

2ND SITTING ON 18TH AUGUST, 1987 (TUESDAY)

PROCEEDING OF THE FIRST MIZORAM STATE LEGISLATIVE ASSEMBLY

EMERGENT/SPECIAL SESSION

PRESENT

MR.K.THANFIANGA, Deputy Speaker at the Chair, Chief Minister, 10 (ten) Ministers and 26 (twenty six) Members were present.

LAYING OF PAPERS

1. MR.SAINGURA SAILO, Minister in-charge Law, Judicial and District Council Affairs Department to lay on the table of House a copy of :
  - (a) Statutory Order issued on 31st July, 1987 and Pawi District Council.
  - (b) The Mizoram Legal Aid and Advice Scheme, 1986.

LEGISLATIVE BUSINESS

( Bill to be Introduce )

2. PU SAINGURA SAILO, Minister in-charge Parliamentary Affairs Department to beg leave of the House to, and to introduce the following Bills :-
  - (a) The Mizoram Salaries and Allowances of Minister Bill, 1987.
  - (b) The Mizoram Salaries and Allowances of the Deputy Speaker Bill, 1987.
  - (c) The Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Bill, 1987.

DEPUTY SPEAKER : My son, if you receive my words and treasure up my commandments with you. Making your ears attentive to wisdom and inclining your heart to understanding; Yes, if you cry out for insight and raise your voice for understanding; If you seek it like silver and search for it as for hidden treasures; Then you will understand the fear of the Lord and find the knowledge of God.

Proverbs 2:1-5

Now we shall call upon Minister Saingura to lay his paper on the table of the House.

..27/-

PU F.LALRAMLIA : Mr.Deputy Speaker, can we not consider the matter which I have submitted ?

PU SAINGURA SAILO : Mr.Deputy Speaker, Sir, I lay  
MINISTER on the table of the House a copy of each of the Statutory Order on Pawi District Council and the Mizoram Legal Aid and Advice Scheme, 1986.

Thank you.

DEPUTY SPEAKER : Sit down, we shall have a discussion on the short Notice Question that Mr.Vanlalnghaka has submitted.

PU VANLALNGHAKA : Mr.Speaker, may be you did not read the paper thoroughly because it was Mr.F.Lalramliana who submitted the paper not I.

DEPUTY SPEAKER : The paper was submitted to the department and it will be discussed on the 24th August in our next sitting.

PU VANLALNGHAKA : Mr.Deputy Speaker, are we not able to distinguish between short duration discussion and short notice question?

DEPUTY SPEAKER : Regarding the short duration discussion - What you have submitted was about the lottery. It is a normal course and not urgent, besides the government made a press release on it and it was also turned down in the previous Session. So now it cannot be discussed.

PU F.LALRAMLIANA : Mr. Deputy Speaker, though it was turned down, it seems that seems that there is no chance for discussion. So I submitted the matter again as we are not satisfied by the government press release. We wish our respected Chief Minister to give a clear explanation to it.

DEPUTY SPEAKER : According to the Practice and Procedure of Parliament rule fifth paragraph page 434, the matter which you have submitted is not urgent therefore, it cannot be discussed now.

PU H.RAMMAWI : Mr. Deputy Speaker, whether we are a Speaker or Deputy Speaker whatever we are, the decision taken from the chair is final. Therefore, you admit or not the motion on whatever it may be, it is done so according to the rules.

Mr. Deputy Speaker, the matter which they have submitted according to rules 53 was clearly explain in the last paragraph of rules No. 54 "Providing that if an early opportunity is otherwise available for the discussion of the matter the Speaker may refuse to admit the matter." Regarding the lottery scandal Mr. Lalduhawma, MP has already submitted it in the Press before the previous session. So, in the case of lottery, it is not a urgent public importance.

DEPUTY SPEAKER : This matter is of not urgent public importances I said it so.

PU H.RAMMAWI : Mr. Deputy Speaker, will it not be good to distribute the paper laid by our respected Minister?

DEPUTY SPEAKER : Now we shall in rute our Minister to lay the paper.

PU SAINGURA SAILO : Mr. Deputy Speaker, can we  
MINISTER distribute the paper which I  
have laid.

PU TAWNLUIA : Mr. Deputy Speaker, the matter  
MINISTER they raised is not needed to  
read out. Your decision is  
final, no one can debate it.

PU R. LALAWIA : Mr. Deputy Speaker, let them be  
satisfied. Why do you refuse  
to admit the matter? Read it  
to them and explain your point  
of refusal.

DEPUTY SPEAKER : This is Mr. F. Lalramliana's  
matter which he submitted. Let  
me read for you "No. 53 of  
Rules Procedure and Conduct of  
Business in Mizoram Legislative Assembly Sir.

I beg to give notice of my  
desire for wanting discussion on the matter of urgent  
public importance. The issue I want to raise for dis-  
cussion is summarised below :-

(1) M.P. Shri Lalduhawma has  
made a press statement on 7th. 7. '81 that the govern-  
ment of Mizoram has committed irregularities in the  
appointment of organising agent for Mizoram State Lotte-  
ry and as a result the state has lost more than 120  
lakhs.

(2) The General Secretary of  
Mizoram Party Youth Join Action Committee has submitted  
the Memorandum to the Hon'ble Chief Minister on the 5th  
August, 1987 requesting him to resign on the ground of  
alleged irregularities in the appointment of organising  
agent for the State, Mizoram State Lottery.

(3) The ruling M.N.F. Party  
Headquarters in reply to the alleged irregularities in  
the appointment of the organising agent for Mizoram  
Lottery has issued Press Release. But the allegation  
levelled against the government on the item on the  
issue has not been adequately refuted.

(4) The issue has become a  
scandal and the public has become disillusioned. It  
is democratic right of every citizen to know the truth  
in this lottery deal.

