development Authority. The hon'ble Minister for urban Development Department affraids that other towns of Mizoram will be jeolouse, if we have Municipal Corporation for Aizawl only. But, we do not hear about jealousy from such other towns in the case of Aizawl Development Authority. If we can constitute Development Authority for Aizawl only, I am sure that we can also constitute Municipal Corporation for Aizawl I, therefore support this Bill.

We seemed to be in need of decentralisation of power. So, Municipality is very important to look after our state capital. If we want to have proper administration, we need to constitute a democratic body in which people will elect their representatives directly. Let us start such Council in Aizawl and it can be constituted for other towns too later. Therefore, I agree to pass this important Bill moved by the hon'ble Member from Khawzawl Constituency.

Thank you.

PU H. VANLALTHALIANA

: Mr Deputy Speaker Sir, Thank you. First of all I would like to convey my thanks to the hon'ble member from

Khawzawl Constituency. Who moves this Bill for his untiring efforts. We can imagine that he would work very hard to prepare this Bill. However, let me express my view from a constituency other than Aizawl City. When I think about the reason why we need to have Municipal Corporation. I opine that our problem will not be solved by such body. In fact, there are eight Assembly Constituencies in Aizawl Comprising of a population of about two lakh. The existing eight Constituencies seemed to be enough because, our MLA'S can cover every corner of their respective constituencies. Do we think that Municipal Corporation could work better than the Government? Various developmental works are still going on under the state Government. I do not believe that a smaller body will work better than the Government. If we want to make better roads or if we want to construct our buildigs or anything else, steps can be taken by the Government. Therefore, Constitution of Municipal Corporation will be good for political solution only. It will not do what the Government cannot do in various developmental works.

I was satisfied with various developmental steps taken by the Government. Now, we have contituted Aizawl Development Authority. I hope that it will be an initiative step for

Municipality. I, therefore opine that we need more times to study the necessity of Municipality in our state. So, I cannot support this Bill to be passed today.

Thank you.

DEPUTY SPEAKER : We have 6 minutes only before break. Will we continue our discussion? If Yes, let us call upon Pu R. Lalzirliana.

PU R. LALZIRLIANA : Mr Deputy Speaker Sir, Thank you. I will not take much time. Municipality Bill had already been moved in 2005 by the hon'ble member from Phuldungsei Constituency. Now, the same Bill is moved again by the hon'ble member from Khawzawl Constituency. I appreciate their untiring efforts. Many members from Treasury Bench also want to constitute a Legislative body of such type but they always search reasons for not agreeing to pass the Bill.

As we have listened earlier, I am sure that it will have many good impacts. The Ministers would have more time to work for the whole state. It is good for decentralisation of power. In Shillong also, there is Municipal Corporation, which is very important to make Shillong City progress and more beautiful. Rapid action can be taken on various developmental works and also for proper maintenance of law and order. On the other hand, It is said that taxes will be increased to mobilise resources. It is true but more sanction will be coming from the Central Government in the name of Municipal Corporation. In the ruling party, claim for Leadership seemed to be one of the biggest problems within the party itself. Constitution of Municipal Corporation would solve such problem to some extent.

The hon'ble Minister for Local Administration Department stated that Constitution of Municipal Corporation is included in the Election Manifesto of MNF Party. However, MNF Party do not fulfill its Election Manifesto. Dissolution of Chakma District Council is also included in their Election Manifesto. Do they fulfill it today? They always neglect their Manifesto. Therefore, it is difficult to put confidence in the ruling party. He just pointed out the Election Manifesto to delay Municipality Bill. Therefore, Mr Deputy Speaker Sir, I support this Bill moved by the hon'ble member from Khawzawl Constituency to pass in this House today.

Thank you.

DEPUTY SPEAKER : Seven member including the mover of the Bill have participated in the discussion. Time is now 1 : 00 PM. We will have a break and meeting will be resumed at 2 : 00 PM. Sitting is adjourned at 1 : 00 PM.

2 : 00 PM.

DEPUTY SPEAKER : The House will resume business. Let us call upon Pu Zodintluanga.

PU ZODINTLUAGA

: Thank you, Mr Deputy Speaker Sir, I think the members from the right and left have clearly known the urgency of

having Municipality in Mizoram. The hon'ble LAD Minister has also supported this fact. It is a matter of pride and appreciation that we have a legislator who is able to make a bill like this.

