

**S P E A K E R** : "You shall not pervert the justice Due to your poor in his suit. Keep far from a false charge, and do not slay the innocent and righteous, for I will not acquit the wicked."  
Exodus 23 : 6-7.

We shall take questions. Let us call upon Pu R. Lalzirliana to ask starred Question No. 21.

**PU R. LALZIRLIANA** : Mr. Speaker Sir, will the hon'ble Minister of Relief & Rehabilitation Department be pleased to State.

- (a) 581 M.N.F. Returnees due to Peace Accord in 1986 should be given Rs.60,000/-. But Rs.20,000 each seemed to be missing. The Government of Mizoram made Enquiry Commission in this matter. Has the Report been submitted to the Government ?
- (b) If so, who is the responsible person ?
- (c) If not so, what is the reason for not giving Report till date ?

**PU LALRINCHHANA MINISTER** : Mr. Speaker Sir, the following are the answer to questions asked by the hon'ble member Pu R. Lalzirliana.

- (a) Enquiry Report has been submitted to the Government of Mizoram.
- (b) It is written in the Record of the Government office that they were given Rs.60,000/- each. Therefore, there is no responsible person.
- (c) Report has been given.

**PU R. LALZIRLIANA** : Mr. Speaker Sir, it is recorded in the office that Rs.60,000/- each was given to 581 M.N.F Returnees. But they got Rs.40,000/- each only. So, Rs.20,000 each was missing what is the reason for not knowing the responsible person in this matter till date ?

**Dr. LALZAMA MINISTER** : Who were the members of the said Enquiry Commission ? When did they enquire ? When did the Returnees get financial assistance ?

**PU L.N. TLUANGA** : Mr. Speaker Sir. Has the Enquiry Commission given Report of the reason for not giving the total amount of money fully to the M.N.F. Returnees ?

**PU SANGHMINGTHANGA** : Mr. Speaker Sir, Supplementary question. When did they distribute the said money to the Returnees ?  
During which Ministry did they give to them ?

**PU H. LALTANPUIA** : Mr. Speaker Sir, in the previous Sessions we were told that Enquiry Commission was made and it was not appropriated to discuss in the House. But, today we realise that no commission was made. Therefore, I would like to request the hon'ble Minister to tell me the name of the committee, because, it is merely a committee, not an enquiry commission.

**PU K.T. ROKHAW** : Mr. Speaker Sir, the hon'ble Minister said that Rs.60,000/- each was given to them. But those Returnees said that they were given Rs.40,000 each only. How can the hon'ble Minister said that Rs.60,000/- was given to them ? Next, Is the commission as said by the Minister merely a committee ? During the Budget Session, on March 6 this year, he said that Enquiry Committee was formed under the Chairmanship of Secretary, Relief & Rehabilitation Department. Is this Committee appropriated to call a commission ?

**PU K.L. LIANCHIA** : Mr. Speaker Sir, the solution of this controversy seems to be not difficult. If they have got the money they must sign. If there are their signatures in the register they have got it or if there are no signatures the government has not given them. Can this method be applied in this matter ?

**PU VANLALHLANA** : Mr. Speaker Sir, the hon'ble Minister said that there is no responsible person in this controversial Matter. But Rs.20,000/- each seemed to be missing. Why cannot there a responsible person ? Some of those Returnees are sitting M.L.A's in this House. Do they know it ? May I request him to give better answer ?

**PU ZAKHU HLYCHHO** : Mr. Speaker Sir, this controversy is very serious. Therefore, can we see the copy of the Report given by the Enquiry Commission or committee or whatever it is ?

**PU C. THANGHLUNA** : Mr. Speaker Sir, Rs.20,000/- each for 581 person is very much. It is totally Rs.116 lakhs and 20 thousand. Can such amount of money be Missing without having any responsible person ? Is it the responsibility of the Government ?

**PU LALRINCHHANA  
MINISTER**

: Mr. Speaker Sir, there are many supplementary questions. In regard to this controversial matter the

Government of Mizoram made Enquiry Committee under the Chairmanship of Secretary, Relief & Rehabilitation Department, Member Secretary was Director of Relief & Rehabilitation Department. Other members were Deputy Commissioner, Aizawl or his represent, under Secretary of Revenue Department. Under Secretary of G.A.D, Pu D. Thangliana, President Ex-M.N.A. Association, Pu Khawkung and Pu K. Lalsawmliana.

This Committee enquired this matter and the report was submitted to the Government in the month of September this year. From the report it is said that Rs.60,000/- each has already been given to MNF Returnees during the period from May 8, 1986 to December 6, 1995. The said money of Rs.20,000/- each for glossary was given to them during May 8, 1986 to April 19, 1988. The other Rs.40,000/- each for Housing assistance was given to them in three installments. The first installment of Rs.20,000/- each was given to them from the office of the Deputy Commissioner, Aizawl during June 7, 1988 to August 31, 1988. The Second Installment of Rs.10,000/- each was released from the same office during October, 1988 to November, 1988. The third installment of Rs.10,000/- each was given to them from the Directorate office of Relief & Rehabilitation Department during 8.5.1995 to 6.12.1995. The APR was also kept in the Office. It can be seen by anybody. Such was the Report of the Enquiry Committee submitted to the Government. However, we told the Department to keep up the A.P.R. and all necessary documents of this matter for further complaint. Infact, even the last payment was on 16 December, 1995. It was during the previous Ministries, therefore this Ministry has no responsibility on this matter. We rather enquire complaints made by somebody.

**PU R. LALZIRLIANA**

: Mr. Speaker Sir, from the speech of the hon'ble Minister we know that the missing money of Rs.20,000/-

each seemed to be during the previous M.N.F. Ministry. At that time, the leader of the House of today was the Finance Minister and the Home Minister of today was the Minister of Relief & Rehabilitation Department. I hope that this missing money can be found if they can step down from their respective offices. Can the Minister produce the receipt in the Directorate Office of Relief & Rehabilitation Department and in the Office of the Deputy Commissioner, Aizawl separately. The money of Rs.20,000 each distributed from the Directorate Office of R.R. Department seemed to be said as distributed from the Office of D.C., Aizawl without giving another Money to the Returnees.

