

SPEAKER : "Consider carefully what you do, because you are not judging for man but for the Lord. For the Lord searches every heart and understands every motive behind the thoughts. If you seek him he will be found by you. But if you forsake him, he will reject you forever."

II Chronicles 19 : 6

I Chronicles 28 : 9

Today, Member absent is Pu Lalhmingthanga, Deputy Chief Minister due to Official Tour. Now, we shall take up questions. Let us call upon Pu L.N. Tuanga to ask Starred Question No. 124.

PU L.N. TLUANGA : Mr. Speaker Sir, thank you. Will the hon'ble Minister incharge Environment & Forest Department be pleased to reply my question, Does our State government have full authority to utilise state forest products such as wood and bamboo.

SPEAKER : Let us call upon Pu Rualchhina, Minister to give reply.

PU RUALCHHINA, MINISTER : Mr. Speaker Sir, this question can be answered in two ways. Firstly, we can have full authority within the Village Council area. And, secondly we have Forest Reserve area within this area we need legal permission to use forest resources. Besides this, the Supreme Court prohibited felling of forest wood in 1996. But it further has proposal to use forest resources after disposing off all seized wooden timbers. Anyway, this Supreme Court order does not include the use of bamboo.

PU L.N. TLUANGA : Mr. Speaker Sir, after the Supreme Court had prohibited felling of forest woods, Does the government levy monopoly fee and appoint department operators? And does the department seize timbers under such permission? And does the government really auction the seized timbers? Is there any other way to minimize the loss of the owners of such seized timbers?

PU R. LALZIRLIANA : Mr. Speaker Sir, in my constituency, Tawitlang and Chalhitlang are still de-afforesting, now the weather is too dry. Does the government try to prevent de-afforestation in these areas? If so, what steps will be taken?

ER. K. THANGZUALA : Mr. Speaker Sir, we have heard in 25.3.1999 that the Supreme Court issued an order prohibiting cutting and selling of forest wood and no permit has been given after such order. If so, there is a point of contrast between this and today's answer.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, what Forest Act do we use? Is it Mizoram Forest Act or what else? Yesterday, the PCCF or CCF, the Head of Forest Department had press conference, where he explained this Supreme Court order. Is he urged by our hon'ble Minister to do so? Are the tribals included in this order? Can the copy of the order be distributed to MLAs?

PU RUALCHHINA MINISTER : Mr. Speaker Sir, there can be confusion in regard to the order of the Supreme Court since three orders had been issued on 12.12.96, 15.1.98 and 4.3.97 respec-

tively. Therefore, we really need to examine them carefully. Regarding the permit of cutting forest woods after being prohibited by the Supreme Court some DFOs might give such permit but the reason is not known. The Supreme Court advocated public auction to dispose of the seized timbers. Therefore, proposal is made for this system. We also sold them to the BRTF too and there are some others which have not been disposed off because there are no bidders in the first auction.

And, regarding the question asked by Pu Lalziriana, hon'ble Member from Saitual Constituency, conservation of forest is still going on, the department tries its best in this regard.

And, regarding Pu Thangzuala's question permission might be given after the Supreme Court had issued the order. But as I said earlier the reason is not known. It might be due to the late information of the order. And, PCCF called Press Conference to explain the Supreme Court order. This was done under my permission.

ER. K. THANGZUALA : Mr. Speaker Sir, our subject is really public interest. On 1st May, 1998, A.R. Sadar, Deputy Inspector of Forest, Government of India, Ministry of Environment and Forest had sent a letter to the Secretary of Forest. In his letter he said that Transit Pass can be given out by R.O. within the state transaction and by DFO upwards for outside the state. But this order is not obeyed by the Department staff. Therefore, I ask why do they ignore this direction?

PU ZAKHU HLYCHHO : Mr. Speaker Sir, my question has not yet been answered. The PCCF in his Press interview said that the Supreme Court does not prohibit selling of woods for tribals if it is planted by themselves. This direction is not known before. If I am not mistaken, I know that the Forest Department cut and disposes off their planted trees but they never allow privates to do so, this is our main problem.

And, further, I would like to ask whether the Department gives permit to non-tribals? Are not they all Mizo? Why do they make problems? If the Supreme Court does not prohibit for tribals. Again he has not yet answered my question of what Act do we use for conservation of forest.

PU RUALCHHINA : Mr. Speaker Sir, we are using Indian Forest Act,

permit is required. Regarding outside the state also permit can be given. This Supreme Court order generally indicated natural forests.

And in regard to Pu Thangzuala's question, we got such letter. But in the conclusion of this letter it is written that prohibition is still continued. Therefore, it is difficult to understand clearly. It also advocated that High Power Committee be created to control and supervise this transaction. Therefore, the order can be applied in accordance with the necessity.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, the hon'ble Minister said that we mixed up the Indian Forest Act, the Assam Forest Act and the Mizoram Forest Act which was made during the District Council period. If so, are they going to make proper Act for Mizoram to preserve our forest? What steps have been taken for this?