As we are all aware Aizawl City is very congested not to mention the market area. The pavement made for pedestrians have now become market site. We need proper Garbage dumping area. Due to the absence of proper rules and regulations, garbages are dumped in the side walk and there is no proper drainage within the city. Proper sanitation is a problem in the city. For this reason, Municipality Bill is a must. However, the hon'ble Minister is I think wrong in thinking that there is no other way to solve the problem within Aizawl city other than the Government.

As stated by the member from Saitual, there are number of persons in Aizawl who are brave and are not afraid to take any steps for the Country. It is the aim of this Bill to produce and activate such persons. Therefore, I support this Bill. The mover of the Bill has been quite meticulous in his drafting of the Bill. Even if there are certain points which are found to be satisfactory, it can be amended after it becomes an Act. Hence. Mr Deputy Speaker, I support this Bill and should be passed by the House.

Thank you.

PU SAILOTHANGA SAILO

: Thank you, Mr Deputy Speaker. I would like to express my gratitude to the Member who moved this Bill. I

understand that to prepare a bill like this is not an easy one. Even if the Bill is not passed today. I am sure that it will be adopted later. As already stated by the mover of the Bill, this Bill is not meant only for Aizawl, but for other towns as well. I would like to state that if the Aizawl Municipality Bill is passed and made effective, the burden of the work ~~load~~ of the Minister can be lightened to some extent.

I feel it is important to impart in the minds of the people that we are urgently in need of this Bill. This Bill contains two bodies. The Municipal Council and the Executive Council. The Municipal Council will consists of 20 Members which are to be elected where as the Executive Council Consists of the Chairman, executive members and the Advisor to Chairman. This means that number of new posts would be available for eligible persons. And it would be another way of solving unemployment problem. Not only this, if we have Municipality Bill, internal development will be a certainly. Even, the most serious problem of water supply would be taken up by this Council.

Health care problem, bad communication and sanitation problem would also be taken up by the Executive body which is expected to manage smoothly. The problem of poverty and even urban poverty alleviation will also be taken up by the Municipality. The importance of Municipality can be extended to safeguarding and preserving our culture and heritage.

The current problem of burial ground is also expected to be lightened by Municipality.

The task of registration of Births and Deaths which is entrusted to local school teachers has become a heavy work. This task will also be handed over to the Municipal Council.

As for Aizawl city, the internal planning of roads and the system of building construction requires proper supervision of a Municipality. The Government fails to look into this matter. Therefore, Mr Deputy Speaker, for the betterment of our cities and towns I invite my fellow members to pass this bill.

Thank you.

PU LALTHLEGLIANA

: Thank you, Mr Speaker Sir, I have a feeling that the members of the House are not fully interested in today's Bill.

I am not denying that the Bill is a good one. But, it may not be sensible to pass a bill which is roughly drafted by a private member as Municipality is an important subject that concerns the whole population. Therefore, this Bill has to be considered in a thorough manner. As States by the hon'ble Minister for L.A.D. the Government is studying how other States Municipality. Workshop on Municipality or a seminar should be organised with the presence of representatives from all political parties and social organisations. As we are aware, this Bill is prepared by an individual member. It may not be the best idea to pass a bill that is the work of a single person.

It would be appreciated if the member understand my point. A bill like this should not be taken up by an individual. It should be the task of the Government in consultation with experts and resource persons.

The drafting of the Bill itself is found to be unsatisfactory. The definition of the Bill is not clear enough. The power and function of the Municipal councils and the executive Council are not emphasized enough. Even the schedule has not been clearly classified while the Bill should contain schedule. So, Mr Deputy Speaker, let us wait for the Government to take steps in this matter, in stead of passing an unsatisfactory bill today. If we pass today's bill the future generations would put the blame on us

Thank you.

PU LIANSUAMA

: Mr Deputy Speaker Sir, though I am not interested in this Bill, I would like to admit that the work and effort of

the mover of the Bill is admirable. Perhaps he has prepared this Bill just to waken the Government Aizawl Municipality always appeared to be good though we cannot have it passed in the past years.

Municipality Bill had been moved in the House more than once. But, like the Women's Reservation Bill in the Parliament, it appears to be good but can never come into force for some reasons. While sitting in the opposition bench we support this Bill, But, after sitting in the ruling, it never gets materialised.