**PU H. LALTANPUIA**

: Mr. Speaker Sir, my question has not been answered by the Minister.

Is MNF Returnee Doubtful payment commission the name of that commission? Is it Commission or Committee? Besides, as the question asked by the hon'ble member from Lungpho Constituency. There are M.N.F Returnees here in this House. Let them speak how much do they get.

**PU K.L. LIANCHIA**

: Mr. Speaker Sir, Is there A.P.R. in all payments. The Minister said that A.P.R is there in every installment

for Housing assistance. Is A.P.R there in Glossary too?

**PU LALRINZUALA** : Mr. Speaker Sir, If I am not Mistaken I am aware that the first payment of money was on 8. May, 1986. But Peace Accord was signed on June 30, 1986. Do they get money even before agreement was signed ?

**PU L.N. TLUANGA** : Mr. Speaker Sir a new organization called PAMRA has been emerged due to this controversial matter and it still enquires this as best as it can. I got an information that one government servant was suspended from his service for taking parts in this enquiry. This is very serious, they need to observe Peace Day separately. This problem needs to be solved rapidly.

**PU NIRUPAM CHAKMA** : Mr. Speaker Sir, Supplementary question please I want to know the number of MNF returnees that claimed not to receive Rs.60,000/-

How many claimant have received Rs.60,000/-.

**PU VANLALHLANA** : Mr. Speaker Sir, I would like to ask if a copy of the Enquiry report could be given to the members.

**PU LALRINCHHANA MINISTER** : Mr. Speaker Sir, I would like to apologise if I have mistaken about the date between 28<sup>th</sup> April 1986 - 19<sup>th</sup> April, 1988 grant for Grocery was disbursed. As for the case of APR, there was APS for Housing assistant and a separate APR for Grocery (PU R. LALZIRLIANA : There is no APR in the Deputy Commissioner's office.) Mr. Speaker Sir, the first installment of was disbursed from R.R. Department. And the second installment was disbursed from D.C'S office.

If the Speaker approves the copy of the Enquiry Committee Report will be given to the Members.

**S P E A K E R** : The copy may be distributed.

**PU R. LALZIRLIANA** : This Enquiry Report does not proves that the offices of the Deputy Commissioner and Relief and Rehabilitation have disbursed Rs.20,000/- each.

**S P E A K E R** : That is only the Report. The APR is available to be seen. It can also be moved to a law Court. Starred question no. 22.

**PU H. LALTANPUIA** : Thank you, Mr. Speaker Sir, I starred question no. 22.

Will the hon'ble Minister i/c Trade and Commerce be pleased to State -

- (a) The quantity of ginger already purchased by Khaibak Enterprise from Mizoram.
- (b) The amount already distributed by the Government of Mizoram for price support.

**PU AICHHINGA MINISTER** : Mr. Speaker Sir, the answer to starred question no. 22.

- (a) During this season Khaibak Enterprise has purchased 143 54.94 quintals of ginger from Mizoram.
- (b) The Government of Mizoram has not spent any single amount as price support this season.

**PU H. LALTANPUIA** : Mr. Speaker Sir, the Minister has said that Khaibak Enterprise has purchased 14354.94 quintals of ginger from Mizoram out of which 5358 quintals was already transported out of Mizoram. That left only 8994 94 quintals left. But, yesterday, the Minister stated that ginger that are left in Mizoram was only 2804 quintals. If so, where does the rest go ?

As for the price support, the state liability is Rs.1435400/- But, ginger that are left in Mizoram has become rotten. The company has purchased 14000 quintals but delivered only 5000 quintals and left 8994 quintals to become rotten. It can be sensed that foul play is made in this signed.

**PU NIRUPAM CHAKMA** : Mr. Speaker Sir, Khaibak Enterprise has given its address only as Khaibak Enterprise, Noida U.P. I think this is a fake Company. The given address is not clear enough. How can we find one Company if the address is given only as Noida, U.P. What is the true address ?

**PU R. LALZIRLIANA** : Mr. Speaker Sir, Khaibak Enterprise has claimed that it had purchased 5062.50 quintals of ginger from Champhai ginger farmers. But, the farmers had no time to reap the required amount of ginger within the limited time. Does the govt. aware of this ?

Secondly, the names and addresses and the quantity each sold was asked as an unstarred question yesterday. Why cannot the Minister answer this question ?

Thirdly, awaring that there could be a case of corruption, we had gone to Vairengte and asked the people of Khaibak Enterprise the amount of ginger the Company had purchased from Mizoram. Their reply was 15,0000 quintals. Department Officers. But, I have heard from them that the quantity of gingers already purchased by Khaibak Enterprise was on 1638 quintals. Therefore, Mr. Speaker Sir, can the government take necessary action ?

Fourthly, the Minister has said that no one is involved in the Selection of buyer for ginger. But, it was found out that the Minister concerned has instructed the Directorate to make an agreement with Dabur Company. However, Khaibak Enterprise was selected for the Chief Minister has highly favoured this company.

**PU VANLALHLANA** : Mr. Speaker Sir, thank you. The total quantity of ginger purchased by Khaibak enterprise is 14354 quintals to which a price support of Rs.1/- is to be given. I would like to know whether price support is to be given to ginger that are purchased on price subsidy. The statements given by the government and Khaibak enterprise is differed in case of the quality of ginger purchased. Moreover, the waste statement produced by the two is also not similar. It is very hard to tell where the truth lies.

I would like to know the amount of Carrying charge due to be paid by the Government.

Can the Minister tell us where the Company has its registered office and who is the Chairman of the Company ?

**PU LALHMINGTHANGA** : Mr. Speaker Sir, in my understanding price support is to be given to the growers. Why does the government extend to give it to Khaibak Enterprise ?

**PU K.L. LIANCHIA** : Mr. Speaker Sir, I ask if the government will involve in the fixing of rate of ginger in the next season.

**PU AICHHINGA  
MINISTER** : Mr. Speaker Sir, I shall start answering from the question raised by Pu H. Laltanpuia. I cannot explain why the Buryer has left ginger to become rotten.

Regarding the price support the growers are the ones who got it. It was agreed with the buyers that if ginger was purchased at the rate of Rs.5/- the State Government would contribute Rs.1 each. The price support to be received by the growers

were already included in the price given by the buyer. As for the State Government. We have to contribute that Rs.1/ each as was already agreed with the company.