PU RUALCHHINA MINISTER : Mr. Speaker Sir, we want to have better Act for Mizoram, but no step has been taken for this. Anyway, it is a good advice. Regarding the Mizoram Forest Act, now we try to print it out as it is in cyclostyle type only, in which annexure will be made by high lightling the Supreme Court orders for further study. This work is now still going on.

SPEAKER : Now, we will call upon Pu C. Lalrinsanga to ask Starred Question No. 125.

PU C. LALRINSANGA : Mr. Speaker Sir, thank you. Will the hon'ble Minister incharge Home Department be pleased to state -

- (a) Is there any proposal to recruit new policemen?
- (b) Is there any proposal to establish new I.R. Battalion?

SPEAKER : Let us call upon Pu Tawnluia, Minister incharge Home Department to give answer.

PU TAWNLUIA MINISTER : Mr. Speaker Sir, the answer to the question asked by the hon'ble Member from Vanva Constituency are as follows -

- (a) There is no proposal for mass recruitment of policemen now, but our Chief Minister wishes to fill up the existing vacant posts after this coming MP Election.
- (b) New I.R. Battalion is to be established. Proposal is now submitted to the Central Government. Now we have been waiting for the sanction order which had been moved to the Finance Ministry.

PU C. LALRINSANGA : Mr. Speaker Sir, I have two supplementary questions.

- (a) Less number of policemen is our main problem in Lunglei District too to maintain Law & Order. Our Traffic Policemen are also from various battalions such as MAP etc. Is there any proposal to establish

separate branch for Traffic Police by giving better training ?

- (b) I am aware that there is a great stagnation to upgrade DSP Junior Grade. Therefore, is there any proposal to upgrade such DSP to Senior Grade ? They are about 60 in number.

PU C. SANGZUALA : Mr. Speaker Sir, my supplementary questions are -

- (a) Is there any proposal to employ our state police force to guard the international boundaries in our state in place of BSF ?
(b) In our international boundaries there is no duty post. Therefore, is there proposals to establish more duty post along the international boundaries ?

PU R. LALZIRLIANA : Mr. Speaker Sir, we know the shortage of policemen in number, I have supplementary questions as follows-

- (a) Can the SP dispose off seized arms as he wishes ?
(b) Can they give such arms to the Ministers to please them ?
(c) Can the Police Officers exploit their staff to work in their farms and to construct their private house ?
(d) Can the Police Officers employ their Department drivers to drive their private vehicles ?
(e) Does the Government require our advice to make our police force the best police in India ?

PU K.T. ROKHAW : Mr. Speaker Sir, the following are my supplementary questions -

- (a) Is there any proposal to station the new IR Battalion in Chhimtuipui District ?
(b) If I am not mistaken, I am aware that our hon'ble Minister had declared that Rifle Allowance would be increased from Rs. 4/- to 50/- and their ration from Rs. 350/- to Rs. 500/-. Has this been fulfilled ?
(c) Did they get their clothing allowance since January 1999 ?
(d) About seven Inspectors including some Sub - Inspectors were transferred from Chhimtuipui District to Aizawl. Only 3 policemen were posted to replace that 7 Officers though they have not yet joined their new posts. Can the government fill up all the vacant posts ?
(e) Many policemen thought that transfer to Chhimtuipui District is a kind of punishment. Therefore, I request our Minister to explain this and to remove this idea.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you. The hon'ble Minister said that there is no proposal to recruit new policemen but he further said that vacant posts will be filled up. I did not understand this. The other thing which I want to ask is that can the I.R. Battalion be deployed in various places in Mizoram ? According to my knowledge the I.R. Battalion are stationed in Aizawl. But there is insufficiency of police in Lunglei and Chhimtuipui Districts. Can we deploy I.R. Police in these districts ?

Besides the above, I would like to ask that the maintainance of I.R.

Battalion is generally financed by the Central government during the first five years. But after five years such maintainance goes to state liabilities. If we are going to establish 2nd I.R. Battalion can we ask the Central government to continue its financial assistance for maintainance of I.R. Battalion? And, Mr. Speaker Sir, some days ago our hon'ble House Leader and Home Minister attended the celebration of Home Guard Raising Day where our House Leader announced that the salary of Home Guard would be increased to Rs. 3000/-. Has this been implemented?

S P E A K E R : Let us call upon Pu Tawnluia.

P U T A W N L U I A
M I N I S T E R : Mr. Speaker Sir, I opine that it is good to be careful when we ask question and when we repeat other's speech. Let me answer the questions from the last one. The salary of Home Guard is generally called as Honorarium since their service is voluntary service. As mentioned by our Member, our Chief Minister announced their honorarium to be increased to atleast Rs. 3000/- per month. We wish to give them more but we have financial problem. Now, we are trying our best to implement this announcement. And regarding the maintainance of I.R. Battalion, we will ask the Central Government to take up all the maintainance but we do not know whether we will be successful or not, it is out of our control.

