

**FOURTH MIZORAM LEGISLATIVE ASSEMBLY
(FOURTEENTH SESSION)**

LIST OF BUSINESS

FOR FOURTH SITTING ON FRIDAY, THE 21ST MARCH, 2003.
(Time 10:30 A.M to 1:00 P.M. and 2:00 P.M to 4:00 P.M.)

PRESENT

1. Pu R. LALAWIA, Speaker, at the Chair, Deputy Speaker, Chief Minister and 15 Ministers and 22 members were present.

QUESTIONS

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

PRIVATE MEMBERS' BUSINESS

3. * Resolution.

S P E A K E R

: He who is often reproved, yet stiffens his neck will suddenly be broken beyond healing.

(Proverbs 29 : 1)

I shall call upon Pu L.N. Tluanga to ask Starred Question No. 21.

PU L.N.TLUANGA : Mr. Speaker Sir, Started Question No.21 is - Will the Hon'ble Minister for Home be pleased to state -

- a) Have the three persons involved in Lawngtlai Bank robbery caught by Myanmar Army been brought to Mizoram?
- b) If not, has the Government of Mizoram sent police personnels to take their statement?
- c) The steps taken so far by the Government in this matter.

SPEAKER : I now call upon Home Minister Pu R. Tlanghmingthanga to answer.

PU R.TLANGHMINGTHANGA MINISTER : Mr. Speaker Sir, answer for starred Question No.21 is -

- a) No.
- b) No.
- c) Government of Mizoram is waiting instruction from Home Ministry, and Central Government to deploy these three persons caught at Myanmar.

PU L.N.TLUANGA : Supplementary Question Mr. Speaker Sir, while there are efficient Mizo S.Ps at Lunglei and Saiha I would like to know why a new Mizo S.P from Aizawl has been sent to do an investigation of Lawngtlai Bank robbery. It had been announced many times that the robbers were besieged at the forest and I would like to know how the looted money were caught without catching the robbers and the exact amount of the money the robbers had taken from the Bank. It is also learnt from newspaper that the money recovered by the police was deposited at the Bank by a police officer in his account and I would like to know if this is true and if it is true, had the Government taken back the money and transfer it to Government's account. It is also known that our efficient police sent one person from Kawlchaw knowing that the robbers had fled to Myanmar. This person saw the robbers at Tahan, he tried to phone the Home Minister but in vain. As he could not contact the minister he contacted a reliable civilian who informed

the matter to the Home Minister. Thus, he was instructed to arrest the robbers without the knowledge of Myanmar Government. The Home Minister, after 2/3 days gives instruction at the level of S.P. to arrest them but it is not possible at S.P. level to do such thing as the case is of international level. But they could catch them by some how after 10 days. Even after they were arrested they had not been brought to Mizoram till today and their statements had not been taken yet. Is it true that the two S.Ps who are incharge of this case can not cross Rihkhawdar?

PU LALHMINGTHANGA : Mr. Speaker Sir, the question asked by the Hon'ble member is an important questions as it greatly disgraced our society and the Government as well. What I would like to know is the names of the robbers and are they kept in Jail at Myanmar? I also would like to know whether the Hon'ble Home Minister can give the members a copy of the permission sent to Central Government. As this case is a serious case I would like to know if the Government intends to form a Committee/Commission to investigate this matter?

PU K.T.ROKHAW : Mr. Speaker Sir, it will be pleasing if the former Home Minister could answer my question as the present one is a new one. Is it true that Lawngtlai Bank was robbed at around 6 PM and that while the Bank was robbed only one Home Guard was on duty? We all know that Lawngtlai Police Station is near State Bank. Thus is it also true that Lawngtlai Police reached State Bank only after the robbers left the Bank? has any one got injured?

PU P.B.ROSANGA : Mr. Speaker Sir, can the Hon'ble Home Minister inform me the date of letter sent to Central Government for this case.

PU H.LALTANPUJA : Supplementary question, Mr. Speaker Sir, It is said that the Bank was robbed after it was closed. Had the police find out in their investigation that it was pre planned by the robbers and Bank Staff? Had a case against the staff been filed in this regard?

S P E A K E R : I now call upon Home Minister Pu R.Tlanghmingthanga.

PU R.TLANGHMINGTHANGA MINISTER : Mr. Speaker Sir, it is pleasing to know the zealousness of the members in this matter. I will try to answer their questions as much as I can. In regard to the question asked by the Hon'ble member Pu L.N.Thuanga for deploying from Aizawl to investigate the matter. DIG Range is to supervise over all investigations undertaken by Lawngtlai and Saiha S.Ps. In case of sending police personels to arrest the robbers it can not be done easily as the matter is international matter. However, with the help of the reliable Mizos at Myanmar and after sending a messenger, the robbers were arrested by Burma police. While they were on their way to Mizoram, the robbers then claimed that they are linked with Burma insurgents and when the Myanmar intelligents heard about this they brought them back to Myanmar so they are now at Myanmar Jail. Government of Mizoram then asked Central Home Ministry an approved to bring these robbers to Mizoram, which was not approved. The copy of the letter will be given to the members later as requested by the Hon'ble Opposition Leader. I myself came to realize the efficiency and great efforts taken by our police personels to nab the robbers.

The followings are the names of the robbers - Lalneiha, Lalfela and Zahmunga (Pu Lalhmingthanga : Mr. Speaker Sir, can he, hon'ble Minister give their detail particulars/description?) If we can have their detail particulars I shall give it to the members later. Myanmar authority arrested Lalneiha and Lalfela on 12.6.2000 at Tahan and they are put at Tidim Jail while Zahmunga is at Kalymiau Jail.

Government is aware of the fact that the recovered amount had been deposited by one person in his account and the matter is being processed to take necessary action.

PU LALHMINGTHANGA : Mr. Speaker Sir, though the plan to arrest the robbers without the knowledge of Myanmar Government / authority by sending civil personnel instead of high policy authority was good to some extent but I am curious to know the reason for not authorizing high police authority but an S.P. level in this case?

SPEAKER : If the Government is not willing to mention the name of the case of I.O. (Investigating Officer) it may be good not to mention it as the case is sub-judice I admitted the question as we do not know that the case is sub-judice. Anyway, I now call upon Pu R.Tlanghmingthanga to answer.

PU R.TLANGHMINGTHANGA MINISTER : Mr. Speaker Sir, in this case, not to mention police high officials, it is not appropriate even for ordinary police personnel to investigate this case as this is a serious case, various tactics had to be applied urgently so a plan was made by police authority and the robbers were caught accordingly. However, as they are under the judiciary of a foreign government/authority we are asking Central Government to intervene. We had to apply various tactics as it is not possible for police personnels whether high or low ranks, the question of overrule or overpower police high authority did not arise in this case.

The investigation was done by Lawngtlai SDPO P.K.Chakravarti and the case had already been chargesheeted and the decision is to be made by the Court. I am satisfied with the findings of the police investigation.

In regard to the doubt about the involvement of the Bank staff as the timing was after office hour, a case had been registered against those who are suspected to be involved in this case.

PU R. LALZIRLIANA : Mr. Speaker Sir, as this ministry is not expected to find out/arrest the robbers, and even if it is possible to bring the robbers to Mizoram, they will not bring them to Mizoram, I suggest not to mention/discuss any more of this matter in the House.

SPEAKER : Let me call upon the minister to answer and make necessary explanation.

PU R. TLANGHMINGTHANGA : Mr. Speaker Sir, reliable persons are
MINISTER assigned to do necessary
investigations in this case and
their performances are quite
remarkable and I do appreciate their efforts. As I had already mentioned,
a case had been filed against 13 suspicious persons in this case.

S P E A K E R : Now I call upon Pu J. Lalthangliana
to ask Starred Question No.22.

PU J. LALTHANGLIANA : Mr. Speaker Sir, Starred Question
No. 22 is - Will the Hon'ble
Minister for PWD be pleased to
state -

- a) The proposed width of Rawpuichhip - Buarpui road
which is
under construction.
- b) Is compensation can not be given to the persons whose
houses
and gardens are destroyed/damaged because of the on
going construction work?

PU ZORAMTHANGA : Mr. Speaker Sir, answer for Starred
CHIEF MINISTER Question No. 22 is -

- a) The width of the proposed on going Rawpuichhip
to Buarpui
Road is 5.95 mts.
- b) It is not that compensation can not be given to the
affected families but estimate was not there while
sanction was made. However, instead of waiting a long
process to get compensation, arrangement had been made
to the affected families to take up various works by
themselves.