What I will really need appears to be Urban Development Department which the hon'ble Chief Minister had stated as being under proposal. Besides, Aizawl Development Authority will also function. What Aizawl city needs today is a body that could look after the city which

at present taken up by Urban Development Department. Besides, the existence of this department and Aizawl Development Authority may not clash the existence of municipality.

Mr Deputy Speaker sir, we have various Corporations and councils Employees in our states, in addition to government employees. There by which huge fund of our state budget has to be invested for their pay, leaving the people with minimum fund for development.

Mr Deputy Speaker Sir, if Municipal corporation is set up, it will have to function with the help of tax. The people are very much against paying of tax as we are aware. Therefore, careful study is needed as to how it will function. Mr Speaker Sir, as for the vast gap between Village Council and Ministry, we need Panchayati Raj / District development Council. But, for Aizawl, careful review is needed.

We have Aizawl Development Authority, Mr Deputy Speaker, what we have to keep in mind is, how far will it clash with Municipal corporation. We know of how Delhi Development Authority and Municipal corporation clashes in power. Therefore, I appreciate the effort put in by the hon'ble member for this bill, however we should go slow and have careful study before passing this bill. As it is, there is a bill which will soon be veto by the law department. Therefore, I would like to suggest that, we wait for the government's bill.

Thank you.

PU LALRINLIANA SAILO

: Mr Deputy Speaker Sir, Thank you.
I appreciate and admire the hon'ble member for this bill. The bill is moved

at the right time when the bill is required with the fast development of the state. During the Mizo union period, Municipal corporation was not vital, but as of now, Village Council alone is not sufficient to maintain the various functions of the city. We are in need of proper system of law/rules and functioning. Mr Speaker Sir, I was very delighted when, Pu Laldenga the late Chief Minister, first formed the government and the city roads were widen. But, it is unfortunate that, the present government does not follow its leader's foot step. I was wondering, could it be, due to the fact that, this present leaders are moving towards practising lesser work with high amount of bill.

Mr Speaker Sir, the hon'ble Minister mentioned that, this bill covers only Aizawl city. But, Mr Deputy Speaker Sir, I feel that, it is wise to start from this congested city.

Mr Speaker Sir, if we look at the Twelfth Finance Commission Report, we are awarded Rs. 20 Crores for Panchayat and Rs. 10 Crores for Municipalities year wise. It is therefore now is the right time. Mr Deputy Speaker, we have Aizawl Development Authority, if I am not mistaken, it seems that, it is constituted to recuperate a particular person from pensioning. Mr Deputy Speaker, clarification should be made regarding the fund utilised by Aizawl Development Authority. Is it the fund allocated by the central government for municipality and Panchayati ?

Mr Deputy Speaker, there may be mistakes with the wordings, of the bill, but I would like to suggest that, as the bill demands, we should start from Aizawl city, and later move on to Serchhip, Mamit, Lawngtlai, Lunglei etc. If the bill is implemented in Aizawl, it will automatically cover Lunglei district. Mr Deputy Speaker, High power Committee at Lunglei should be strengthened Lastly, I would like to state that we are in need of the bill.

Thank you.

PU SAIKAPTHIANGA

: Mr Deputy Speaker, First of all I would like to thank the hon'ble member for the hard work and dedication for this bill. However, I regret to state that, some of the hon'ble members, regard this bill as a mean to clear this congested city. We have rules and regulations, but is of no effect. Municipality will be successful if the people learn to obey the rules and regulations. I have never heard of city that are clean and not congested because of Municipality. Therefore, I feel that, awareness should be given to the people.

Lastly, I would like to suggest that, as the hon'ble Local Administration Department Minister has mentioned, there is a government bill, which is in the law department, we should go slow and wait for the process. Meanwhile, Aizawl Development Authority should be strengthened in its functioning and the implementing of rules and regulations should be tightened. Therefore, I suggest that, inspite of the hard work put in by the member, the bill should be withdrawn for now.

Thank you.