And regarding transfer of Police Officers to Chhimitupui District we never thought this as a kind of punishment unless the previous ministry thought it to be. I wish this idea to be removed. Under this government posting is made in accordance with the necessity. And, regarding transfer of seven Police Officers from Chhimitupui District to Aizawl, I will enquire about it. And, during this year we have not given uniforms to the policemen because quotation for uniform and clothing is still going on. I think it has been finalized now and the order is to be issued soon.

Next, regarding increment of Ration money and Rifle Allowance proposal is still going on. It is expected to increase soon. And, there is no proposal to station new I.R. Battalion at Chhimitupui district. But new I.R. Battalion will be established for the whole Mizoram state. I also want to say that I.R. Battalion can be deployed in various places in Mizoram. And regarding our international boundaries, BSF and Assam Rifles are deployed by the Central Government. Our state police force is for the purpose of internal security but there is good cooperation among them. And to deploy our state police force to prevent foreign infiltrators and to look after our borders we require much more man power but proposal is still going on in this regard.

Regarding the questions asked by Pu R. Lalzirliana, hon'ble Member from Saitual constituency, our police officers cannot exploit their staffs to work in their farms, to construct their houses and to operate their private vehicles. We also welcome any suggestion and advice from every corner to make our police force to be the best one in India, we welcome any advice. And regarding stagnation to upgrade junior DSP. We made proposal to upgrade 10 posts for its solution, it is still going on. Lastly, we are still thinking about better organisation to control traffic movement.

S P E A K E R : Now, we shall go to starred question no. 126. Let us call upon Pu R. Lalzirliana.

P U R. L A L Z I R L I A N A : Mr. Speaker Sir, I ask starred Question no. 126 to be answered by the hon'ble Minister incharge Trade & Commerce Department.

- (a) What steps have been taken by this government to sell our farmer's agricultural products ?
- (b) What is the government's further policies ?
- (c) Should price subsidy be given ?

SPEAKER : Let us call upon Pu Aichhinga, Minister to answer.

PU AICHHINGA MINISTER : Mr. Speaker Sir, the following are the answers to the above questions :

- (a) To help our farmers to sell their agricultural products at higher rates, the government communicated various states in India and even outside the country. Besides, the government made Mizoram Agricultural Produce Marketing Regulation Act and Rules. It also established MAMCO Limited. And to prevent non-Mizo traders the Mizoram Agricultural Product Prohibition Movement Amendment Order 1995 is also enforced under Section 7 of BEFR 1973.
- (b) Regarding further policies, we are now trying to have border trade with our neighbouring countries.
- (c) To give Price Subsidy, we created the Mizoram Grant-in-aid/Price Support subsidy on Agriculture Product Rules, 1997. To enforce this Rule we are still trying to get necessary approval.

PU R. LALZIRLIANA : Mr. Speaker Sir, thank you. I would like to have supplementary questions. When I asked about various sugarcane fields in Inda the government gives great price subsidy. Otherwise, we cannot have sugar. In Saitual town we have sugar factory but it cannot function without price subsidy. Therefore, I request the government to give price subsidy for this factory. Besides this, many farmers planted Tung under NLUP during the previous Ministry. Their products are disposed on credit but they have not yet received the price in cash till today. Is there any way to give cash to the planters. At the sametime I suggest price subsidy for Tung planters. After 2 or 3 years they will need no more subsidy. And regarding potato, the Agriculture Department has advocated potato farming. It is very good. But I opine that they over estimated our product. Now we prohibited procuring of potato from other state, the victims are the Mizo people. Our own product cannot meet our demand. Therefore, we need to supervise our farmers.

PU K.T. ROKHAW : Mr. Speaker Sir, we had passed the Mizoram Agriculture Marketing Act in this House during the previous Ministry. Has this Act been enforced ? If not so, what is the reason ? And, which Department has the power to control our markets ?

PU C. LALRINSANGA : Mr. Speaker Sir, Is there any proposal from the department for free transport for potato and other cash crops from rural villages to our capital ?

PU J. LAWMZUALA : Mr. Speaker Sir, I have supplementary questions. Does the government make proposal for international trade for our agricultural products in addition to Border Trade ?

And, have we been providing appropriate facilities for import and export policy in the business transaction through the river of Khawthlang tuipui (Karnaphuli)? Besides these, will the government create a trade centre to buy ginger in Lunglei?

PU H. LALTANPUJA : Mr. Speaker Sir, it is said that the government intends to give ginger loan to the farmers. What steps have been taken in this regard? Which department will be responsible for this loan?

PU AICHHINGA MINISTER : Mr. Speaker Sir, regarding the questions asked by Pu R. Lalzirliana we want to give price subsidy for Sugarcanè and Tung. But we need to get approval from the Central Government to give such subsidy. So, we cannot do anything on our own. Now, we are still trying to get approval from the Central Government and we are preparing proposals. And, regarding the price of Tung, it is not the responsibility of the government. It is the responsibility of Tung Grower Society but the government search for ways to help the society to clear their debt. Therefore, we hope that their problem will be solved soon.