PU J. LALTHANGLIANA : Mr. Speaker Sir, as the previous
ministry intended to make these
areas where there are 13 villages
as thick forest. There were not even
proper jeepable roads. Fortunately, roads were constructed by MNF & MPC
ministry through NABARD. While some part of the road is wide, the portion near
Aizawl District and Lunglei District boundary is very narrow. I myself visited these

portions and took measurement, the width of some portions is not even 3 mts. I want to know can these portions be widen?

In the meantime, it is known that compensation amounting to 245 lakhs had been given to 562 families for construction of Aizawl - Thenzawl via Hmuifang road constructed with fund from World Bank. But compensation is not given for construction of Rawpuichhip to Buarpuoi road, they do not complain as they are eager to have good road. At Sabual 3 houses are sure to be destroyed but it is regretting that when these families reported the matter to PWD Officer they were not given any attention. I would like to ask the Hon'ble Minister whether this is true. Even if we can not give compensation we should try to please them in another way.

SPEAKER : Now Pu R. Lalzirliana.

PU R. LALZIRLIANA : Mr. Speaker Sir, the question I am going to ask may not be relevant yet I am going to ask as the Chief Minister is expected to know all.

SPEAKER : We had spent more than half an hour for just two questions so it is better not to ask which is not relevant.

PU R. LALZIRLIANA : When I visited the on going construction work at the areas vacated by Assam Rifles I found that for big buildings, bamboos were used instead of iron rod for cementing the slab.

SPEAKER : You better mention that in general discussion. You should ask only relevant question.

PU R.LALZIRLIANA : It's quite relevant. I want to ask can the Hon'ble Minister take action?

SPEAKER : Now I call upon Chief Minister to answer

PU ZORAMTHANGA CHIEF MINISTER : Mr. Speaker Sir, in regard to the point raised by the Hon'ble member Pu J. Lalthangliana about the width of on going construction road at the border of Aizawl District and Lunglei District in particular, the matter will be looked into and if it is not 5.95 m it will be widen. The matter about the arrangement to be made in lieu of compensation will be looked into, to give just Rs 2000/- for damaged house is not reasonable.

SPEAKER : Starred Question No.23 is asked both by Pu F.Lal Thanzuala and Pu J.Lalthangliana. I now call upon Pu F. Lal Thanzuala.

PU F.LAL THANZUALA : Mr. Speaker Sir, Starred Question No.23 is -

Will the Hon'ble Minister for Health Department be pleased to state -

- a) Number of HIV Positive in Mizoram.
- b) Number of female and male positives.
- c) Is there babies and children.
- d) Number detected so far.
- e) Number of blood tested for this.

SPEAKER : Now I call upon Pu F. Malsawma.

PU F.MALSAWMA MINISTER : Mr. Speaker Sir, answer for Starred Question No.23 is -

- a) The number of HIV Positive in Mizoram recorded from 1990 upto January of this year is 468.
- b) There are 295 males and 173 females.
- c) There are 13 babies and children.
- d) It's mandatory to screen bloods donated whether they are HIV Positive or Malaria or Hepatitis B, so the number of blood tested at Blood Bank for the said reason is 66588. While the number of Pre & Post Councelling test, per the direction given by National Aid Control Organisation is 9625.

PU F. LAL THANZUALA : Mr. Speaker Sir, HIV was first found in the West and widely spread in underdeveloped countries. I would like to know the growth rate of HIV Positive since 1990.

PU LALRINZUALA : Mr. Speaker Sir, Supplementary Question. Sex and drugs abuse are believed to be the main channel through which AIDS/HIV is acquired, of the two which is more responsible?

PU J. LALTHANGLIANA : Mr. Speaker Sir, have we inform those who are detected as HIV Positive that they are HIV Positive? I also would like to know how many had died because of AIDS in Mizoram?

PU SANGHMINGTHANGA H. PAUTU : Mr. Speaker Sir, it seems that AIDS is going to be a big problem in the near future. As is done in other countries, survey has been done to detect carrier of HIV particularly among what we called call-girls and if there are any, are they given condom to prevent further spread of the dreaded disease. If not, is there an intention to do so. Is there also an intention to distribute syringe to drug addicts to prevent them from sharing needle among themselves as is practiced in places like Manipur.

- PU ZAKHU HLYCHHO : Mr. Speaker Sir, in other parts of India, HIV positives are despised or treated with contempt. Do we too despise or treat them with contempt in our society?
- PU R.LALZIRLIANA : Mr. Speaker Sir, is there a way to allot sets of condom to persons identified as HIV positives to prevent them from infecting others. Will it also be wise to teach them to take such preventive measure.
- PU N.P.CHAKMA : Supplementary question, Mr. Speaker Sir, Can the Hon'ble Minister tell the number of HIV positives we have in district wise? Is there any at Chawngte?
- PU F.MALSAWMA : Mr. Speaker Sir, there is no record of District - wise record because it is difficult to understand whether it will be good or not to be particular.
- PU LALRINZUALA : Mr. Speaker Sir, if that is the case, Government had declared the number of HIV positive in Lunglei District and it will be pleasing if the Hon'ble Minister could explain about this.
- PU F.MALSAWMA : Mr. Speaker Sir, of course the number had been recorded but what I meant was is it best to declare their names? If it is good to declare, we shall do so. I do not know whether there are any HIV positive at Chawngte. However, I, myself had instructed to study if there is high risk group.

What the Hon'ble member from Saitual constituency said was truly important. In fact, steps are being taken in this regard. Distribution of condom

has taken place at various important public points such as Bus terminal, Truck and Taxi stands etc and Bus and Taxi drivers are being deployed to do the work in these areas. The whole world is taking trouble in regard to spreading of AIDS and in Mizoram some sort of survey is conducted to know where such condoms are to be given. It is advised that such will be given only to those who would make use of it in the right way.

It was felt that public secretly discriminated those who are HIV positives but now councillors are being employed and there is not much discrimination in our society as in other parts of India. As there is lots of fund from Central, various measures had been taken to prevent the widespread of AIDS by distributing condom and syringe and awareness campaign had been organized in various places. In regard to the question asked by the Hon'ble member from Phuldungsei Constituency, the number of death according to official report is 24 which is believed to be more than this.

It is believed that sex is the main channel through which AIDS is spread in these days so all have to be very careful.

In regard to the question asked by the Hon'ble member from Hnahthial constituency, the number of HIV positives is increasing. This may be because the number of blood screening also increased. While in developed countries, AIDS has been checked, as soon as they detect it, we, on the other hand have to do blood screening, since the number of blood screened had increased, the detected number is also increasing.

PU K.T. ROKHAW

: Mr. Speaker Sir, it is known that there are 468 HIV positives in Mizoram. This is a serious matter. Will it be good to make prostitute lane / Red Light area to put all K.S. and a doctor to look after them.

S P E A K E R

: You must ask relevant question to the main question.

PU K.T.ROKHAW

: Mr. Speaker Sir, it will be pleasing if the Hon'ble Minister answer my question which is important for our future.

PU F.MALSAWMA
MINISTER

: Mr. Speaker Sir, this matter is private policy matter. How will our NGOs and Churches react to this if prostitute lane / Red Light

Square is made in Mizoram. Though there are Red Light Square at Delhi and Kolkata, there is no such area officially in India. It is not known if there is any such areas officially even in other countries. However, there may be a particular / specific area or square where prostitutes used to stay, in such areas even a society gives concentration. Anyhow, the suggestion made by the Hon'ble member seems to be good. At the same time I would like to request him to have second thought about having red light area, do we really want to be a state having prostitute lane / Red Light area.

S P E A K E R

: Now I call upon Pu P.B.Rosanga to ask Starred Question No.24.

PU P.B.ROSANGA

: Mr. Speaker Sir, Starred Question No.24 is -

Will the Hon'ble Minister for Home Department be pleased to state -

- a) Do the Government know the owner of 5 AN 476 Rifles and one M-16 recently seized by police personnels near Hrianghmun?
- b) The number of arms and ammunities seized since 1999 till today within Mizoram and the number of owners or keepers arrested so far?

PU R. TLANGHMINGTHANGA
MINISTER

: Mr. Speaker Sir, answer for Starred Question No. 24 is -

- a) The owners of the said arms and ammunities are not yet known but it is known that they are Mizo origin from Myanmar.
- b) Since 1999 till today, 46 various arms and ammunitions had been seized from 35 owners / keepers.