**PU H. RAMMAWI
MINISTER**

: Mr Deputy Speaker, I thank for the bill. But after listening to the hon'ble members and the movers. I feel that, we are indicating this bill as a mean to clear the congested city. Mr Deputy Speaker, as mentioned by member before me, rules and regulations should be studied carefully theoritically and practically. Today, what I would like to state is, rules/regulations will not solve our problem. Even in advanced cities and countries, congested areas could not be cleared by rules and regulations alone. Therefore, the idea of, if we pass this bill, the roads of Aizawl city would be widen, should be wash away, because it will not happen. As hon'ble member from Phuldungsei mentioned, theory and practical is different. Today while discussing, we may all accept but when reality is faced it is different and difficult. How can we expect lower authority of implementing agent to implement the rules, when we MLA's are unable to carry out ourselves.

Aizawl Development Authority will be constituted shortly. Let us wait for this. Infact, the Government is not brave enough to encroach an individual for widcing of public road. For instance the road between Tennis Court and Dinthar kawn cannot be widened by the Government and Village Council's for a very long time. However, Y.M.A. backed up by other NGO'S takes steps for this purpose. If NGO's takes such steps many individual persons can sacrifice their lands. This shows that elected body cannot enforce its power since the members hesitate to lose public vote in the election. If the Government cannot do such development works, I do not believe that the smaller body such as Municipal Corporation will do better with less power.

Municipality is required not only in Aizawl. It is needed in Lunglei and other District Headquarters also. Knowing this, the Government still prepare a new Bill. Therefore, it is not good to pass another Bill of such kind now for Aizawl only. I request all Members to agree to wait for the steps taken by the Government. The Government intended to constitute Aizawl Development Authority for the same purpose with Municipality. Besides, Urban Development Department will also be created soon. I hope that the said new Department can take steps to solve various problems that are pointed out. Therefore. Mr Deputy Speaker Sir, I suggest that the mover of this Bill withdraw his Bill today.

Thank you.

PU RASIK MOHAN CHAKMA : Mr Deputy Speaker Sir, Thank you. In regard to abolition of Chakma District Council as stated by the hon'ble Member from Saitual Constituency, I would like to mention that the Indian National Congress Party seemed to be abolished within Chakma District Council area. Coming to the Aizawl Municipality Bill moved by the hon'ble member from Khawzawl Constituency, we have heard that the Government now prepare another Bill of such kind which seemed to cover other District Headquarters also. If so, it will be better than today's Bill. In fact, this Bill moved by the hon'ble member from Khawzawl Constituency aims at Aizawl only other than the whole state. I, therefore, suggest him to withdraw his Bill today. Let us wait for the better one to be prepared by the Government.

Thank you.

PU H. LIANSILOVA : Mr Deputy Speaker Sir, Thank you I also appreciate today's Private Bill like other Members. From the speeches we have listened earlier, we seemed to forget the main substance of this Bill, widening of roads and cleaning of market area are not the only purpose for which we need to constitute Municipal Corporation Democratic set up and decentralisation of power seemed to be the main objectives of this Bill. Every Ministry in Mizoram is responsible in this matter. We have had 'The Mizoram Town Administration Act' in 1955, , which was revised again in 1975 during the period of Union Territory. But, no Ministry in Mizoram ever utilised it till date. We know that Village and Town will have separate administrative set up under Municipality Mizoram is the only state in India which has no Municipality. Constitution of Municipal Corporation seemed to be the desire of the people. Therefore, I support this Bill to be passed today.

Thank you.

DEPUTY SPEAKER : Our time is upto 4 : 00 PM. We still have the concerned Minister, the mover of the Bill. Besides, the Leader of opposition has not spoken. Anyway.

PU LAL THANHAWLA : Mr Deputy Speaker Sir, the Minister has delivered a speech. In fact, this Bill is private Member's Bill. So, there is no point to react from the Minister.

**PU TAWNLUIA
MINISTER** : Mr Speaker Sir, let us arrange shorter times for each member who have not had speech. Pu Lalduhoma and Pu Lal Thanhawla are still left now.

PU ANDREW LALHERLIANA : Mr Speaker Sir, the Leader of Opposition, the Leader of the House and Group Leader are still left. They are expected to have speech.

DEPUTY SPEAKER : Yes Pu Lalduhoma is waiting for a long time. Let us call him now. Then the Leader of Opposition and the Leader of the House. Now. Pu Lalduhoma.