And regarding potatoes, Agriculture Department and Horticulture Department assessed how much will be produced. But this is imaginary assessment as the products are still underground. According to such assessment we think that about 2-3 months of our requirement will be met by our products. So, we prevent the import of potato from other states. But most of our farmers have no time to harvest their products in a large scale. In this regard the government gives transport subsidy to help the farmers to sell their products in Aizawl. Therefore, I hope that sufficient amount of potatoes would be there in our market for about 2-3 months.

And regarding the question asked by the hon'ble Member from Tuipang Constituency, The Mizoram Agriculture Marketing Regulation Act has been enforced till now. Our Markets are controlled by Revenue Department. However, LAD also takes up some administration.

PU K.T. ROKHAW : Mr. Speaker Sir, while fixation of price for our agriculture products is the responsibility of Trade & Commerce Department, LAD and Revenue Department look after the markets. Therefore, I opine that it is difficult to enforce Market Regulation Act. I also know that Finance, Law and GAD had accepted transfer of Market Controlling power to Trade & Commerce Department. So, I would like to ask what is the reason for not transferring this power till now?

PU AICHHINGA MINISTER : Mr. Speaker Sir, fixation of price and its enforcement in the markets is too heavy for Trade & Commerce Department. We act as a Nodal Department only, the enforcement is taken up by Revenue, LAD, DC and Police Departments in collaboration. Therefore, Trade & Commerce Department only look after the rate of items. Anyway, this is still considered by the government. Therefore, let us hope for a better solution to this problem soon. And, regarding our proposal for the benefit of potato growers, we fix the rate of potato and we prevent import of potato from other states. Besides, we also provided free transport facilities.

And regarding the question asked by Pu J. Lawmzuala, I would like to

mention that Border Trade will be functioning soon due to the efforts of our hon'ble Chief Minister. There is a great enthusiastic zeal from the side of Bangladesh for the implementation of Border Trade. Therefore, we think that an opportunity for international trade will also be there from Border Trade. We are proud of our Chief Minister's role for Border Trade. And regarding trade centre, we are trying to have a trade centre at Tlabung as it is convenient for Border Trade. And regarding ginger loan asked by the hon'ble Member Pu H. Laltanpuia, we try to give loan to the farmers from Safaikaramchari Scheme and Horticulture Department will be the Nodal Department for ginger loan. Let the above be what I can answer.

Thank you.

SPEAKER : Question hour is over. Before we go to our next Business we will call upon Pu K.L. Lianchia, hon'ble Minister incharge Health & Family Welfare Department to distribute the copy of State Illness Assistance Fund Rules in this House.

Now, we shall go to our List of Business No. 2. We will call upon Pu F. Malsawma to beg leave of the House to introduce the Bills of -

- (a) The Mizoram Salaries and Allowances of the Minister Bill, 1999.
- (b) The Mizoram Salaries and Allowances of the Speaker and Deputy Speaker Bill, 1999.
- (c) The Mizoram Salaries and Allowances of the Government Chief Whip and Deputy Government Chief Whip Bill, 1999.
- (d) The Mizoram Salaries and Allowances of the Leader of Opposition Bill, 1999.
- (e) The Mizoram Salaries and Allowances and Pension of the Members of the Legislative Assembly Bill, 1999.

**PU F. MALSAWMA
MINISTER** : Mr. Speaker Sir, with the recommendation of His Excellency the Governor and with your permission, I beg leave of this House to introduce the following Bills:

- (a) The Mizoram Salaries and Allowances of the Minister Bill, 1999.
- (b) The Mizoram Salaries and Allowances of the Speaker and Deputy Speaker Bill, 1999.
- (c) The Mizoram Salaries and Allowances of the Government Chief Whip and Deputy Government Chief Whip Bill, 1999.
- (d) The Mizoram Salaries and Allowances of the Leader of Opposition Bill, 1999.
- (e) The Mizoram Salaries and Allowances and Pension of the Members of the Legislative Assembly Bill, 1999.

SPEAKER : Do we agree with him ? Now let him introduce them.

**PU F. MALSAWMA
MINISTER** : Mr. Speaker Sir, I hereby introduce these five Bills in this august House.

S P E A K E R : Now, he had introduced his Bills, the copies had been given to all of us. Let him beg leave of the House to discuss them.

P U F. M A L S A W M A : Mr. Speaker Sir, with your permission I beg leave of
M I N I S T E R the House to discuss these five Bills.

S P E A K E R : Do we agree with him? Now, we shall start the discussion. You are all free to discuss them whether clause by clause or its principle. But foreign tour with spouse is under the control of the Government of India. So, I expect you all to agree with me to delete some portions from the Bills which are as the following :

- (a) Clause 7 (a) of MLA Salaries and Allowances Bill.
- (b) Clause 8 of Minister Salary Bill.
- (c) Clause 7 of Speaker and Deputy Speaker Salaries Bill.

I would like to mention this first which are not convenient to point out in the discussion.

Today, we are going to discuss very important subject. In our notification, proposal for amendment would be submitted to the Secretary before two days from the day of discussion. But we have not yet received such proposal. However, every member can suggest verbal amendment for the success of the Bills and to make better correction against some printing mistake if you see. Other amendments are not to be welcome. These Bills had been passed by General Purposes Committee, Law Department, Cabinet Meeting and the Governor's Office. Now, time for discussion is opened.