- SPEAKER : Question hour is almost over. I will call only Pu P.B. Rosanga to ask supplementary question.
- PU P.B.ROSANGA : Mr. Speaker Sir, as per the answer given by the Hon'ble Minister, various 46 arms and ammunitions had been seized from those who claimed to be Mizo origins from Myanmar. I would like to ask the precautionary measures taken by the Government to prevent the entry of these people both at the border and other places. Is there an intention to establish / open security post at border areas like Mimbung?
- SPEAKER : Though question hour is over, you can ask only supplementary question relating to the main question.
- PU F.LAL THANZUALA : Mr. Speaker Sir, I would like to ask the number of Myanmarese and Mizos who illegally sell or keep such arms and ammunitions.
- PU R.LALZIRLIANA : Mr. Speaker Sir, it is known that the seized arms and ammunitions are disposed off before they are confiscated. I want to know can this be done?
- PU VANLALHLANA : Mr. Speaker Sir, I would like to know how is the seized arms kept? Are they being kept at police custody or that they are being used by police force?

PU R.TLANGHMINGTHANGA : Mr. Speaker Sir, in regard to the
MINISTER question asked by the Hon'ble member
Pu P.B. Rosanga to establish / open
police station at border areas like

Mimbung, even the Government feels the need to open police station there and the matter is being moved. In the meantime, it is also known that these people tried to avoid police stations or posts to enter Mizoram so even a battalions can not prevent such entries if one really determined to enter. However, Government is taking efforts to check this matter. As in the case of the identity of these people, though I can not say in detail, most of them are from Mizoram and Burma.

Regarding the question asked by the Hon'ble member Pu R.Lalzirliana, the seized arms are disposed off as permitted by the rules after clearing all the provisions made by the Government to confiscate them while some are kept at Government's custody.

SPEAKER : Question hour is over now. I would like to request all members to keep in mind that it is good to take up as many questions as possible. Even today we could take up only 4 questions. We shall proceed to our next business which is Private Member's Business. We shall take up Resolution which was balloted on 11.3.2003 at 1:00 PM and we shall take up the Resolutions accordingly.

The first Resolution we have to take up is Col. Lalchungnunga Sailo's Resolution which reads as follow - " This House resolves that the Delimitation Commission approve the existing boundary of 40 constituencies that has been in existence and enforced for the 4 consecutive terms of Assembly, I now call upon Col. Lalchungnunga to move his resolution, being a mover he will be allotted 10 minutes and other members will be allotted 5 minutes each.

PU VANLALHLANA : It is not necessary to discuss because we all agree about it.

SPEAKER : An amendment had been submitted by Pu Z.H. Ropuia according to our Rules No.125 - who has to move it. To give chance to all members I am reducing the allotted time since there is nothing much to say. Now let me call upon Col. Lalchungnunga to move his resolution.

COL.LAI.CHUNGNUNGA

: Thank you, Mr. Speaker Sir. As my Resolution which you had read out concerns all the people of Mizoram it is very important. So let me read it out again - "This House resolves that the Delimitation Committee approve the existing boundary of 40 constituencies that has been in existence and enforced for the 4th term elections". This resolution is moved and we have to pass it as the Delimitation Committee is making massive change in the existing boundary of the constituencies.

It is important to know that the Delimitation Act, 2002 No. 33 of 2002 which had been published at Gazetted Notification on 4th June 2002 by Ministry of Law & Judicial and Company Affairs had many defects for Mizoram. First, composition of members of the committee is written in para 3 article 3 according to which either a Sitting Supreme Court Judge or retired Supreme Court Judge will be a Chairperson, other members will be either Election Commissioner or Election Commission, Government of India and State Election Commissioner. As we do not have Election Commission in Mizoram we can not have a member in the Delimitation Committee. It is clearly written in the Constitution in 244(m) that 'nothing in this part shall apply to the scheduled areas referred to in clause (a) and title areas referred to in clause (b) of article 244..... nothing in this part shall apply to the state of Nagaland, Meghalaya and Mizoram' which clearly shows that we cannot have Panchayati Raj. Hence, we do not have a member in the Committee and the other two members ignore the wishes of the people of Mizoram. This is against the constitution.

It is also written in article 5,1 & 2 of the Act that the associate members should assist the Committee but, Mr. Speaker as you are aware of it, our associate members - our 5 MLAs and our Lok Sabha MP are not consulted even once. Hence, the proposal / decision made by the committee is not acceptable.

If we look at Article 9 1(1) of the Act it is written that - 'All constituencies shall as far as practicable be geographically compact areas in delimitating the existing boundaries of administrative units, facilities of communication and Public convenience', but the recommendation / decision of the committee is not according to this Act. So it can easily be proved that the boundaries recommended by the committee is not practicable. It is regretting that the committee had not consulted the associate members - our MLAs and Lok Sabha MP while considering this matter. This clearly shows that the Delimitation Committee of just two members do not give concern / interest to the welfare of the people of Mizoram.

Another defect point of the committee is that there is partiality and favouritism for illegal immigrants in the working papers which is dreadful for the people of Mizoram as it will pave way for many foreigners to enter Mizoram. Thus, if we consider all the recommendations / decisions of the Committee we can see how unreasonable they are. It is the responsibility of this House to think about

all these with clear mind and stand together against it as much as we can. So I would like to request all members to pass my resolution unanimously keeping aside our party feelings.

One more point I would like to mention is that it is worth to consider how prompt is the committee to issue working papers thrice namely Working Paper No 1,2 and 3. This clearly signifies that the Committee is ignoring / neglecting our State Government which is disgracing for the latter. Being MLA I would like to point out that we have responsibility to show that the people of Mizoram do not like the recommendation of the Committee. It was gladsome that a successful procession was organized by NGOs and MZP on 18th February to show how we condemn the decision of the committee. Yet I am afraid the Committee will do as it decides. So we have to stand firm and join hands as this is a serious matter. I would like to emphasize that as this Committee acts against its own Act and the Constitution we should condemn it.

SPEAKER : As I had said Pu Z.H. Ropuia submitted a proposal to amend the resolution according to our Rules No. 129. Let me read out the proposed amendment - 'The existing constituent boundary which had been followed for the last 4 terms of Assembly election is demarcated by Delimitation Committee against the desire of the people of Mizoram. This House resolves that demarcation of constituent boundary be done as the desire of the people of Mizoram not as proposed by the Delimitation Committee. If this could not be done, let the coming election be conducted on the basis of the existing constituent boundary'. The copy has also been distributed to the members.

PU P.B.ROSANGA : Mr. Speaker Sir, as the proposed Amendment violates our Rules as it is written in our Rules No.123 (a) - 'it shall be clearly expressed and shall raise one definite issue' and also 'it shall not contain arguments, inferences, ironical expression, imputation, unevent or defamatory statement precisely', We can not accept the proposed amendment.

SPEAKER : It's not that it is indefinite. The matter is now at the hands of the Delimitation Committee and the proposed amendment said 'if it is against the will of the people of Mizoram'. Which is to be finalized by the said Committee. As I had admitted the amendment, I can not withdraw it.

PU LALHMINGTHANGA : Mr. Speaker Sir, as already mentioned by the Hon'ble member the proposed amendment according to our Rules No. 123 should be definite and precise. Here the hon'ble member Pu Z.H.Ropuia has two points - demarcation should be done as desire by the people of Mizoram and he has an alternative proposal i.e. if that is not possible. So it is not definite and precise thus I would like to request him to withdraw / drop his proposal.

S P E A K E R : It is you the members who have the power to drop it by vote. Since, it's been admitted we have to take it up.

PU P.B.ROSANGA : Mr. Speaker Sir, the desire of the people of Mizoram is clear.

PU H. VANLALAUVA
MINISTER : Mr. Speaker Sir, the aim of the proposed amendment is clear. The aim is constituency demarcation / delimitation be done as desire by the people of Mizoram. However, as it is beyond our authority, it proposes to follow the existing boundary.

S P E A K E R : Kindly listen to me. I had admitted it as it is important for the people of Mizoram. If you carefully read the resolution of Col. Lalchungnunga you can see that the existing boundary of 40 constituencies which has been in existence for 4 consecutive Assembly election is good enough which the House did not consider it as good enough and passed a bill to make it 60 constituencies hence I can reject it but I did not reject it as it is important for the people of Mizoram. So I let him move his resolution. In the same way, I now call upon Pu Z.H. Ropuia to move his proposed amendment.

PU Z.H.ROPUIA : Thank you, Mr. Speaker Sir, I am proposing to amend the resolution submitted by the Hon'ble member Col. Lalchungnunga issued in Relative Procedure Bulletin No. 191 Dt 11.3.2003 No.1. If the Hon'ble member who moved the resolution has second thought I am sure he will support

my proposal. When he moved the resolution the need to amend the resolution was clear, because instead of concentrating on his resolution he pointed out the defects of the Act. As pointed out, clause 5(i) & (ii) mentioned that our associate members should assist the Committee and this House should do something so that our associate members could have sayings in the Committee's decision.