**PU LALHMINGTHANGA** : Mr. Speaker Sir, price support is operated by other States also. But, a specific formula is followed. The formula is made according to the investment, Manpower and expenditure ensured by the growers. As for Mizoram, wrong method is followed. The growers have no benefit from it. The government should follow the method used in other states.

**PU AICHHINGA MINISTER** : Mr. Speaker Sir, the point raised by the Opposition Leader is a good one. It has been calculated that the production cost is Rs.3.40p/- per Kg. Since, we cannot find buyers who is willing to buy more than Rs.4/- per Kg. Khaibak Enterprise is selected. Khaibak Enterprise is an agent of Debeers Company the production cost is only 3.40 p per Kg. the growers will get only 60 p per Kg. Hence, it is decided that the government will add Rs.1/- per Kg.. As a price support which will be the share of the growers.

Khaibak Enterprise is a reliable company. And the detail address will be given if convenient.

**PU LALHMINGTHANGA** : Mr. Speaker can the Minister provide the copy of the worked out statement of the production cost so as to prove that it is not fabricated.

**PU AICHHINGA MINISTER** : Mr. Speaker, the statement was made by the officials of Horticulture Department.

**PU LALHMINGTHANGA** : Mr. Speaker Sir, in order to prove that the whole thing is not of fabrication we need to see the statement.

**PU AICHHINGA MINISTER** : Mr. Speaker Sir, I want to inform the member that it is not fabricated. Anyhow, I will try to produce the statement by tomorrow, however from Champhai has supplied 5062.50 quintals of ginger. The price was given to the growers directly. The government has no responsibility over the transportation.

**PU VANLALHLANA** : Mr. Speaker Sir, after carefully calculated it was found that 3914

quintals was lost without trace. If the Government paid price support for the lost ginger that are claimed to be purchased it will be a waste of money.

**PU AICHHINGA  
MINISTER**

: Mr. Speaker Sir. The government has no responsibility over the quantity of already transported out of Champhai. We are only looking into the amount purchased and paid price support accordingly. In every collection center, the Department officials were an duty and these officials have given their counter signatures in the Challan. One copy of the challan was given to MAMCO and the other copy was in the hands of Khaibak Enterprise.

**PU NIRUPAM CHAKMA**

: Mr. Speaker Sir, my Unstarred question no.7 was the names and Address of farmer and quantity of ginger purchased. The answer furnished was 'Since the Department is not dealing with purchase of ginger directly, names and addresses of farmers from whom ginger was purchased could not be furnish.

**PU AICHHINGA  
MINISTER**

: Mr. Speaker Sir, there is no way of knowing all the names and addresses of the growers. But, the government is clear with the quantity of gingers purchased from the growers. The record of the quantity purchase is kept.

Besides the price support the government has to pay transport subsidy totaling Rs.10,78,799/-. This amount has not yet been paid till today. The total price support and transport subsidy due to be paid has come to Rs.25,14,293/-. It is expected that this could be paid shortly.

We expect to find more profitable market for ginger this season because ginger production is lower in other areas.

The government has been receiving contact from several companies. A MOU has also been made with Bangladesh for the market of ginger at the rate of Rs.7.25p per kg.

**PU R. LALZIRLIANA**

: Mr.Speaker Sir, the hon'ble Minister had furnished wrong answer to my unstarred question raised yesterday. As provided by Rules chapter 8, 39 clause a. I request your permission to raise a supplementary question in connection with my starred question.

In my question, I asked the amount incurred from C.S.S during 2001 - 2002 to organize farmer's training. The reply of the Minister was Rs.6,05,000/-. But, it was found from the record that it was Rs.24,75,000/-. I would like to ask a few questions in this regard.

The House is informed that Agriculture Extension and Training under C S S was conducted at 21 villages whereas the Record Book of the Department shows that such

training was conducted at 16 Villages with an expenditure of Rs.15,000/- each. If that is so, where has the remaining Rs.2,40,000/- gone to. ?

Secondly, it was reported that Extension and Training on Micro - Management under C S S was organized at 6 Villages. But, the record Book kept by the Department shows that training was organized at 80 villages with an expenditure of Rs.11.15,000/- what is the reason for this difference ?

Thirdly, while National Watershed Development Unrated area on Micro Management training was organised only at 10 Villages, it was reported that such training was conducted at 16 villages with an expenditure of Rs.4,35,000/-. Mr. Speaker Sir, Agriculture Department has received an amount of Rs.24,75,000/- under C.S.S. During 2001 - 2002. From this amount only Rs.6,05,000/- has reached the people and the remaining Rs.18,70,000/- has been written off. Can the Minister probe into this matter? I would further like to ask the Minister if he can assure us that only correct answer would be furnished in the House in future.

**S P E A K E R** : This is a rare case. And I will ask the Minister to reply.

**PU AICHHINGA MINISTER** : Mr. Speaker Sir, as the point raised by Pu R. Lalzirliana concerned yesterday's question. I am not prepared to give direct answer for now. However, I will look into the matter. And I cannot assure that action would be taken before finding the truth.

**S P E A K E R** : Starred question no. 23 to be asked by Pu Vanlalhlana

**PU VANLALHLANA** : Mr. Speaker Sir, I ask starred question no 23. Will the Minister i/c PWD. Be pleased to State -

How far has the government take steps for the construction of Chhingchhip to Khawhai Road ?

**PU R. TLANGHMINGTHANGA MINISTER** : Mr. Speaker Sir, for the answer to starred question no. 23, the Department has been conducting Survey work for the Construction of Chhingchhip to Khawhai Road.

**PU H. LALTANPUIA** : Mr. Speaker, I ask starred question no. 24-

Will the hon'ble Minister i/c Law and judicial be pleased to State -

Whether the government intends to separate Judiciary from the Executive.

**PU F. MALSAWMA  
MINISTER** : Mr. Speaker Sir, the government has been considering separating of Judiciary from Executive.

**S P E A K E R** : Let us now invite Er. K. Thangzuala to lay on the Table of the House the 6<sup>th</sup> and 7<sup>th</sup>, 8<sup>th</sup> Report of Mizoram Food and Allied Industries Corporation Limited for the year 1995-1996, 1996-1997, 1997-1998.