P U S A N G H M I N G T H A N G A : Mr. Speaker Sir, I would like to suggest verbal amend-
H. PAUTU ment in page 8, Sec 12 (a) of the Mizoram Salaries, Allowances and Pension of the Legislative Assembly Bill, 1999, especially regarding vehicle in which it is written that "A Member shall be provided vehicle by the Government. If a Member wants to purchase by himself/herself, he/she will be allowed to re-imburse of the actual cost of the vehicle or Rs. 4 lakhs whichever is less", Mr. Speaker Sir, this can be done as Section 84 (1) second paragraph of the Rules of Procedure and Conduct of Business. Therefore, I propose verbal amendment. And, if you agree with me, here I have a copy of my proposed amendment to be distributed among the members. My proposed amendment is as follows : "A Member shall be provided vehicle by the Government the cost of which shall not exceed Rs. 4 lakhs, if any Member wants to have a vehicle the cost of which exceed Rs. 4 lakhs, the excess amount shall be deposited with the Assembly Secretariat by the Member concerned, but the book value shall be calculated from Rs. 4 lakhs." I opine that this really suited the spirit of General Purposes Committee meeting to pass this Bill. So, I suggest verbal amendment.

S P E A K E R : Yes, if the copies are available now, let them be distributed to every Member.

P U R U A L C H H I N A : Mr. Speaker Sir, Is it convenient for the concerned
M I N I S T E R Minister to discuss our Bills first?

- SPEAKER : We have to call upon the concerned Minister to wind up our discussion. In regard to Pu Sanghmingthanga's proposal it may be convenient for us, but it is up to you, the members.
- PU R. LALZIRLIANA : Mr. Speaker Sir, in regard to declaration of Headquarters in MLA Salary and Daily Allowances, it is here written that "Headquarters in relation to a Member means Constituency Headquarters to be declared by the Speaker". This is not there in our previous Rules. If we include this there can be mistake. Because, it is not there in other places in India. On the otherhand, we have Rules which says that the MLA will declare their Headquarters. They seem to be contrasting to each other. So, I suggest we delete this sentence.
- SPEAKER : Please be quiet, we need to understand each other. If you want to make such suggestion you need to follow Chapter 84 of our Rules you have to submit your suggestion to the Secretary before two days.
- PU R. LALZIRLIANA : Mr. Speaker Sir, it might be right. But, I just got this copy last night. So, I could not read it two days ago. So, I opine that it is inevitable to mention now.
- SPEAKER : It is included in our notification, we also discussed this with the Opposition Leader and we had passed it and even the Governor had accepted this. Therefore, your suggestion is out of my power.
- PU R. LALZIRLIANA : Mr. Speaker Sir, does it mean that we have no power to make correction in this Bill?
- SPEAKER : To make an amendment, only positive correction for the fulfillment of its principle is allowed today.
- PU R. LALZIRLIANA : Mr. Speaker Sir, alright. But you, from your Chair, also suggest some portions regarding free travelling to be deleted from the Bills. If so, why is my proposal rejected by you? Let me read out from "with spouse permission of the Speaker".
- SPEAKER : Such amendment is just a proposal. I propose that the portions be deleted.
- PU R. LALZIRLIANA : Mr. Speaker Sir, I know that you make proposals. Therefore, I want to make another proposal too.
- SPEAKER : Your proposal is included in my proposal, "with permission of the Speaker" is included.

PU R. LALZIRLIANA : Mr. Speaker Sir, alright. I think that your proposal is just to add 'with' in this Bill.

SPEAKER : When we examine these portions legally, we go beyond our power in regard to foreign tour. This is the power of the Central Government. When we want to do this, the State Government can make application to the Central Government. Therefore, I make proposal for the betterment of our Acts.

PU R. LALZIRLIANA : Mr. Speaker Sir, alright. We are under the Constitution of India. Therefore, the Constitution of India is very important. When we look at the Representation of the People Act, 1950, I am afraid that we will be against the constitution in regard to declaration of the Headquarters of the MLAs. Here our Bill gives power to the Speaker to declare the Headquarters of MLAs. But Representation of the People Act 1950 Section 20 (b) (i) says that the Headquarters of the Member of Parliament is where he/she lies in the Electoral Roll as an elector. So, I am afraid that we will be against this Act if we give Speaker the power to declare the Headquarters of the MLA. Consequently, I propose to revise this.

SPEAKER : Let me repeat again. I have no power to make amendment as I had said before. But you always propose amendment. We cannot accept any amendment now. You need to follow our Rules. Therefore, your proposal is impossible.

PU R. LALZIRLIANA : Mr. Speaker Sir, if so, does it mean that Pu Sanghmingthanga's proposal is also to be rejected? He just distributed his proposal for amendment.