If we look at the recommendations of the Commission / Committee, they made the decision according to their wishes as we do not have any saying of our desires / wishes. What we do not like seems to be Working Papers I & II of the Committee. Hence, I am proposing to amend this resolution to enable our associate members to have some sayings. The boundaries of the constituencies made by the Delimitation is not practicable which has to be reconsidered. The need to form a Save Mizoram Committee by various NGOs also clearly shows the need to amend this resolution. The wording of the resolution - 'the existing boundaries of the constituencies is good enough' is not more appropriate. Being legislators we have to consider the whole Mizoram but not a particular area / constituency. We have to consider how to balance various constituencies throughout Mizoram and if that is not possible let the coming election be conducted on the basis of the existing boundaries. The reason why we mention the coming election is that we have 40 constituencies for 20 yrs. Considering the growth of our population during 20 yrs, this House itself passed a resolution to increase the constituencies from 40 to 60. I, therefore, would like to request the Hon'ble member who moved this resolution to reconsider carefully. So, in order to enable our associate members to have sayings in the Committee I would like to request the mover of the resolution to withdraw and support my proposed amendment.

Thank you.

S P E A K E R

Before I call upon members to speak, let me read out our proceedings regarding the Resolution moved by Pu F.Malsawma as follows - ' Pu

F.Malsawma moved the Official Resolution standing in his name in the following form, whereas the minimum number of Members of the Legislative Assembly of each state is 60 under article 170 (1) of the Constitution of India, whereas under article 371(b) in the case of Mizoram State, the number of members in the Legislative Assembly is fixed at 40, as far as provision of the Mizoram Accord 1986 and whereas the Parliament has passed a Constitution 91st Amendment Bill, 2000 which limit the minimum number of members of Legislative Assembly stated at 60, now therefore, this House resolve that the Constitution, 91st Amendment Bill, 2000 when enacted shall not be in force for the Mizoram Legislative Assembly to have the minimum not exceeding 60 in place of 40 and the Central Government be moved accordingly to achieve the number of members of State Legislative Assembly not exceeding 60 in the state like Mizoram.

Pu F.Malsawma explained the principles of the resolution and the reason for submitting the resolution. The motion was discussed and the following members participated in the discussion - Pu K.L.Lianchia, Dr. Laizama, Pu Lalrinzuala, Pu Lalhmingthanga, Pu Lalrinchhana, Col. Lalchungnunga Sailo, Pu F. Malsawma wound up the discussion and made reply to the debate and moved that the resolution standing in his name be adopted.

The motion was carried and put up to the vote of the House and was adopted by a voice vote'. Let us try to remember what we had passed.

Now I call upon Pu Lalrinzuala.

PU LALRINZUALA : Mr. Speaker Sir, a resolution about the issue of our identity has been moved by the Hon'ble member Col. Lalchungnunga. As we all know, Save Mizoram Committee organized procession at Aizawl on 18th February where all members who were at the station also participated in which a resolution was passed. Today, Col. Lalchungnunga moved the same resolution we had passed in the procession. Even the Save Mizoram Committee requested each member to support this resolution. But today, it is regretting that the Hon'ble member Pu Z.H. Ropuia moved a resolution against the resolution passed at the procession. In the proposed amendment moved by the Hon'ble member Pu Z.H. Ropuia there is hidden agenda. How can some members said they do not know the recommendations made by the Delimitation Committee.

SPEAKER : That had been given to the Associate members. We must know that we are not the members.

PU LALRINZUALA : Mr. Speaker Sir, I do accept that we are not members. We have a popular Government and Government servants in the popular Government are being used by Delimitation Committee as instruments yet we do not know the dreadful decision of the Committee. But now it has been revealed and the resolution was passed by the people of Mizoram at the procession conducted by Save Mizoram Committee. Unfortunately, another resolution is moved by the Hon'ble member against the desire of the people where there is hidden agenda. Since, the resolution moved by the Hon'ble member Col. Lalchungnunga was passed by the people of Mizoram I would like to request this House to pass it.

PU H.VANLALAUVA

: Mr. Speaker Sir, I do support an important resolution moved by the Hon'ble member Col. Lalchungnunga Sailo that working

paper I, II & III of Delimitation Committee are not good enough and at the same time I do not agree with him to say that 'the existing boundary of constituency is good' I rather feel this needs an amendment. As the existing 40 constituencies is not enough this august House had resolved to move Central Government to increase the numbers of members to 60. I think we have to respect what we had already resolved / passed. Besides, it is the opinion of the House that the boundaries of some constituencies need re-demarcation. Therefore, it is meaningless to agree the demarcation of boundaries made by Delimitation Committee which we did not like.

It can also be presumed that the Hon'ble member Col.Lalchungnunga does not know the desire / decision of Save Mizoram Committee. Our associated members had asked the Committee to give at least two months in order to do things according to the desire of the people of Mizoram. Thus as this is an important issue, I support the proposed amendment in this resolution submitted / moved by the Hon'ble member Pu Z.H.Ropuia from Tawipui Constituency and I request the House to pass it.

Thank you.

Er. K.THANGZUALA
MINISTER

: Mr. Speaker Sir, for our further discussion I would like to request the mover of the resolution Col. Lalchungnunga to explain whether

the Delimitation Committee have the power to approve demarcation of boundaries of constituencies? As far as my knowledge is concerned, President will approve / assent the reports of the Delimitation Committee. Therefore, is this resolution fails technically?

PU R.LALZIRLIANA

: Thank you, Mr. Speaker today we are discussing an important resolution. As this is an important issue it will be good, in my

opinion, for the Hon'ble mover to withdraw his resolution and Government moves Official Resolution in this matter. It is clearly written in the Gazzette published by Central Government on 4th June 2002 that another Delimitation Committee will be formed and the copy was sent to Government of Mizoram on 19th August. Let me read out one important part of the Gazzette - 'The Commission informed of the action taken in the matter immediately and in any case before 31st August, 2002'.

Truly speaking, the hon'ble Speaker had told some persons that there will be 3 Ruling members and 1 each from opposition in the associate members of the Delimitation Committee. He also said that if there is any change in the name of a constituency, it will be done, it will be done in the name of hill / mountain within the area of a particular constituency. The Delimitation Committee made a proposal accordingly. To fight against the proposal made by the Delimitation Committee a procession was organized by NGOs where the Hon'ble Chief Minister also participated and said no election will be conducted without maintaining Status Quo which relieved tension among people. To confirm this, the Hon'ble Rural Development Minister said at Hnam Run that we will fight till the end if Status quo is not maintained. After all these, I wonder why the Hon'ble members moved another resolution modifying the resolution passed at the procession. Why don't we pass official Resolution for such important issue. This shows we do not give importance to it. If we carefully look / study at the recommendation of the Delimitation Committee, we can clearly see that they are trying to spoil our integrity and how can we accept that. So, in order to maintain our integrity and to follow the desires of the people, let the Government move Official Resolution to avoid political mud-slinging. So, I would like to request the Hon'ble member Col.Lalchungnunga to withdraw his resolution and have the Government move Official Resolution.

Thank you.

S P E A K E R : I now call upon Brig. T. Sailo.

Brig. T. SAILO : Mr. Speaker Sir, the subject we are discussing is very important as it concerns the future of the Mizos. The Save Mizoram Committee gives a request copy to each member which can be regarded as House Property and if we carefully read the copy we can clearly see that the intention of the Delimitation Committee is not good for Mizoram. At the same time, I am pleased by the efforts made by our Associate members including our ministers and Dr. R.Lalthangliana, The Delimitation Committee is ignorant the people of Mizoram as a whole. There may be some Mizos who involved in this matter. I am happy to know that all these facts are unearthed by our Associate members. I would like to request all members to read / study carefully. However, even if this House pass this resolution, it is not the end / final, we have more steps to take including by our Chief Minister. Therefore, as requested by Save Mizoram Committee, it is important to pass this as an initial step for the survival of our identity and integrity. There is hidden agenda in the decision / recommendation of the Delimitation Committee which is dreadful for the Mizos. I, therefore, would like to request all members to pass this resolution and I do hope this will help our Associate members at least in one step further.

Thank you.