**Er. K. THANGZUALLA  
MINISTER** : Mr. Speaker Sir, with your permission I lay on the Table of the House the 6, 7 and 8<sup>th</sup> Annual Report of the Mizoram Food and Allied Industries corporation Limited.

**S P E A K E R** : The copy may be distributed. We shall go to legislative business. Pu Zoramthanga may be asked to move The Mizoram Protection of Interest of Depositors in Financial Establishment Bill, 2002.

**PU ZORAMTHANGA  
CHIEF MINISTER** : Thank you, Mr. Speaker Sir, I have already introduced. The Mizoram Protections of Interest of Depositors in Financial Establishment Bill, 2002 yesterday. The government is aware that there is a need to Legislate laws for the protection of the interest of the depositors against Financial Establishments. Some financial Establishments are found to be of bogus ones while some establishments are not trustworthy and unreliable and their financial management also invite suspicious. As such, the government find it necessary to protect deposits made by the public in the financial establishments and hence this Bill has born. The aim and objective of this Bill to protect the deposits. Made by the public in any Financial. Establishment where the latter defaults the return of deposit or defaults the payment of interest on the deposit, every person responsible shall be furnished with imprisonment, for a term which may extend to ten years and with fine which extend to one lakh of rupees.

As for the trial of offences the Government has entrusted District and Session judge or a Special Court will be constituted under this Act. In such a district in which the Government of District and Session Jude is not available, the Court of Additional District Magistrate (Judicial) exercising jurisdiction in the district shall be constructed as the Court of District and Session judge. If any cause is shown or any objection is made the Court District and Session judge shall proceed to investigate the same and if the Court satisfies that the Establishment is default, it can punishment can be inflicted with imprisonment or fine to the enforcement of this Act a Separate Rules is set to be made.

Therefore, Mr. Speaker Sir, I request this August House to consider my Bill.

Thank you.

**S P E A K E R** : Each member will be allotted 5 Minutes.

**PU P.B. ROSANGA** : Mr. Speaker Sir, at the outset, I would like to say that I am in favour of this Bill. It is important for us to have this law. I have thorough perusal of the Bill and find it satisfactory. But, there is one point I would like to suggest. Clause 'C' should be added as any Financial Establishment to be set up within Mizoram should have taken recognition from the Government Chapter III section 5 gives the provision for the punishment of imprisonment for a term which may extend to ten years and with fine which extend to one lakh of rupees. Here, a minimum punishment is not made as it is made up to the Court. Therefore, it may further be suggested that minimum punishment also be provided.

**PU R. LALZIRLIANA** : Thank you, Mr. Speaker Sir, I am glad that the Government has introduced. The Mizoram Protection of Interest of Depositor Bill 2002. I find the Bill quite good but the term 'Prevention is better than cure' should be applied as this Bill aims to protect the depositors only after all the harm is done. Therefore, any Financial Establishment should obtain the permission or approval of the Government before opening such institution. Hence, it may be suggested that another section in this connection should be added in the draft

**PU C. SANGZUALA** : Thank you, Mr. Speaker Sir, Section 4 and 7 have quoted 'Sub-Section' but it is not clear from which section these Sub-Sections are taken. I think it will be more appropriate if the section is also mentioned and not only the Sub-Section

On Section B, Sub-Section 4, 'Competent Authority' is mentioned. But, there is no clear definition of this Authority. Is this Authority an individual or a Committee?

Mr. Speaker, we cannot deny the fact that we need this Bill. There are several person who became a victim of bogus Financial Establishment. But, There has been no regulation to settle this kind of dispute. Thus, it is a pleasing matter that this Bill has been introduced in the House. However, I find the punishment not fully satisfactory as there is no provision for the recovery of the deposit from the Financial Establishment. Anyhow, the objectives of the Bill is excellent. Therefore, I support this Bill.

**PU K.L. LIANCHIA** : Mr. Speaker Sir, though I have supported this Bill, I want to say that it will be more perfect if preventive measures could be added in the draft. The existing Bill is merely a Bill to protect depositors. It is only a way to protect depositors only after the harm is done.

Being legislators are work is to make Laws. But, the laws passed by the House should be made effective. We have passed a number of laws in this House. But, the Government is failed in implementing the laws. The Government seems to be too weak to enforce the laws passed by the House. Like in the case of Total Prohibition Act. We make a number of laws but the problem is enforcement of such laws. While making any law the enforcement should be considered as well.

I support the suggestion made by the member that preventive measures should be added in the drafting.

Thank you.

**Dr. LALZAMA  
MINISTER**

: Mr. Speaker Sir, thank you for allotting me time. There is suggestion from the members that before opening any Financial establishment, a registration or Recognition should be obtained from the Government. Through this is a good suggestion, we can leave it for the time being as it can be included in the Rules.

As already stated by the members this Bill is an important one for the interest of the public as many of us have become victims of bogus Financial Institutions. And due to lack of proper Act to deal with this matter the problems could never be brought to a law court. If this Bill is passed such problems can be moved in a law court. The Bill itself may not be perfect for now but amendment can be made in future. Therefore, without wasting much time I suggest that the Bill be passed.

Thank you.

**COL. LALCHUNGNUNGA**

: Mr. Speaker Sir, the Bill crime to protect the interest of the public from Financial Establishments and I support this Bill. But, it would be more perfect if a provision or regulation to prevent the defaulting of the interest is added in the draft. In order to be more effective the minimum punishment may better be included. I support the Bill and deserves passing.

Thank you.

**PU H. RAMMAWI  
MINISTER**

: Mr. Speaker Sir, as the name implies this is a Bill to protect the depositors in case of the arise of problems and difficulties when a person invest money, he become a depositor, and this Bill will protect him. While discussing this Bill, it is important to educate the public its importance. Mizoram have often face problems from bogus Financial Institutions because the depositors have no concern whether the Institutions are reliable or not. Now, it is a pleasing matter that the Government has moved this Bill. The states of Assam, Maharastra and Tripura have enforced this regulations. We also need this Bill and hence I suggest that it should be passed as it is.