SPEAKER : No, his proposal is just to make the wording more perfect to reveal the decision of the General Purposes Committee Meeting and for the betterment of the Bill. You have chance to mention whether you support or oppose Pu Sanghmingthanga's proposal. If most of our Members oppose it you can reject it even the whole Bills. We have to decide it now. I rather mean that amendment should be done through the proper form as our Rules. So, he makes verbal amendment which I think for the betterment of our Bills to make the wording more perfect and to suit the idea of the General Purposes Committee meeting as he said.

PU R. LALZIRLIANA : Mr. Speaker Sir, anyhow, I am of the same opinion as he is, I am afraid that we will be against the Representation of the People Act 1950. If so, other states and even our own state might despise us. So, I cannot understand this.

Besides this, I have one more thing to mention in regard to Discretionary Fund of the Chief Minister and the Speaker. They can be seen in our budget too. We all know that the Chief Minister and the Speaker are both to be honoured. But I cannot admit in my conscience equal Discretionary Fund for the Chief Minister and the

Speaker. When I study the practices of other states I found no state which have equal Discretionary Fund for the Chief Minister and the Speaker. Arunachal Pradesh is an exceptional case and I do not want to copy their practices. Therefore, I propose again to exclude this in our Act. If we want to use this it can be done through administrative agreement by the Ruling Party.

And further, in my opinion, I support higher salaries for Legislators. But, today, our Bills propose higher increment than I think. This increment is the talk of our state. So, I request our Leaders to step down in this regard. I propose less increment to win the heart of the people. So, I wish this Bill to be revised.

Thank you.

PU P.B. ROSANGA : Mr. Speaker Sir, I would like to say that I am satisfied with these new salaries. So, I propose to pass these Bills as they are. But, there may be some points to be amended, because it is difficult to make a perfect Act at once. The Constitution of India has been amended more than 80 time. If we study our Bills today clause by clause or article by article we may find out some points to criticize. But we are going to have more and more sessions to make amendments. Therefore, I support these Bills in principle. When there is criticism from the people, we know that legislators are generally criticized by others in various levels even in the Village Council level too. So, I want to pass these Bills today without using a very long time.

PU H. RAMMAWI : Mr. Speaker Sir, as we had listened now I also support these Bills to be passed in this House today. As said by my fellow Member no Act can be made perfectly at once. So, amendment provision is always there. After we have passed them, they will come into force and there are good chances to find out their demerit points after we have used them. Then, we will collect such points to be amended and amendment will be made in the next session.

The hon'ble Members from Saitual Constituency and Kawnpui Constituency might be right in their points, but I propose to utilise these Acts as they are. So, it is good to pass them. Let us hope we will have another chance to make more and more amendments. And Mr. Speaker Sir, I would like to request our hon'ble Minister to justify Schedule I, clause I(ii) of Minister's Salary Bill in his wind up speech. Here it is written that "vehicle in station, a Minister shall be entitled to daily allowances at the rate of Rs. 350/- per day". Is this being practised by other states or in the Parliament? I request this because I think many questions may arise in this regard.

And, Mr. Speaker Sir, I also want to mention that the value of money is still decreasing due to the increase of commodities in the market. Being an MLA we have a good number of guests. Therefore, our family expenditure is easily increased. Many people expect us to have good sources of income. This may become a heavy burden especially for those MLAs whose stations are outside Aizawl. Infact, our salary is not much comparing with other officers under the State Government. The Salary of our hon'ble Chief Minister will be Rs. 27,500/- only. It is not so much as said by the critics. Consequently, the salaries of our Speaker, Ministers and Leader of Opposition are less than our Secretaries to the Government of Mizoram. Therefore, Mr. Speaker Sir, I support our Bills today and I wish them to be passed.

Thank you.

PU LALTHANKUNGA : Mr. Speaker Sir, thank you. I would like to discuss our Bills in principle rather than clause by clause. Our awareness on the importance of people's repre-

representatives is still growing. In Democracy, the dignity of people's representatives is the dignity of the people since the government is in the hands of the people. When we look at western Democratic countries provisions are made for the representatives of the people to show their representatives occupied honourable position. It is good to mention how they practise in USA, Britain, Australia, Canada, Germany and France, but there is no time today. I point out the above because I wish our people and intellectual circles to be aware of the spirit of our aim to upgrade the position of our Legislators.

Nowadays, MLAs are expected by the people to visit sick persons and to attend every funeral programme of their respective constituencies. Besides this, almost all voluntary organisations have expectations in them. To accommodate such expectations of the people our present salary is not sufficient enough. Therefore, we need more income to manage our respective family and to serve our people because we want to avoid bad practices and we want transparency. In some newspapers, this proposal to increase our salaries is denounced by many people and they alleged us to enjoy luxurious lives. I want to remove such ideas and I think that our Bill aim at righteousness and faithfulness. For all these reasons, I support the Bills today and amendments can be made further when necessary.

Thank you.

PU H. LALTANPUIA : Mr. Speaker Sir, thank you. I am not going to speak too much. As said by my fellow members there have been many articles in the newspapers reflecting our proposed salary, most of them try to win public opinion by opposing such proposal. But when I examine the Bills for new salaries, I found not much increment as denounced by some people.