PU LALTHAN KUNGA
DEPUTY SPEAKER

: Thank you, Mr. Speaker Sir, Being representatives of the people, we have to consider this matter carefully. If we try to make it

as political milestone I am sure we will make mistake. It is clearly written in the Delimitation Act that 'none of the Associate Member shall have a right to vote or to sign any decision of the Commission'. The working paper 1 & 2 of both the Save Mizoram Committee and our Associate member submitted to the Commission starts with 'suggest modification as may be required'. Today if we pass the resolution as the existing constituency we are tying the lips of Delimitation Associate members and Save Mizoram Committee. Besides, as far as my knowledge is concern, even if a Prime Minister re-acts on the recommendation of any Commission, they never change it. In the same manner, if the working papers are accepted / approved, it will be regretting for all of us. I am afraid there will be a loophole between our associate members who can not make slight modification - alternative suggestion and the Save Mizoram Committee who are not regarded as People's Representatives by the Commission. In my opinion, it is good if our Associate Members can give suggestion for slight modification to the Delimitation Committee as soon as possible. Just to criticize the decision of the Delimitation Committee without any suggestion is meaningless. The decision of the Commission will be accepted / approved even if we are against it. The wordings - 'suggest modification as may be required' is jointly drafted by Save Mizoram Committee and our Associate members. We the ruling members do not have the copy distributed by Save Mizoram Committee.

S P E A K E R

: I had ordered to distribute that copy to all members in the recess rooms so that each members can have it. You are

supposed to get a copy drafted by Save Mizoram Committee which had been approved and signed by our Associate members.

PU LALTHAN KUNGA
DEPUTY SPEAKER

: This matter should not be taken as political advantage as it is a serious matter. We have to think carefully.

PU K.T. ROKHAW

: Thank you, Mr. Speaker Sir, first of all I would like to say that I do support the resolution moved by the Hon'ble member Col.

Lalchungnunga. It seems the proposed amendment moved by the Hon'ble member from ruling is done according to the desire of a particular political party.

Even we, the Congress Legislature Party intended to submit a resolution in this regard but did not do so as we think this matter will be forwarded by State Government as official resolution. In my opinion it will be more dignified if this matter is moved as official resolution and pass it unanimously by the House. As we do not want the decision of the Delimitation Committee, Save Mizoram Committee was formed and a procession was also organized. Even the Hon'ble Chief Minister said at the procession that as the decision / recommendation of the Delimitation is against our desire they will not contest in the coming election. The statement of the Hon'ble Chief Minister relieved the tension. At the same time, I wonder why the Government is not moving an official resolution in this matter. I think there are some reasons for not doing so. It may be that they themselves get involved in the formation of Delimitation Committee members or it could be that they do not dare to oppose the decisions made by the Delimitation Committee at the centre. Truly speaking, while Congress party formed a ministry both at the centre and in Mizoram, the then Home Minister S.B.Chavan stated at Gauhati that Inner Line Permit had been stopped at Mizoram. As soon as the then Chief Minister Pu Lal Thanhawla knew about this, a special Session was summoned and an official resolution was moved against the statement made by the Home Minister. Can a government who dares not move an official resolution on the issue of survival of Mizo as a tribe be a patriot.

S P E A K E R

: The associate members are not afraid of any one. They had submitted a letter not minding to be dismissed / discharged.

P U K. T. R O K H A W

: Hence, Mr. Speaker Sir, if the ruling members agree, I would like to suggest / propose that the Government move official resolution as moved by Col. Lalchungnunga so that this House will pass unanimously.

Dr. R. I. A L T H A N G L I A N A
M I N I S T E R

: Thank you, Mr. Speaker Sir. The Hon'ble Speaker nominated 5 members from this House as Associated members with our only M.P. As mentioned by the Hon'ble Deputy Speaker we, the associate members do not have voting rights. We had told the Committee in our first meeting at Delhi that we do not know about all the working papers and submitted 8 points on why we can not accept it. In our first point we said that not to mention absence of State Election Commission, there is not even a single member from Mizoram which is constituency representative. Another point is The Associated member nominated under clause II of the Section V of the Delimitation

Commission Act were not associated with during several round of sittings by the said Delimitation Commission. We also pointed out that the Working Paper is not only defective but impractical too due to geographical and photographic inconviency that would cause to the people and to the MLA candidates during canvastic respectively. Besides, we also mentioned that it is inconvenient to demarcate crossing Autonomous District Council border and also that according to the proposed demarcation there will be huge / large illegal immigrant from Western areas in particular. We also pointed out our dislike to reduce MLA constituencies at Lunglei District from 7 to 6. We concluded that we endorsed and fully support the memorandum submitted by the Save Mizoram Committee dated 18th February 2003 to the Delimitation Commission, (copy enclosed). The last part of our letter which reads 'if the working paper is materialized we apprehend that no election can be held in the ensuing general election due during November 2003' where all members put their signature. This shows we do not accept all working papers. In the meantime, Save Mizoram Committee prepared a letter to be submitted to the Chairman, Delimitation Commission where we the associate members put our signature. Let me read it out - 'In our capacity as Associate Members of the Delimitation Commission for Mizoram, we would request you kindly to give us at least 2 months time from today to study in detail the Working Papers I & II to suggest modification as may be required on the following grounds - As associate members had no knowledge of the preparation of the working paper No.I and we have not any hand in the preparation of it. Secondly, the said working paper No.I and the manner how it might have been prepared agitated the minds of the people of this state which as public representative we can not ignore. Thirdly, the working paper too still have many instances which do not conform to the provision in Sec 9 (1) of the Delimitation Act of 2002. Fourthly, in the past when the Assembly constituency were delimited in the case of Mizoram, preliminary work was left to the local public representatives and their view points were respected. Fifthly, there is strong public opinion of the state that the delimitation may be done on the basis of census figure of census held in 2001 if relevant section of the law can be amended'. We also included that if the Commission can not accept these, we feel that there will be a pressure from public to resign our associate membership of the Committee. Meanwhile on 11.3.2003 we received a letter from the Commission which stated - 'Your note of descent should however reach the Commission latest by 5.00 PM on 26.3.2003. Therefore, as the Commission is constitutionally appointed things can not be done easily. As per the last note drafted by the Save Mizoram Committee where, we, the associate members put our signature which had been sent to the Commission we have to think what steps should we take. We do not have to think about the interest of a political party or an individual, we should rather think the interest of our state. The Hon'ble member Pu Z.H.Ropuia had moved an amended form for the interest of the public which we should bear in mind. As the power of the Delimitation Commission is high it can not be pushed in it's own terms of references. Meanwhile, President has to approve it to materialize all the working papers. The commission said that the materialization of their working papers in the ensuing election is not their purview, they are doing their works as they are constitutionally constituted and we have to plan how to counter / brake their on going works.

S P E A K E R : It's 1.00 PM and we will have a rest. We shall resume our sitting at 2.00 PM

Recess at 1.00 PM

2.00 PM

PU LALTHAN KUNGA
DEPUTY SPEAKER : We will continue our business. Now I call upon Pu Nirupam Chakma.

PU NIRUPAM CHAKMA : Thank you, Mr. Deputy Speaker Sir. I think we all want the same thing and it is not necessary to say much about the resolution.

However, as mentioned by the Hon'ble members from Congress Party, 'as this matter is about states interest, it will be better if we press the Commission by Official Resolution, I wonder why the ruling party did not move official resolution in this regard.

It is true that there are many confusions in delimitation. Let me read out with your permission a press note issued by Delimitation Commission - Delimitation Commission Nirvachan Sadan Ashok Road, New Delhi No.DL/PM-2/2002 dt 28.7.2002.