**PU H. LALTANPUIA**

: Thank you, Mr. Speaker Sir. I too accept that this Bill disserves support. However, I would like to repeat the point raised by the member from Ngopa that in order to make this Bill Most effective, preventive provision should be added in the Bill. It should be made necessary that any Financial Institution willing to set up an establishment should first get license or registration from the government licensing authority should also be formed.

As seen in the statement of object and Reasons there is no doubt that bogus financial establishment is exist in Mizoram. Therefore, we should make provision to prevent the public against these bogus financial establishment. This Bill has the provision to

protect the interest of depositors and if there is no provision for the preventive measure it will not be perfect. The public are the depositors. What we have to be cautious about is whether the financial Institution where the public intent to deposit their money is reliable. After losing their deposits there is nothing much to be done even by the enforcement of this law. Therefore, the Bill needs review for successful implementation.

Thank you.

**PU NIRUPAM CHAKMA** : Thank you, Mr. Speaker Sir. If we read the Statement of objects and reasons, it is clear that there are bogus Companies operating in and other parts of India which do not register under any act or provision. The main question is whether we want to eliminate these companies or give them permission to operate. There is no provision to prevent Financial Establishment from entering Mizoram. We should make provision for this. Any Financial Establishment or Company operating in Mizoram should have accountability. If not, there can be a serious problem for the depositors or the Government to take action when necessity arises. Whether the Government allow these companies to come to Mizoram or restrict them from operating, their accountability should be ascertained first.

**PU J. LALTHANGLIANA** : Mr. Speaker Sir, I support the Bill under discussion for it is a Bill to protect depositors. However, there are some points the requires clarification. The term 'Financial Establishment' is defined as an individual or an association of individuals. If this is so, does this Bill provides for the punishment of an individual who defaults or failed to repay with interest as agreed.

As already experienced these Financial Establishment or Companies never have property or financial investment within Mizoram. In such a case, the government has no chance to attach the property of the defaulting Financial Establishment. Therefore, any such Company or form willing to operate within Mizoram should register the Company to the Government. Therefore, Rules should be made as soon as possible so to enable the Bill more effective.

**PU LALHMINGTHANGA** : Thank you, Mr. Speaker Sir. The aims and objectives of the Bill is very important as it affects the public. In the past, we have often faced problems from bogus Financial Establishments. In view of this the members have mentioned various points of suggestions because we all want this Bill to come out successful.

In page 2 of Section 3 it is stated that, 'Where, upon complaints received from a depositor as number of depositors, that any Financial Establishment defaults the return of deposits after maturity' This explains that after maturity of deposits if the Government receives complaint from the depositor this Act can be carried out.

The wording, 'Where the Government had reasons to believe that any financial establishment is acting in a calculated manner with an intention to defraud the depositors (Interruption).

**PU L.N. TLUANGA**

: Mr. Speaker Sir, it is imperative that any Financial Establishment trying to operate within Mizoram should obtain license from the Government.

On Section 3, no 5 there is provision for the punishment for default in repayment. But, there is no mention of the amount involve or the type of cases defaulted by the financial establishment. It can happens that even for a more Rs.50/- the defaulter can be punished with a fine of one lakh rupees. Therefore, whereas I support the passing of this Bill, it would be more perfect if those points of suggestion can be inserted when the Rules is formed.

Thank you.

**PU LALCHAMLIANA  
MINISTER**

: Mr. Speaker Sir, as agreed by most of the members this Bill is essential for the public. I have agreed with the suggestions raised by the members. But Financial Establishment is to be set up by only people from outside the State we have to consider that there will come a time when over own Mizo people open a financial establishment. But, as suggested by the members it is imperative this only registered firms should be allowed to set up establishment within Mizoram. The Fundamental Rights provides every citizen of India the Right to freedom of business. As opening a financial institution is a business, we have no right to bar such an institution. Hence, provisions in this connection should be made in the Rules.

Section (a) and (b) provides that where the Government have reason to believe that any Financial Establishment is acting in a calculated manner with an intention to defraud the depositors the former can take action against the latter. The depositors need not wait for the maturity of the deposits. So, Mr. Speaker Sir, I find this condition satisfactory. However, it is essential to make regulations. Though the Bill is not fully perfect the passing of this Bill as it is.

**PU SANGHMINGTHANGA H. PAUTU**

: Thank you, Mr. Speaker Sir. The members have already mentioned the points I too would like to make. I want the Department to make note of the points when making the Rules.

Some members have raised the suggestion that these financial establishment should have registration in the Government of Mizoram before starting to operate. This is true to some extend. But, how can we prevent and check all these minor money lenders, if the public have no awareness. It will not be an easy task to regulate these money leaders. If a person is willing to borrow money with an interest he has the right to do so. And in this condition this Act can not be justifiable. For now, the Bill may better be passed as it is and if necessary amendment can be made in future.

Thank you.

**S P E A K E R**

: We will now call House Leader to clarify the Bill.

**PU ZORAMTHANGA  
CHIEF MINISTER**

: Mr. Speaker Sir, Thank you. The hon'ble members gave constructive suggestion, will keep that in mind.

The bill is to protect the people from bogus and unreliable financial establishment. According to the bill, the financial establishment has to register under financial establishment banking Act. The aim of the bill is not the prevention. But the protection of interest of depositors. The minimum fine is made imprisonment because, from the Court Judgment there is a chance that depositors are likely to lost in case of financial penalty from the amount deposited.

Hon'ble member Pu Sangzuala mentioned about competent authority, the government will look into this matter, as for now I cannot give specific name. Then, regarding Act, it is printing mistake, and regarding section and sub-section. We will look into it.

Regarding maturity, if there is complain, action can be taken towards this complain. Mr. Speaker Sir, action can also be taken if there is no trust in the financial establishment. We are yet to make rules, therefore, the important rules the hon'ble members mentioned will be included as far as possible. It is difficult to make a perfect rule at first. We will try to include the prevention side, as some of the hon'ble members mentioned. Mr. Speaker Sir, as the State is in need of this bill, though there are some error here and there. I beg this august House to pass this bill.

Thank you.

**S P E A K E R**

: Now all those who agree to pass. "The Mizoram Protection of Interests of Depositors (In financial establishment)

bill 2002. Say agree.". Now the bill is passed by this August House. Now will have break. meeting will resume at 2:00 P.M. Meeting adjourned.