The other thing which I want to mention is that our Bills are proposed not in comparison or jealousy of the Government Servants. When we have General Purposes Committee meeting we did not mention such type of comparison. Therefore, as said earlier by the hon'ble Member from Ratu Constituency our salary is proposed to be increased to meet our requirement since many people in our constituency have hope on us. For this reason, I support these Bills today.

Next, in regard to declaration of the Headquarters, the wording of our Bill seems to be against the Constitution of India as said by the hon'ble Member from Saitual Constituency. But the main aim of this Bill and the spirit of the drafting committee is not like that. It is just for the regulation of POL expenditure. Therefore, it is good to make amendment when possible. I also hope that our hon'ble Minister will point it out in his wind up speech.

And in regard to Discretionary Fund, during the previous Ministry, in the year 1997 and 1998 the Discretionary Fund of the Speaker was Rs. 6,93,000/-. But today, it is decreased to Rs. 6,00,000/- only. Therefore, our Bills proposes increment in some sphere and decrease in some others. Lastly, Mr. Speaker Sir, I also want to repeat that it is difficult to make a perfect Act at once. Many countries including India had made amendments to their constitution too. Therefore, we will find out some more points to be amended when they come into force, but I hope to have good opportunities to make amendments in future. So, I wish these Bills moved by the hon'ble Minister of Parliamentary Affairs Department to be passed in this House.

Thank you.

PU LALRINCHHANA MINISTER : Mr. Speaker Sir, I would like to say that our ex-MLAs are eagerly waiting for these Bills more than ourselves when we know that new Pay Revision will come from the Central Government. So, we are wait-

ing for new Pay Revision. Now new Pay Scale had come from the Central Government and our state also used new Pay Scale. Therefore, I opine that it is time to propose better facilities for MLAs and Ministers. When I saw this proposal for new salaries, I opined that its increment seems to be too much to some extent. But when I examined it again its increment will suit the increment of other government servants. So, I can accept it.

This new proposal will make our Minister to work as a Minister and to accommodate the hopes of their people. Consequently, MLAs are also like this. Otherwise, our Legislators will need to take side income from illegal sources. For all these reasons I support our Bills today. These Bills are carefully examined by the Cabinet Meeting and the office of the Governor where they are accepted. Therefore, I want to pass them and we can make amendments later if necessary.

Thank you.

PU L.N. TLUANGA : Mr. Speaker Sir, I would like to convey my thanks to our hon'ble Minister for moving these Bills. When I study his proposed Bills I am satisfied with them. Last revision of our exiting pay was in 1987 and now we have been using it for twelve years. So, it is time to revise it again. The salary of the Member of Parliament is now more than Rs. 50,000/- per month. Also in Manipur state they have got more than this proposal. Therefore, as mentioned by our hon'ble Members this new salary will be very useful for every MLA to perform their duty well.

I also wish the people of Mizoram to know the importance of higher salary for Legislators to fulfill the expectations of their people. The pay scale of MCS Senior Grade is now Rs. 10,000/-. Therefore, I wish our people to understand this. I also invite all my fellow Members to agree with this proposal. Lastly, I support today's Bills.

Thank you.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, I would like to point out again what Pu R. Lalziriana had pointed out in regard to declaration of Headquarters. I opine that it is good to clarify this and I request the hon'ble Minister to clarify this. According to the procedural provision we give power to each Member to declare their Headquarters. On the other hand, this declaration is to be done by the Speaker according to its definition. So, I would like to ask what is the meaning of this? Again, in regard to Discretionary fund, it might be good to have such Discretionary fund for the Chief Minister, Ministers, Speaker and Deputy Speaker. But will it be convenient to legislate it? So, can you make administrative arrangement in this regard?

Also in regard to Daily Allowances for the Minister, here it is written that "while in station a Minister shall be entitled to Daily Allowances (a) Rs. 350/- per day". Can this be received while stay in station? I request the hon'ble Minister to clarify this? Can amendment be made in this sphere? Although we have Rules 84(1) to submit proposed amendments before two days it can be done under your permission here in this House as written in the provisions. So, Mr. Speaker Sir, can this be amended?

Thank you.

S P E A K E R : I can give permission of amendment for the success of the Bill. I have no power to give permission for deletion. If you want to make amendment you have to

move it in other session. Today you all have right to vote on the Bills. Our Rules gives me no power to admit proposal for amendment. But you can object the Bills with your private decision.

Now, we shall have a break and meeting will be resumed at 2 : 00P.M.

Meeting adjourned at 1 : 05 P.M.

2 : 00 P.M.

SPEAKER : We will continue our business now, let us call upon Pu K. Vanlalauva.

PU K. VANLALAUVA : Mr. Speaker Sir, I appreciate our Bills today and I am proud of the hon'ble House Leader and the Speaker for their hard work to prepare these Bills. I also praise our General Purposes Committee too. If we are searching for any possible critical points I am sure that it will be available. But there is no time to delay them since we immediately require them.