The first meeting of the Delimitation Commission with the Chief Electoral Officers of all states and Union Territories of Delhi and Pondicherry was held today at Nirvachan Sadan Ashoka Road, the meeting was presided over by Mr. Justice Nurdip Singh, Chairman of the Delimitation Commission Shri Tandon. Election Commissioner of India and Ex-officio member of Delimitation Commission also attended the meeting Shri J.K.Bhantia, Registrar General and Census Commissioner and nodal officer nominated by the General of India and national meeting organization attended the meeting as special invitee. The Registrar General report about the availability of census data and maps. The Chairman says that although Delimitation Commission had been given a period of two years to complete delimitation of the State, the Commission was determine to finish the work by the end of Calendar year 2003, well before the general election are due to the Lok Sabha. It is due in the States of Madhya Pradesh, Chhatisgarh, Rajasthan. Mizoram and Delhi were taken up immediately, so that the newly formed constituencies from the basis of election to the Legislative Assembly for whom election may take place by November / December 2003. Further, four states - Himachal Pradesh, Meghalaya, Naland and Tripura general election of the Legislative Assembly are due in February 2003 they are also being taken up on priority basis. The Commission will sincerely try to complete their work within the available time, The Chairman further briefed the Chief Electoral Officer

on the procedure that would be adopted for delimiting Assembly and Parliamentary Constituencies under the Delimitation Act 2003'. Shri B.B.Chavan explained that the 1991 census data would be calculated on the basis of current administrative and developmental units as per their re-adjustments of boundaries of the Assembly Constituencies. The Chief Electoral Officers explained to the Commission step taken by them for obtaining 1991 census data. Lack of administrative and developmental units from the states Census Director and collecting the same in terms of latest administrative / development units in the formats prescribed by the Commission. After the population data are obtained, the Secretaries of the Delimitation Commission will do a preliminary exercise for each state of re-adjusting the boundaries. The office proposals will be discussed in a better way with the full Delimitation Commission, they will then discuss with the associate members and finalize the matter. The draft proposals will also be published in the Vernacular Newspapers. Suggestions made in the hearing will be examined by the Delimitation Commission and the final order drawn up will then be gazetted and also be published in the Vernacular newspapers. The Chief Electoral Officers acknowledged the magnified task ahead and its complicity due to the fact that the adjustment was being attempted for about after a gap of 30 years. After listening to the Chief Electoral Officers and keeping the constraint in various states a time framed was fixed for. Delimitation Commission to obtain a record data.

These pressmen visited our election office. Why did not either the members or the parties tell about our problems.

PU LALTHAN KUNGA
DEPUTY SPEAKER

: Our associate members did not attend that meeting. As Mizoram does not have State Election Commission we do not have Chairman of it. That

press note was made in context of all India but not in the context of Mizoram.

PU NIRUPAM CHAKMA

: Mr. Deputy Speaker Sir, the C.E.O. attended the meeting. All C.E.O. of UTs and FCEO attended the meeting under the Chairmanship of

the Delimitation Commission Chairman where all the procedures of delimitation were explained. Why did not they explain to our members. I am sure both the Chief Minister and Chief Secretary will know about this. So, kindly allow me to distribute a copy of this note to the members.

PU LALTHAN KUNGA
DEPUTY SPEAKER

: I think we all have that copy, anyway you may distribute it.

PU NIRUPAM CHAKMA : Mr. Deputy Speaker Sir, Government knows everything about this. Why didn't they pay attention for the interest of Mizoram?

PU LALTHAN KUNGA DEPUTY SPEAKER : The matter will be explained. Now I call upon Pu Lalchamliaana.

PU LALCHAMLIANA MINISTER : Thank you, Mr. Deputy Speaker Sir. As we are not familiar about Delimitation Commission, it is easy to get confused. What had

been pointed out by the Hon'ble member before me was half truth. The letter issued on 26.8.2002 was NO.DL/PL-1/2002 and the subject was Delimitation Commission Meeting which reads - 'The meeting of the full Delimitation Commission was held today at Nivachan Sadan. The meeting was presided over by Mr. Justice Kurdip Singh, Chairman of the Delimitation Commission, Shri B.B.Tandon, Election Commissioner of India'. In para 3 it is written that - 'after the population of data and facts are obtained, the Secretariat of the Delimitation Commission will do a preliminary exercise for each state for re-adjusting boundary'. The next sentence is - 'the office proposal will be discussed in a meeting of the full Delimitation Commission with the state Election Commissioner of the concerned state'. They will then discuss with the associate members and finalize'. The first meeting we, the associate members attended was held on 19th February for which some of us got their draft proposal a bit late. Had the proposed draft been finalized in that meeting it will be a final draft. The next sentence is - 'the draft proposal will be published in the Gazettee of India and in the Gazettee of the state concerned and date fix for public hearing'. As our opinion deferred here, there is no final draft till today. The initial step taken by the secretariat was to make the first draft which the people of Mizos do not like, so we could not accept it. As there are some minor adjustments to be made we can not support this resolution which states - 'it is good enough'. It is heard that one of a big parties in Mizoram who formed a ministry for 13 years had asked our Speaker when he will be calling Delimitation Committee. In this way, things can be confused. So it is important to know the procedure of Delimitation Commission otherwise we will have to hold a heavy debate in this House. As pointed out by the Hon'ble Minister Dr. R.Lalthangliana, Commission is constitutionally constituted and just do their works. In the meantime, we the members of this House have to think what is best for our state. As the population of some constituencies are not in proportion, some minor adjustments have to be made. If we do not have any suggestions, we will be blamed by future generations.

Thank you.

PU F. LAL THANZUALA

: Mr. Deputy Speaker Sir, our subject is very important as repeated. Though it had been said that it is for the interest of the Mizos, it

can be assumed from our speeches that we meant it for the interest of our party. For associate members of the Delimitation Committee, it is not good to go according to our opinion / view. Truly speaking, Save Mizoram Committee is overtaking this issue. I am saying this because even in a meeting at Delhi, our associate members could not voice their opinion / view. They have to say as briefed by the Save Mizoram Committee. Since, the memorandum / resolution passed at the procession organized by Save Mizoram Committee was the decision of the people of Mizoram, it is not appropriate to have or pass another resolution against the resolution passed at the procession. In my opinion, it is good to pass this resolution as it is. The all three working papers issued by the Delimitation clearly showed that slight modifications can be made. As already pointed out, as the proposed amendment is not one definite issue, it can not be accepted.

PU H.LALTANPUIA

: Thank you Mr. Deputy Speaker Sir. I have the same opinion with the Hon'ble member from Hnahthial Constituency. As he had pointed

out, the draft boundaries of the constituencies according to the working papers can not be accepted. And that is the reason why this resolution is moved.

First of all, I think this House should be pleased to our associate members of Delimitation Committee because when Save Mizoram Committee organized procession on 18th the said members were at Delhi. At the procession, a resolution was passed without their presence and they were told of the resolution we had passed when they come back. The associate members then moved the resolution as it is at the meeting of the Delimitation Commission which is very useful in delimitation work of constituencies. In this issue, it is important to join our hands. Both the resolution and its amendment form clearly showed that we do not accept the decision made by the Delimitation Commission. As already pointed out, Delimitation Commission had already issued upto 3rd working paper. So the resolution passed at the procession to be in status quo is matching with the present resolution I think it is good to pass it as it is.

The Hon'ble Rural Development Minister who is one of the associate members of the Delimitation Commission did not read out the last portion of points they had submitted to the Commission which reads - 'in view of the above circumstances we, the associate members of the Delimitation Committee of Assembly and Parliamentary constituencies for Mizoram strongly demand the existing Legislative Constituency should continue to be maintained'. So, the objective of the resolution passed by Save Mizoram Committee at the procession, associate members of the delimitation committee and the present resolution are of

the same. Therefore, there is no other opinion of the public rather than this. Hence, as the amended form is complicating, I think it is good to pass this resolution as it is.

PU LALTHAN KUNGA : There is no other representatives for
DEPUTY SPEAKER the people of Mizoram.

PU H.LALTANPUJA : Mr. Deputy Speaker Sir, what I had
said is the opinion / view of the
people of Mizoram.

PU LALTHAN KUNGA : Now I call upon Pu C. Sangzuala.
DEPUTY SPEAKER

PU C.SANGZUALA : Thank you Mr. Deputy Speaker Sir.
Though this issue is very
important and sensitive, it is
confusing too, and it is not good
to take it as party advantage.

Some times back, the reception of the Delimitation Commission organized by Electoral office was attended by me with one of the Hon'ble members as we were invited. At that time we did not say anything about this subject but even after we explained the matter, it is regretting that some of our members are still using it for political mud-slinging. I feel there is hidden agenda as termed by some of the opposition members in the way how we discuss / consider this issue. It is not a safe thing to doubt or to be skeptical about some one after the matter had been explained.

The aims / objects of the resolutions moved by Col.Lalchungnunga and the amendment form moved by Pu Z.H.Ropuia are somehow of the same. However, in the resolution of Col.Lalchungnunga there is a point which can bind us forever, and we have to consider or think about this carefully. This House itself had proposed / resolved to increase the number of constituencies to 60. At the same time, the areas of some constituencies are not balanced, some boundaries are crossing other constituencies and the population is also not proportionate. Considering all these, the amendment had been proposed. So we have to pass the amended form as this House itself does not feel the existing one is good enough / satisfactory.

While the mover of the resolution said the existing one is satisfactory I wonder why he did not mention at least 2/3 points to prove it.

I am also confused by the so called letter sent by Save Mizoram Committee to the Delimitation Commission which reads - 'We would kindly request you to give us at least two months time from today to study in detail the Working Papers I, II & III and suggest modifications as may be required on the following grounds as there seems to be a bit different one.