**2:00 P.M.**

**S P E A K E R**

: Will continue our business. We will now call Pu Lalrinchhana to move, the 'Mizoram Restriction on use of transferred Land bill, 2002'.

**PU LALRINCHHANA  
MINISTER**

: Mr. Speaker Sir, I thank this August House for allotting me time to move the "Mizoram Restriction on use of transferred Land bill, 2002."

In the year 1998 May agreement was signed between Assam Rifles and government of Mizoram, to return their occupied land once they shift to Zokhawsang. The Central government has we requested the Mizoram government to protect the land from private possession, but to use the land for public purpose. The Mizoram government agreed to this proposal, therefore, in order to safeguard the land from private possession, this bill The Mizoram Restriction on use of Transferred land bill, 2002, is introduced in this August House.

The first clause deals with the title. The second clause deals with the definitions. The third clause highlight that, once the Assam Rifles shift their base, once the Assam Rifles shift their base, the land will be under the Mizoram government clause four deals with persons who possess pass for these land to submit their pass to collector. If there is anyone who does not submit their pass, their pass will be canceled.

Clause 5 highlights that the land will be in hands of Mizoram government and that, it will be used for public. Clause 6 deals with who will be responsible to look after the land by the government. Clause 7 deals with the penalty for those who offence the rules. Clause nine highlight the penalty that could be face by Department who does not abide by the rules. Clause 9. highlights that civil court will interfere in the Revenue Departments rules and order. Clause 10 deals with the system of appeal. Clause 11 deals with the provision to make rules. Then, the description of the A.R. occupied area is given in different scheduled (different block.) In block 'B' it is written only 38. it is suppose to be 38 hectare. There is typing mistake in clause No. 8. It should be read as 'The Government or any authority refer to'. With this I move this bill. I request the hon'ble members to help in passing this Bill.

Thank you.

**Dr. LALZAMA** : Mr. Speaker Sir, 5 minutes for each  
**MINISTER** member will be sufficient.

**S P E A K E R** : Now will start the discussion.

**PU H. RAMMAWI** : Mr. Speaker Sir, First of all Assam  
**MINISTER** Rifles are occupying the centre of our city, therefore, there are difficulties due to this.

From the bill introduced it is clear that, Assam Rifles are shifting to Zokhawsang, I thank the Department and the Minister for the bill, I request the hon'ble members to pass this bill.

Mr. Speaker Sir, in my opinion, the schedule is too detail, from the information we have, Mandir area and church area are given to the authorities concern by the government. The boundary pillar mentioned in Tuikhuahtlang, Macdonald are too detail and difficult to understand, any way, the bill is very important, as it is to safe guard the rich people from attaining these land. If this bill is pass it is for the people of the state, once the Assam Rifles shift to Zokhawsang their occupied land will be in the hands of the government and not individual. The occupied land will be in use for the public. This bill clearly confirmed that the Assam Rifles are shifting to Zokhawsang. We should thank the concern Department for the bill, it is the responsibility of this House to pass the bill, so as the Department can carry out the necessary action. If the bill is passed in the House, it will affect the Assam Rifles and the Home Ministry. I therefore, request all the hon'ble members to support this bill.

Thank you.

**PU P.B. ROSANGA** : Mr. Speaker Sir, First of all I would  
Also like to thank for the

introduction of the bill. From the first U.T. Assembly, there was a decision to shift the Assam Rifles to Luangmual. However, due to certain difficulties, they were left untouched. In the second U.T. Assembly a Cabinet decision was made that, Luangmual will be included for town expansion programme, however Assam Rifles will be shifted out of the heart of Aizawl and their occupied land will not be given to individual persons, the cabinet decision was not made into Act. However, today I am grateful that, we are able to pass this bill. If this bill is pass in the House, the Assam Rifles occupied land will be made in use for the public, I read the bill, I am satisfied with the bill, the hon'ble member mentioned about the schedule boundary description, we should leave this in the hands of the Department as they are well Verse of their lands. However there is one point I would like the Minister to clarify later. I made a question as to, how many persons have been given pass for the Occupied land of Assam Rifles, the answer was 129. Today from the bill there are only 63. Above all this, we should focus on the aim of the bill and support the bill as it is.

Thank you.

**PU VANLALHLANA**

: Mr. Deputy Speaker Sir, today we are Discussing the Mizoram Restriction on used of transfer land bill 2002. I

would like to thank the Minister for the bill, under his guidance we are able to have proper Revenue administration. With this bill the occupied land of Assam Rifles will be in the hands of the government and not individual. From object and reasons of the bill, we are able to understand that the Home Minister insist the Mizoram government to utilize the transferred land only for public purposes. Whatever, it is I am grateful for the bill.

Assam Rifles occupied land have become a political issue, as we've heard earlier, 62 pass has been given during the year 1972 - 1996, if we really want to study, during whose term was this pass given, it is very clear. Pu Speaker, the hon'ble member Pu H. Rammawi mentioned that the boundary description is too detail, but according to my view it has to be detail. Regarding the description of boundary, there are some lands which are included in the Assam Rifles boundary and some land which are with in the boundary description but are not among the list of pass holder, for example the family of Babaji, they have reside in their land from the time of Britisher's, their pass was issued by superintendent in the year 1929, and later in 1977 LSC was given to them by the Mizoram government Mr. Speaker Sir. Now their land is within the boundary description. I expect the Minister to clarify this kind of case. The boundary description looks very fair but it seems that after careful study there could be boundary dispute here and there. I support the Mizoram restriction on use of transfer land bill 2002. However, I request the Minister to clarify the said point.

Thank you.

**PU LALRINZUALA**

: Mr. Speaker Sir, Thank you. Today we Are discussing a very important bill. I would like to thank the Revenue

Minister for the bill. But it seems that the all Mizoram does not include Lunglei. In Lunglei we are facing the same problem, they have vacated one area, and the Vacated land is allotted to private persons, I request the Minister to clarify if the bill covers Lunglei.