(5) Unless the scandalous atmosphere is starred clear the public have reason to believe that there is corruption in high places and public money has been misused.

(6) It is therefore, political as well as administrative imperative to state clear. The desire atmosphere is open discussion of the issue in the House. So that the Public may know the truth. It is also necessary that the alleged irregularities in the lottery deal be properly investigated.

Yours faithfully,

F.Lalramliana, MLA.

Therefore, this is the matter he has submitted. I found the matter not urgent.

PU F.LALRAMLIANA : Mr.Deputy Speaker, the matter is of urgent public importance. If you cannot admit the matter, Can you set up Enquiry Commission or Enquiry Committee ?

PU VANLALNGHAKA : Can you not consider missing of 120 lakhs as urgent? It is public money, the misuse is a great corruption.

PU H.RAMMAWI : MINISTER  
It was done according to rules No. 53, Do the member have supporter? Can your answer me? Stated in rule No.54 in the Second paragraph that if an early opportunity is otherwise available for the discussion of the matter the Speaker may refuse to admit the notice. Regarding the lottery, our respected M.P. has made a Press Statement before the previous session. It was not urgent at that time. Mr.Deputy Speaker is it urgent just now? You did the right thing to refuse to admit the matter because it was according to rule No.54.

PU HIPHEI : It is a new thing that requesting the Chief Minister to resign.

DEPUTY SPEAKER : We shall read out the adjournment motion which you have submitted.

To,  
Hon'ble Speaker,  
Legislative Assembly,  
Aizawl : Mizoram.

Subject : Motion Adjournment of the House.

Sir,

Under rule No.59 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly. I give notice of my intention to move an adjournment motion to facilitate discussion on the Independence Day speech made by Chief Minister, Mizoram on the 15th August 1987 which runs inter alia as follows :

"There is a great beneficial news for the women which never was in Mizoram. If a man divorce his wife when the wife has no fault like adultery, or having an affairs etc the husband has to give support to his divorced wife as C.R.P.C. Chapter 9 verses from 125-128.

Explanatory laws - This is the extract from the Mizo Customary Law which goes to the upper hand in the Peace Accord signed on 30th June, 1986. It also supercedes the Law-making power of the Legislative Assembly and Motion."

Yours faithfully,

P.C.Zoramsangliana.

Rule No. 59-66 of Practice and Procedure of Parliament of the 3rd Edition made by M.N.Kaul and S.L.Shakdher clearly provides how to deal with adjournment motion.

Referring to rules No. 59-66 of Practice and Procedure of Parliament page 422-432 by M.N.Kaul and S.L.Shakdher I turn down this motion.

PU P.C.ZORAMSANGLIANA : Mr.Deputy Speaker, let us discuss this without debating.  
It is found in the 53 Amendment Act of 1986 - 'Notwithstanding anything in the Constitution - (9) No Act of Parliament in respect of (i) Religious and Social Practices of the Mizos (2) Mizo Customary Law and Procedure

(3) Administration of Civil and Criminal Justice involving decision according to Mizo Customary Law and it is also clearly revealed in the Memorandum of Settlement signed by the M.N.F. and the Indian Government. This matter is urgent and public importance. On the 13th August, 1988 we had Session under your Chairmanship. This matter was not discussed. Why did he announce this matter in the public without Legislating in the Session? Even in the Parliament for instance, recently, Teacher's pay was increased, it was first moved in the Parliament and after having a discussion, only they made a notice. This is clearly seen in the news also. While we are having session if he announces while having a session enfore we discuss it be the use of us being representatives of the people? We are not blocking the upliftment of the women.

DEPUTY SPEAKER : We shall call upon Mr.Saingura Sailo to lay the statutory order and legal advice scheme.

PU SAINGURA SAILO : Mr.Deputy Speaker, with your  
MINISTER kind permission, I lay on the table of the House a copy of each of the statutory order on Pawi District Council and The Mizoram Legal Aid Scheme, 1986.

DEPUTY SPEAKER : May our respected Minister distribute the paper he laid.

PU H.RAMPAWI : Mr.Deputy Speaker, there is  
MINISTER not only one rule there are many rules such as for example rules to punish the criminal and rules to set them free etc. Therefore, citing just one rule is meaningless. It is not good to make so much noise in the House. Can you not control yourself.

PU SAINGURA SAILO : Mr.Deputy Speaker with your  
MINISTER kind permission. I introduce the Mizoram Salaries and Allowances of the Speaker and Deputy Speaker Bill, 1987 and the Mizoram Salaries of Members of Legislative Assembly Bill,1987.

DEPUTY SPEAKER : Let us listen to the Bill introduced by our Minister can you distribute the copy? (a copy was distributed among the members).

PU VANLALNGHAKA : Mr. Deputy Speaker, when the ruling and the reasury bench made a speech you switch on the mike lurt when we made speeches you switch off the mike what is the reason?

DEPUTY SPEAKER : There is no power supply. We shall resume our Session on the 24th August, 1988. I adjourned the House.

House Adjourned at 11:05 A.M.

L.C. THANGA,  
Secretary.

PROCEEDING OF THE FIRST MIZORAM STATE LEGISLATIVE ASSEMBLY

EMERGENT/SPECIAL SESSION

3RD SITTING ON 24THE AUGUST, 1987 (MONDAY)

PRESENT

PU K. THANFIANGA, Deputy Speaker at the Chair. Chief Minister, 11 (eleven) Ministers and 26 (twenty six) Members were present.

CALLING ATTENTION

1. PU VANLALNGHAKA to call attention of the Minister in-charge Health and Family Welfare Department on the sufferings by some persons due to consumption of poisoned fermented soyabean at Kolasib.