PU LALDUHOMA : Mr Deputy Speaker Sir, Thank you. We know that good administration is the first step for development. Separate administration for Villages and Towns are reflected in the 73rd and 74th amendments of the Constitution. According to which the hon'ble member from Khawzawl constituency moves this Bill. The Constitution allowed our state to adopt the said amendments to suit our culture. I support the speech of many members to constitute Municipality in Mizoram.

Regarding election Manifesto, we still remember that declaration of the whole state of Mizoram under the coverage of the Sixth schedule, Compensation for submerging area of Kaptai Dam, searching for markets for cash crops of Mizoram, Comprehensive Master for various towns, Panchayati Raj system and many more are there in the election manifesto of the ruling Party. However, all such manifestos seemed to be neglected till date. We talk about Aizawl Development Authority. But, we cannot trust this body since it will be constituted under the Chairmanship of the Chief Minister.

Mr Deputy Speaker Sir, I opine that constitution of Municipality for Aizawl and other towns of Mizoram is greatly needed. If we cannot cover various towns. Let us start from Aizawl city first, other towns will consecutively be covered gradually. We have been waiting so long for the government to draft a bill. We, the opposition party do not hesitate to cooperate the ruling party in good things. I, therefore, request the ruling members to join hands with us in this matter too. If we do not pass this Bill, it will mean that decentralisation of power is not allowed by the Ministry, which will be shown by means of vote. I request each and everyone of us to support this important Bill to pass unanimously.

Thank you.

PU LAL THANHAWLA : Mr Deputy Speaker Sir, I would like to convey my thanks first to Pu Andrew Lalherliana for moving this important Bill. I opine that, we will not hesitate to pass Bills moved by any member if it will be good for our state. Municipality is an important Democratic institution, every political party highlighted constitution of Municipality in the election manifesto. I, therefore appreciate the hard working efforts of the hon'ble member from Khawzawl constituency since we have not yet received Government's Bill of this kind till date. The mover of the Bill believes that Municipality will solve many of our problems.

Therefore, Mr Speaker Sir, the House should pass private Member's if it is a good one. Even if the Bill comes from opposition member, the Government will still be the implementing authority.

In his replay to starred question, the hon'ble member stated that the Government has no intention to make a municipal Bill. But, today the hon'ble Minister said that the Bill is being prepared. Please clarify this.

**PU H. VANLALAUVA
MINISTER**

: Mr Deputy Speaker, I have reacted to three questions raised in regard to Municipality Bill to which I have said that Municipality Bill is being under way for preparation.

**PU LAL THANHAWLA
LEADER OF OPPOSITION**

: Mr Deputy Speaker, we are becoming uneasy to see the delay in regard to the preparation of Municipality Bill by the government. At the same time I appreciate the Agriculture Minister for admitting the government's failure in laying the groundweek.

The function of the Village Council has been very beneficial for us as it looks after the local area. But, there are no other governing body between the Village Council and the Government In an area like Chhimituipui District, there is Village Council, which directly Server the people. If their Village Council fails to satisfy the people, there is the District Council and in case the Council farther fails, there is still the State Government. Therefore, in a Democratic institution, "it is convenient for the people to have 2 or 3 local bodies between the grassroot and the top level. In a city like Aizawl, if we have Municipality, matters of local concern. Can be taken care of by the Municipality without the intervention of the Government.

There are several points of local concern like the problem of parking place or garage for private vehicle. Though there is order for vehicle owners to have garage, it has not been complied with. So, we need a separate body to excute such orders. It is not only about sanitation, but also problems relating to the local Community which the Government. cannot taken care of due to the absence of local agent.

We may all agree that this Bill is a good one. But, as we have heard from the Members, the Government is taking a long time for the Materialisation of the Bill. I understand that this Bill is not to be taken in a hasty manner. But, we have waited enough and there is strong plessure from the people. It is partly due to pressure from the public that Municipality Bill has been moved by a private member though it is clear that the attitude of the ruling members seems to be not to pass it. The ruling members should not take this as humiliation. In view of the attitude of the new generation and the necessity of change in many aspects, we feel there is no reason to accept this Bill for now as amendment could also be made if and when necessary. Therefore, I convey my appreciation to the member for the time and energy he has spent for the preparation of this Bill and for this it is my desire that he is regarded as a model member for us. And I want to say that I support this Bill.

Thank you.