Inspite of all these, it is my opinion that the House should dare to take bold decision for what is right. Hence, my main point - as it is an important issue let us try to be united keeping aside our party feelings. In an important issue such as this, the House should stand firm together.

Thank you.

PU VANLALHLANA

: Mr. Deputy Speaker, the importance of today's resolution is clear from the Bulletin relative precedence that of the twelve private resolutions, 7 resolutions are about Delimitation. Even from Treasury bench, Dr. Lalzama had submitted a resolution as follows - Let the constituent boundaries be not changed if the existing 40 Mizoram Assembly Constituencies is not increased to 60. Since we, the Mizos are few in population, integrity / unity is the most important asset we have to survive and for development as well.

We, the people of Mizos had shown our unity on various issues. Now also there is an intention to delimitate constituency boundaries and we had shown our unity against this proposal / intention by a procession organized by Save Mizoram Committee where our Chief Minister, NGOs and all political parties participated. The Hon'ble Chief Minister said on that day that he preferred not to contest in the ensuing election if the constituencies are delimitated. I am sure if we stand united in this matter / issue we will success as before. The present resolution is moved by Col.Lalchungnunga to support the decision of the people of Mizoram made at the procession and the memorandum submitted by our associate members to the Commission. So I would like to request the House to pass it as it is.

DR. LALZAMA

: Thank you Mr. Speaker Sir. As pointed out by the Hon'ble members, this subject / issue is not to be taken for political advantage and should not be used for political mud-slinging. We also should not blame other parties, we should rather think carefully about this matter. It is good to know that even the ruling members and Ministers were not informed of the visit of the Delimitation Committee.

Mr. Deputy Speaker Sir, I think we all have the same view / opinion regarding our present subject. The Hon'ble member who stood before me said we have to go according to the decision made by Save Mizoram Committee. The petition submitted by Save Mizoram Committee to the Delimitation Commission is - 'We request to kindly give us two months time from today to study in detail the working papers I, II & III and suggest modification as may be required'. I am sure Save Mizoram Committee will be very sorry if we pass a resolution in contrary to this. So, we have to be very careful in making decision to strengthen our associate members and the wishes of the Save Mizoram Committee. Otherwise, we can not have any saying when public hearing is conducted by the Commission. The amended form moved by Pu Z.H.Ropuia is not clashed with the resolution moved by the hon'ble member Col.Lalchungnunga. In my opinion, there is no harm to suggest modification as desired by the public. As we had listened, the Commission is constitutionally constituted, it will make some changes even if we pass to go on according to the existing ones. If we do not have any suggestion I am afraid they will a number of changes. I think even the Save Mizoram Committee had considered all about these while drafting the petition. So it is our responsibility to strengthen the decision of the Save Mizoram Committee.

PU P.B.ROSANGA

: Mr. Deputy Speaker Sir, in my opinion, if one is not satisfied with a particular resolution he should submit another resolution as he desires / wishes in the allotted time and if it comes out at the balloting we should discuss about it; in a true sense, whatever comes at the balloting should be discussed. Just to submit an amended form like this is against our rules.

Some of the hon'ble members said we have to strengthen the hands of our Associate members. One of the associate members had stated that they do not have separate ideas / view, because they are supporting the view / idea of the Save Mizoram Committee.

The people of Mizoram including our House Leader had shown how we dislike all the Working Papers issued by the Delimitation Commission. Even if we boldly pass this resolution as desired by the Save Mizoram Committee, I think the decision of the Delimitation Commission will be as suggested in the amended form. So what we need is to stand firm, what is there to be afraid of? It is very difficult to know the exact desire of the public. For example, an MLA from Buarpui will not accept to include Marpara South at Buarpui. Like wise, it will be regretting if the amended form is moved for the interest of a party. If there is no party interest the resolution moved by Col.Lalchungnunga is what the public desired and accepted.

Even the associate members of the seven other states were not consulted by this Delimitation Commission and the matter had been severely criticized. Other commissions used to have spot verifications with the concern

associate members and it could be thought that the associate members were more powerful. This time, it seems we are embarrassed as there is hidden policy and the House itself is reluctant to pass the resolution submitted / moved by Col.Lalchungnunga as desired by the Save Mizoram Committee.

PU C.THANGHLUNA

: Mr. Deputy Speaker Sir, the recommendation of the Delimitation Commission we had seen in the Working Paper startled us all.

Various political parties and NGOs had shown how we dislike it by conducting procession at Aizawl. We, the associate members were at Delhi during the procession, and we were in unity, we all could even sign a draft. As that is the case, when we had a discussion on 19th in the delimitation committee room, we had no other option but to support the decision of the Save Mizoram Committee. But the delimitation committee said they could not accept the previous or the existing one, there should be some suggestions to make modification as it is their routine work to make necessary change. They said if we really do not want to change boundaries / delimitate constituencies we could submit our dislike either to the President or Home Minister. At this, it came into my mind that had our State Government reported / submitted the desire / opinion of the people to High authority we do not have to have heavy discussion here. In my opinion, even if a private resolution is passed, it will not be effective as we had experienced, it will be more effective and meaningful if it is Official Resolution. At the same time, it will look as if as amendment resolution has been moved to counter the opinion / desires of the people of Mizoram. The Delimitation Commission will consider we are retreating if they know our present subject. Truly speaking it is regretting that both the resolution moved by the hon'ble member Col.Lalchungnunga and the amended form moved by the hon'ble member Pu Z.H.Ropuia are against our main stand. If we do not stand firmly in what we had said I am afraid Delimitation Commission will do things as they desire.

PU LALTHAN KUNGA
DEPUTY SPEAKER

: We should keep aside our party feelings while we discuss this kind of important issue. 26th is the last date to submit dissenting note and

if we fail to do, Working Paper III will be published in the Gazzette which means we have a limited time. Do the House agree to have recess for 20 minutes to consult each other? If yes we shall rest for 20 minutes and resume our sitting at 3.30 PM.

Recess.

3.30 PM

S P E A K E R

We shall continue our discussion and I call upon Pu K.L.Lianchia

P U K . L . L I A N C H I A

Mr. Speaker Sir, I thought we will pass this resolution without much discussion as the matter had been considered by the people of

Mizoram. But it is regretting that an amendment form had been submitted lately. Anyway, I would like to say that unity is our strength and dignity.

When we first saw the proposal of the Delimitation Commission we all did not like it. A procession was held to show how we dislike it where even the hon'ble Chief Minister participated. A resolution was passed by all of us on that day and a Save Mizoram Committee was formed to pursue the matter as necessary.

The stand / view of the Save Mizoram Committee on behalf of the people of Mizoram is clear in the memorandum they had submitted to the Delimitation Commission on 4th March which runs - 'The Save Mizoram Committee here informs the Commission that this original map of maintaining the status quo in respect of the existing constituency till the Assembly Election due on November, 2003 still stand'. Though all of us have the note, it seems the way we interpret is different on the same subject. Even the Associate Members submitted their views as follows - 'we, the Associate members of the Delimitation Commission of Assembly and Parliamentary Constituencies for Mizoram strongly demand that the existing Legislative Assembly Constituencies shall continue to be maintained'. There is no other view / opinion. It is good to know that the note - 'modification at 'may be required on the following grounds' was a proposal drafted by the same Committee for a delaying tactic. Here 'on the following grounds' includes - 'in the past when Assembly constituencies were delimited in the case of Mizoram, preliminary work was done on the local and public representatives and their view points were respected; various strong public opinions stated that delimitation may be done on the basis of the census figure of 2001. If relevant section of the law can be amended'. Hence, we expect this august House to pass this resolution to move the Delimitation Commission to approve the existing Assembly Constituency.

S P E A K E R

It seems we have the same opinion, there is some minor changes in the amended wordings. I will call Group Leader, Opposition Leader,

House Leader. Now Pu Zakhu Hlychho, Group Leader.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, we all know the importance of the resolution we are considering. As the matter is about the interest of our state, we should keep aside our party interest/feeling.

According to the proposals of Phase I & II made by the Delimitation Commission, some of us would have no constituency. I feel that their proposal is not justifiable as it is not according with the provision found in Rules 9 in which it is stated that demarcation should be based on public conveniences such as communication or physical features and that it should be geographically compact. But when I study their proposal when I visited Election Commission at New Delhi, it seems that the proposals were made from the table merely on the basis of the map on display instead of considering public conveniences. Hence, it is difficult to accept the proposals of the Delimitation Commission as it is.