I read the bill, I feel there are lots of clarifications to be made Mr. Speaker Sir, I would like to request the Minister to clarify. what does it mean by Assam Rifles claim area ? Does the Assam Rifles claim area means. What ever area the Assam Rifles claim belong to them ? Then, the statement of object and reasons should not have been written this way. Mr. Speaker Sir, it is very embracing to see the names of families of political leaders in the pass holder's list. Therefore, this bill is a must for Mizoram. There is one more point I would like the Minister to clarify, how will the Department deals with those who have constructed building within the boundary description. I support the bill, but the Minister should clarify what steps will be taken after the bill is pass.

Thank you.

**PU ZAKHU HLYCHHO**

: Mr. Speaker Sir. Thank you. The Assam Rifles are occupying the centre of our city, it is therefore the wish

of the Mizo people to shift the Assam Rifles out of the city. Know ring this, the late Prime Minister Pu Rajiv Gandhi, announced that the Assam Rifles will be shifted out of the city, it is due to his concern for the people that we are able to have this bill. We must thank the late Prime Minister Pu Rajiv Gandhi. I would also like to highlight that, due to this, the previous government look initiative in the construction of Zokhawsang, and compensation have also been given. The previous Ministry took huge steps towards the shifting out of Assam Rifles to Zokhawsang, it is due to these steps taken that we are able to discuss this bill today.

Mr. Speaker Sir, it is said that, certain area of Assam Rifles occupied land at Khatla will be vested in the hands of Civil. I therefore requested the Minister to clarify this, we don't know how far it is true, if it is true, this bill will not have any meaning.

Thank you.

**PU TAWNLUIA  
MINISTER**

: Mr. Speaker Sir, we should thank the hon'ble Chief Minister for the steps he has taken towards the shifting

out of Assam Rifles out of the city. It is due to this that, we are able to discuss this very important bill today. Mr. Deputy Speaker, every ministry are keen on the shifting out of Assam Rifles, the real work started in the year 1988, May 30. The place at Zokhawsang was selected with the authority of Assam Rifles, I was among them as I was the concern Minister. The construction work began at that terms, but unfortunately the Ministry came to an and after that for 10 years it was neglected, but as soon as the present ministry resume office, the construction work is continued. Tender is called for the construction of camp and Rs.10 lakhs is sanctioned for the approach road.

Mr. Speaker Sir, MNF Party National Executive have pass a resolution that the vacated land of Assam Rifles should be used for public purpose. There may be difficulties here and there regarding boundary pillar, but once this bill is pass, let us expect that disputes will be solved. Mr. Deputy Speaker, it is the wish of the Mizo people to shift the Assam Rifles out of the city, they are occupying four Major areas, the pass holders of these occupied land, let us hope will not create any problem, in the interest of the public. Their land could be utilized in many ways for public purpose. Therefore, we should all join hands in passing this bill.

Thank you.

**PU NIRUPAM CHAKMA** : Mr. Deputy Speaker Sir, I support "The Mizoram Restriction on use of transfer Land Bill 2002. But I need clarification, in the definition it is stated that "transferred land" means the land vacated by the Assam Rifles formations and handed over to the Government in and around Aizawl. Does the Assam Rifles really transfers these land ? The Minister has to clarify this.

Thank you.

**PU C. THANGHLUNA** : Mr. Deputy Speaker, I would first of all like to thank for the bill. It is good to know that this bill will safe guard the rich people from obtaining government land. This bill will bar any one who are in power from allotting, the Assam Rifles vacated land to private persons. This bill will enforce anyone who is in power to use the land for public purposes. Mr. Speaker, as soon as this ministry was formed, their priority was to shift out the Assam Rifles, but till today, it's already four years. This shows that its not an easy task as they preach at the time of forming the ministry. Mr. Speaker Sir, I would like to request the Revenue Department to put more pressure on the Assam Rifle's authorities to transfer their lands in the hands of Mizoram government.

Thank you.

**PU L.N. TLUANGA** : Mr. Deputy Speaker Sir, Thank you. I am grateful for this bill, but Mr. Deputy Speaker Sir, it is amazing that, 75 persons are given pass ( Land settlement certificate ) in the Assam Rifles occupied land. how can the government do this ? However, it is good to know that Revenue Department are taking steps towards safe guarding the occupied land of Assam Rifles. This bill will enable the land to be used for public purposes.

Thank you.

**PU SANGHMINGTHANGA H. PAUTU** : Mr. Deputy Speaker Sir, Thank you. I Would like to thank the hon'ble Revenue Minister for "The Mizoram Restriction on use of transferred land bill". 2002. The M.N.F. party pass a resolution not to allot the Assam Rifles occupied land to private person. It is due to this policy that we are able to have this bill today. If this bill is pass in this August House, as soon as the Assam Rifles shift out of their occupied land, we can use the land for public purposes.

The hon'ble Chief Minister has done, whatever is to be done, regarding the shifting out of Assam Rifles, as we've heard, 8 crores has been sanctioned for the approach road, and the building will also start very soon. We cannot force the Assam Rifles to shift out to Zokhawsang, as the buildings are not ready, the construct of approach roads and buildings needs time, therefore, we should understand this, but I would like to high light that the hon'ble Chief Minister is doing whatever he can to push the process.

Mr. Deputy Speaker Sir, from the speech given by the hon'ble members, it is clear that every one is in support of the bill, therefore, instead of wasting time any further why don't we pass the bill now.

Thank you.

**PU F. MALSAWMA  
MINISTER**

: Mr. deputy Speaker Sir, this bill is a very important bill for the coming generation. Every ministry from 1972

gave priority to the shifting out of Assam Rifles, however, it is very clear that, the shifting out of Assam Rifles is not an easy task. We should therefore thank the Chief Minister and Home Minister for their effort. The step taken by this government will be remembered for generation to come, it will remain as History. It is good to know that the hon'ble members agreed to this bill from the speech made in the House, all the speech are in support of the bill. I, therefore, would once again thank the Revenue Minister for the Bill.

Thank you.

**PU K.L. LIANCHIA**

: Mr. Speaker Sir, I would also like to Make a short speech, As the hon'ble members before me have mentioned,

I would also like to thank for "The Mizoram Restriction on use of transfer land Bill 2002". Mr. Speaker, as we have heard earlier pass were given to private persons even before the land is transfer by the previous government. Therefore, this bill will prevent any one who is in power from allotting the land to private persons. This bill is necessary for the State for the interest of the public.