DEPUTY SPEAKER

: Let us now call upon the House Leader.

**PU TAWNLUIA
MINISTER**

: Thank you, Mr Deputy Speaker. It is a sign of progress that we could have a chance to discuss, Private Members

Bill in the House. However, I would like the members to understand that the Bill cannot be taken up as the Government has gone to a certain extent for the same Bill. Therefore, it may not be sensible to pass the same one as a private members Bill.

Municipal Bill was drafted by experts which was then sent to Law Department for scrutiny and it was agent sent back to the concerned department with advice and clarification. Presently, it is in the hand of Law department. This Bill, does not cover Aizawl city alone but it is known as 'Mizoram Municipality Bill' which covers the entire Mizoram. The difference between the two is that while the private member's Bill covers only Aizawl area, the bill that is being prepared by the Government covers the whole of Mizoram, and the two have almost the same objectives. Even if Municipality Bill is passed today it cannot be implemented instantly due to the coming Assembly elections. In the meantime, there is plan to implement Aizawl Development Authority. But, the post of Chairmanship will not be held by the Chief Minister.

I would further like to state that the Cabinet formed Committee to set up Urban Development Department. I hope the Committee could submit proposal to the Cabinet by the end of the session. Beside this department there will also be Aizawl Development Authority. Along with these two development bodies, Municipality will have to function.

This Bill is not simply rejected, but a similar bill has been under processed by the department. And therefore, the mover of the Bill is requested to understand this point. All the members are in favour of having Municipality. It would be appreciated if we all could agree to accept the steps taken so far by the Government in this regard. If so, today's discussion could also be concluded in a consistent manner.

Some members have expressed their criticism on the Government on the step taken to tackle traffic problem. Though I agree with their idea, I would further like to extend that the people of Mizoram have supported this Government and still have confidence in the MNF Government. I can say this in view of the result of the last Village Council election. I am also pleased to see the pleasant atmosphere in the House. We could have a delightful discussion in the House. For this reason, I convey my heartfelt gratitude to the members.

Therefore, Mr Speaker Sir, I request the Member to withdraw the Bill,

Thank you.

DEPUTY SPEAKER

: Let us now call upon Pu Andrew Lalherliana to wind up the discussion.

PU ANDREW LALHERLIANA

: Thank you, Mr Speaker Sir, I will try to make my speech as short as possible. At the outset, I would like to express my sincere gratitude to the ruling members for despite their courteousness their opposition to my Bill.

First, let me make a clarification that I am not introducing this Bill just to honour my name. I have introduced two Bills in the House. But, one is Fiscal Responsibility and Budget Management. As we are all aware, realising the fiscal problem in the State, the Centre has advised the state Government to make a legislation on fiscal Management. Though the Government know the report of the 11th Finance Commission, they did not give interest to take action. So, I moved the Bill. Similarly, the 12th Finance Commission has also recommended for a Municipality. From the light of that recommendation, Municipality Bill is also moved today, hoping that the Government could be awakened by such bill.

In a recent visit to New Delhi to study Water Supply system, the Delhi water Board had elaborated that water Supply system and town Planning should best be taken care of by Municipality. In Delhi, Municipal Corporation and Delhi Development Authority are functioning under Municipal Corporation. It has been experienced that politicians who are elect by the people are the best to rule in local area instead of officials. Politicians all known to be the best to convince the people to abide the law. If we have Municipality Aizawl Development Authority will also be more effective.

In the answer to the starred question raised by Pu Lalhmingthanga, the hon'ble Minister gives an indefinite answer stating that the Government cannot make Municipality for Aizawl and Lunglei for now. If that is the case, it will have to wait for another 4 or 5 years before the formation of Municipal government. Today, we need to pass this Bill at least to persuade the Parliament to make such an Act. If Municipality bill is not passed today, it will be too late. Therefore, Mr Deputy Speaker Sir, I beg leave of the House to pass this Bill.

Thank you.

DEPUTY SPEAKER

: The mover of the Bill has wind up the debate. Those who agree to pass may say 'yes' and anyone who donot agree may say 'Nay' (Members Say Nay).

The House has rejected "The Aizawl Municipality Bill, 2005" in voice vote.

The House will have a recess till 10 : 30 AM. tomorrow.

Sitting Adjourned
4 : 15 PM.