Therefore, as mentioned by Hon'ble members, if this matter is not taken as a collective issue we can not have integrity. Our unity should be seen here in this House first, otherwise either Election Commission or Delimitation Commission will not consider us. As that is the case and as this matter is a collective issue, Government should move official resolution in this matter which will be more effective. Had an official resolution been moved, I am sure we would not face all these problems. So, what I would like to suggest is let the Hon'ble members Col. Lalchungnunga and Pu Z.H.Ropuia withdraw their resolutions and let the Government move official resolution in this matter so that this House will pass unanimously.

PU LALHMINGTHANGA : Thank you, Mr. Speaker Sir. The Delimitation Commission is constituted by Parliament according to the Delimitation Act passed on 3rd June 2002. According to the Act, State Speakers will appoint associate members for their respective states. If we look at the terms of reference, while 2004 June is fixed to submit final report, the Delimitation Commission had already issued proposals/working papers thrice in connection with our state without consulting our associate members. If we look at the papers, there is a provision threatening our integrity by putting together the infiltrators at international border area and make a permanent constituency there. This really startled the people of Mizoram. It is therefore inevitably necessary for the people of Mizoram to oppose the proposals of the Delimitation Commission. Hence, a Save Mizoram Committee was formed comprising of various political parties and NGOs to pursue this matter. So, a procession was organized to show our opposition on 18th February 2003 where the Hon'ble House Leader also participated.

There is no provision to increase the existing number of MLA constituencies in the proposal but to change the boundaries of the constituencies while in our neighbouring states election was conducted without changing boundaries of their constituencies. We are also demanding the same as it is not against the new Rule / Act. As this is a collective issue for our state, resolutions in this regard had been submitted by our members and when balloted, Col.Lalchungnunga's resolution had come to be number 1. Here, what it means is the existing boundary of MLA Constituencies are satisfactory but not the number of MLA Constituencies. In the meantime, the number of seat is not the purview of the Delimitation Commission. The context of this resolution is what had been passed at the procession organized by Save Mizoram Committee.

The Save Mizoram Committee made a request to all the Hon'ble members to pass this resolution in the House to have Delimitation Committee approved the existing constituent boundaries and also not to raise their voice against the wishes of the people of Mizoram while this issue is being discussed in the House. We have to respect this request. Even our associate members had submitted to the Commission they support for Save Mizoram Committee. As that is the case, I would like to request all the Hon'ble members to pass this resolution unanimously which will be an important milestone for the people of Mizoram. Moreover, as mentioned by the Hon'ble member Brig. T.Sailo, even after it is passed, there are many more steps to be taken.

The Hon'ble member Pu Z.H.Ropuia submitted an amendment out of zealously. The wording of the proposed amendment 'if not possible' makes things dubious. So, as the resolution submitted by Col.Lalchungnunga is in accordance with the wishes of the people of Mizoram shown at the procession, I would like to request this august House on behalf of our Legislature Party to pass it unanimously.

Thank you.

S P E A K E R : Now I call upon House Leader.

P U Z O R A M T H A N G A : Thank you, Mr. Speaker Sir. Working Papers of the Delimitation Commission had troubled us a lot. As pointed out by the Hon'ble member Pu Zaku Hlychho, the proposals of the Commission are not acceptable and it is clear that no Mizos will advise the Commission to make such proposals.

State Government knows about the formation of the Delimitation Commission. The Hon'ble Speaker was given a power to appoint 5 associate members. Government also knows that the Commission came to Mizoram and had consulted whom they like. What we do not know about is how they made proposals in their Working Papers, As pointed out earlier, the proposals of

the Commission is not acceptable as there are many alterations which is not convenient for the public. Thus a procession was held to show our opposition to these proposals. After this, the Commission told us to give suggestion and make modifications. As time goes by, the Save Mizoram Committee drafted the said memorandum saying that they are not to submit a memorandum officially, which was then signed by the associate members and submitted it to the Commission as decided by the Government.

At this juncture, while there are a number of resolutions in this regard, we, both the ruling and the opposition had a thought to pass it. But when we studied the memorandum of the Save Committee, we do not think it is appropriate to pass it while we are asking 2 months to make modifications and suggestions. Even the wordings of the amended form submitted by Pu Z.H.Ropuia is more or less the same with the wordings of the Hon'ble member Col.Lalchungnunga.

However, there may be some mistakes. So during our recess MNF Legislature Party consulted Pu Z.H.Ropuia and we agreed to withdraw. Pu Ropuia's amendment form was moved afresh as Government Resolution / Official Resolution as suggested by the Hon'ble Congress members. Even if our time is limited we will make some arrangement and the Save Mizoram Committee will be consulted to draft the wording of the resolution. So, if the MPC Legislature Party is willing to withdraw Col.Lalchungnunga's resolution I would like to make it clear that MNF Legislature Party is willing to withdraw Pu Z.H.Ropuia's proposed amendment to enable the Government to move Government / Official Resolution.

S P E A K E R : The matter had been discussed with leaders of each party during recess time and I thought we should go according to it. Anyway, I will call upon mover of the resolution for 5 minutes, he may ask the permission of the House to withdraw his resolution.

COL.LALCHUNGUNGA SAILO : Thank you, Mr. Speaker Sir. I had submitted my resolution after careful consideration I find it difficult to withdraw it, so I am going to request this House to pass this resolution, There is nothing much to say in my resolution as it is the decision / wishes of the Save Mizoram Committee. Even the aims of the amended form moved by the Hon'ble member Pu Z.H.Ropuia is the same with my resolution. Therefore, to withdraw the resolution after we had a long discussion in my opinion is to degrade the dignity of the House.

The same problem is faced by 7 other states. As we all know, even Parliamentary Affairs minister Mrs. Swaraj Kaushal said that the ensuing.....MP Election to be held next year should be conducted on the basis of the existing constituent boundaries. As that is the case, why should not assembly election in our state be conducted on the basis of the existing constituent boundaries? To show that we do not accept Working papers of the Delimitation Commission, this House has to pass this resolution.

Besides, the Hon'ble member Pu Z.H. Ropuia did not submit / move the amended form according to our Rules of Procedure as it is not definite. The wishes of the people of Mizoram is to maintain the existing constituent boundaries and to say 'if it is not possible' makes thing worse. Hence, let him withdraw his resolution and let this House pass my resolution unanimously. As mentioned by the Hon'ble Chief Minister, we should bear in mind the motive of the memorandum submitted by our Associate Members to the Chairman of Delimitation Commission. Truly speaking, the said memorandum was a delaying tactics. The existing one is what they have in mind which is the wishes of all the people of Mizoram. Hence, I request this House to pass this resolution.

Thank you.

S P E A K E R : Col. Lalchungnunga had asked the House to pass his resolution. Now I call upon Pu Z.H. Ropuia to withdraw or to ask the House to pass his resolution.

P U Z . H . R O P U I A : Thank you, Mr. Speaker Sir. I do respect what had been said by various Hon'ble leaders and mover of the resolution. I had an idea to withdraw even my resolution if the Hon'ble member Col.Lalchungnunga withdraws his resolution so that official resolution can be moved by the Government and this House will pass that Official Resolution unanimously. But as Col.Lalchungnunga can not withdraw his resolution I am afraid we will regret in future if we agree that the existing constituent boundaries are satisfactory.

The Save Mizoram Committee had make proposals / suggestions through our associate members to the Delimitation Commission. It will be degrading for the people of Mizoram to appear not to have proper stand. So, in order to enable the associate members to take steps according to the wishes of the people of Mizoram I request this House to pass my proposal to amend this resolution.

Thank you.

SPEAKER : We have to follow our Rules & Procedure. So, the resolution submitted by Col.Lalchungnunga

PU Z.H.ROPUIA : Mr. Speaker Sir, can you give me a chance. If the opposition member can not pass my proposal to amend the resolution. I withdraw my proposal as suggested by the Opposition Group Leader to have an Official Resolution on the same issue and in the same manner.

SPEAKER : If Pu Z.H.Ropuia withdraws his proposal. We have to vote on Col. Lalchungnunga's resolution. (Pu R. Latziriana : You have not announced whether you allow him to withdraw or not) I had allowed him to do so. Those members who agree to pass Col.Lalchungnunga's resolution may raise your arms first now. Those who do not agree may also raise your arms. Let the Secretary count it. Now the resolution moved by Col.Lalchungnunga is rejected by the House.

Our business for today is over. As 22nd & 23rd March, 2003 are holidays, we shall resume our sitting on 24.3.2003 at 10:30 AM.

Sitting adjourned at 4:50 PM