Mr. Speaker Sir, during the M.N.F. Ministry in 1987-88 steps was taken to a certain extent in shifting out the Assam Rifles, but after that for 1 year a new Ministry was formed and nothing was done about it, the statement of the then Chief Minister was, 'I have never heard of Army personnel being shifted out of their occupied land'. However, today it sums, we are all in support of the bill, I am grateful for this.

Mr. Speaker Sir, as mentioned by the hon'ble member from Ngopa, 10-15 years back during P.C. Ministry. Capital Expansion project was made as approved by the central government at Luangmual, and the work was in progress, however the next Ministry did not continue the work, but instead gave the land to private persons, had this kind of bill was introduced at that time, the capital expansion project would have succeeded and problem we are facing like traffic jam etc, would have been solved. We are now going to have additional 57. 37 hectare of land for public purposes.

Mr. Speaker Sir, there are faults accusation regarding Bairabi Hydrel Project, the leaders of P.C. Party are accused of possessing land in and around Bairabi Hydrel Project, however, no one from the O.B. possess land near Bairabi Hydrel Project, I just want to give this for House information.

Mr. Speaker Sir, with this bill, I expect the pass given to private persons will be cancelled. and utilized for public purposes. I am grateful that we are able to discuss this bill today, however, it will be quite sometime for the Assam Rifles to shift out. However, I would like to thank the Revenue Minister for the bill.

Thank you.

**DEPUTY SPEAKER**

: It seems every one agreed to the bill, the Minister will have to wind up

**Dr. LALZAMA  
MINISTER**

: Mr. Deputy. Speaker, it is good to know that, the Minister introduced this very important bill for the interest

of the people. We are here for the people, whatever we do should be in the interest of the people, as we are a democratic government. Mr. Deputy Speaker it is very disappointing to see the name of public leader in the L.S.C. holder list. It is also very disgracing to know that, just to claim compensation there are some people, who acquire land near Bairabi Hydel project. Mr. Deputy Speaker, I want to thank the Revenue Minister, for this bill, as this bill will safeguard the land and the Vacate land will be used for the public purposes. I therefore, request every member to support this bill.

Thank you.

**PU ZORAMTHANGA  
CHIEF MINISTER**

: Mr. Deputy Speaker, Thank you. Today from the speech made by the hon'ble members, it seems that, we

are of the same view. If this bill is pass in the House it will be a record for the state.

The main problem for the shifting out of Assam Rifles to Zokhawsang is the building construction. Border road organization, central PWD, and Military Engineering service are offered the building construction work, the central government is putting pressure on us, to pass this bill first, before the sanction of fund for the construction work. Therefore if this bill is passed today, we will immediately informed the Home Ministry in the evening today's bill is therefore very important not only in safeguarding the vacated land. As hon'ble members are aware that, even before the land is transfer in the hands of Mizoram, there are already L.S.C. holders, but fortunately the Assam Rifles managed to safeguard their occupied lands. Therefore, it is a privileged to be able to pass this bill in the interest of the people. I request every member to come forth and support this bill, as this bill prevent private persons from owning the vacated land of Assam Rifles.

Thank you.

**DEPUTY SPEAKER**

: Among fourteen members who had participated in the discussion did not object the Bill so I now call upon the

Minister to wind up and ask the House to pass the Bill.

**PU LALRINCHHANA  
MINISTER**

: Mr. Deputy Speaker Sir, I am glad that no one among the fourteen members who participated in the discussion

of The Mizoram Restriction on use of Transfer Land Bill, 2002 had opposed it which clearly shows how important the Bill is. We shall practice it and if there is a need to amend we can amend it later. Anyhow I would like to react some points pointed out by the hon'ble members. It had been pointed out in our previous Sessions that there are 129 persons who have pass within the area of Assam Rifles, and in our today's bill 61 names had been selected. The reason for this is we did not include the area of their firing Range at Chite where there are more than 60 passes as this area is supposed to be used by AR even after they are shifted.

The area of Assam Rifle had been demarcated during British period which is very vast. As time goes by, Assam Rifles firing Range was shifted to Chite during District Council/UT period. Hence their areas had become small gradually. As that is the case their pass was no longer valid and it was revised but it was difficult to make proper boundary description. So the Assam Rifles have to protect their areas as much as they can and we too make boundary accordingly. Even their areas at Mac. Donald Hill was wider than the present areas. The existing Pastor Quarter which had been pointed out by one of the hon'ble member is not within the area of A.R. As the present Bill is about the area of A.R. at Aizawl, and as there is no report the need about Lunglei, we did not include Lunglei area. But if it is needed necessary steps will be taken.

As Assam Rifles are arm forces, fencing their areas at Khatla area in particular is essential for security purpose so fencing was done. But these areas are also to be acquired.

In regard to the question had Assam Rifle handed over their land to Government of Mizoram, an agreement was signed on may, 1988 both by the AR and the Military to shift AR to Zokhawsang. According to this, when AR are shifted to Zokhawsang their lands at Aizawl will be handed over to the Government of Mizoram. For this, Zokhawsang had been handed to the AR to prepare it for their convenience. They are only here before they are shifted. They will shift as soon as they complete Zokhawsang area and their lands here will automatically be occupied by Government of Mizoram. In the meantime, it is good to know that the AR are making excuses to Central Government and Home Minister as they are reluctant to shift. Because of this we are asked by the Centre to legislate a bill to use these areas for Government's and public purposes. As that is the case and as we feel it is important to protect these areas for public and Government's purposes this Bill has been moved. I, therefore, beg leave of the House to pass 'The Mizoram Restriction in use of Transfer Land Bill, 2002'.

Thank you.

**DEPUTY SPEAKER** : The Revenue Minister asked the House to pass 'The Mizoram Restriction on use of Transfer Land Bill, 2002'. Members who agree to pass the Bill may say 'yes' and those who do not say 'No' (Members agreed). Thus, 'The Mizoram Restriction on use of Transfer Land Bill, 2002' is unanimously passed by this House.

We finished our business for today. We shall resume our sitting tomorrow i.e 20.11.2002 Wednesday at 10 : 30 AM.

Sitting adjourned.