Mr. Speaker Sir, I am eagerly waiting for today especially because of new proposal for pension. Once I had become a pensioner since 1993 our pension was less than the pension of IV Grade employees. My fellow pensioners also wanted to increase our monthly pension and we had contacted the previous Ministry for this purpose. The previous Ministry also wanted to increase it but it is impossible to make higher pension than the regular existing salary. So, they have not yet fulfilled it.

Today, provisions for pension are included in our Bill and I opine that this is a golden book. Therefore, Mr. Speaker Sir, I wish our Bill to be passed without using too much time.

Thank you.

ER. K. THANGZUALLA : Mr. Speaker Sir, I would like to discuss some few points. The present salaries of MLA and Ministers have been used since 1987 and now 12 years has passed. Price index is greatly increased during this period. So, I support this new proposal. At the same time, there may be some points to change for better wording but which will not be difficult to make it better.

Many newspapers publicized the newly proposed salaries of MLAs and Minister by misrepresenting the exact figure of our salaries. It is infact, about Rs. 8000 is our actual salary according to the pay slip of Directorate of Accounts & Treasuries. The other facilities are not to be called as salary. I wish the people to understand this. Viewing from the order of precedence, this new proposal seems to be less.

Next, in regard to foreign tour I propose to annex "subject to the approval of Central Government" in the same wording instead of deleting the whole sentence. Otherwise it does not matter. And regarding declaration of headquarters, I request the Speaker to declare our respective headquarters as we proposed. Again in regard to verbal amendment proposed by Pu Sanghmingthanga I agree with his proposal. The amendment seems to be suited with the decision of General Purposes Committee meeting.

The other thing that I would like to point out is the real condition of the legislators. To fulfill the hope of the people we spend 80% of our time for social services which frequently required some amount of money. Therefore, every MLA needs extra expenditure besides our family requirement. So, I support this proposal for increased salary. Again, in accordance to our work load the new salaries are justified for MLAs, Ministers, Speaker and Deputy Speaker. Therefore, I agree to pass these Bills today.

Thank you.

PU C. SANGZUALA : Mr. Speaker Sir, we need to discuss our own salaries today and we cannot avoid it. So, let me express my views in some points. First of all, some allowances shown in the copy of financial memorandum are not included in our salaries. And as said by our members the present salaries are too less to meet all our requirements to serve the people. Besides this, price index grows up now due to the practice of new pay commission by the government servants. Therefore, we need to revise our salaries too and I commend our General Purposes Committee members for their hard working efforts to draft new salaries for legislators. I also want to let the people know and understand the real condition of the legislators, so that they can congratulate us. And in return, we also pledge to the people to try our level best to serve them.

In regard to the verbal amendment proposed by the hon'ble Member from Kawnpui Constituency, I agree with him unless his proposal delays our business today or otherwise, amendment can be made in future too.

Thank you.

PU AICHHINGA : Mr. Speaker Sir, I do not hesitate to discuss our own salaries. When we look at the draft for new salaries, it is Rs. 10,000/- only with some allowances. Such allowances are not to be mentioned as salaries even in the case of the government servants. So, I opine that we do not need much time to discuss them as we have another Bills to discuss today. Therefore, I propose to pass them now. If some body alleged our allowances as our salaries let us pay no heed to them. Because this government is a transparent government and many people will know our salaries. Therefore, I support these Bills and I wish to pass them without spending much time.

Thank you.

PU K. SANGTHUAMA : Mr. Speaker Sir, we are discussing about our own salaries, I do not hesitate, because there are no one else to make it. As said by our hon'ble Minister our salary will be Rs. 10,000 only with other allowances. Therefore, I would like to convey my thanks to General Purposes Committee for being able to prepare this draft.

Some people may think that the new salaries would be too high as it is wrongly publicized by some newspaper. But our salaries are not too much. So, I accept this new draft for our salaries and I propose to pass it today. If there are some points to be amended we can make such amendments further.

And, in regard to equal discretionary fund of the Speaker with the Chief Minister I agree with this as drafted by the General Purposes Committee meeting. Because our Speaker also requires such funds to meet the expectations of the people.

And regarding verbal amendment proposed by the hon'ble Member from Kawnpui Constituency, I would like to request all my fellow members to agree with his proposal as it is for the betterment of all of us. Besides, it is in keeping with the decision of General Purposes Committee meeting. Therefore, Mr. Speaker Sir, I propose to make conclusion because we still have another Bills to discuss today. It may not be good to use much more time for this Bill. So, I propose to pass this Bill.

Thank you.

SPEAKER : Now, we will call upon Pu Zakhu Hlychho, Opposition Leader.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you for giving me a chance to speak. First of all I would like to mention that we have no time to make proposals for amendment as we have received the copy of this Bill at 9:00 P.M. last night. So, there is no time to make proposals for amendment as said by our hon'ble Member from Chawngte Constituency.

But, regarding the verbal amendment proposed by the hon'ble Member from Kawnpui Constituency, I agree with him and I request the concerned Minister, who moves this Bill, also to accept such verbal amendment. Anyway, in regard to increment of our salaries the existing salaries have been used since 1987 and now 12 years has passed. During this time the salaries of the Government's servants had been increased and price index are also rising up. So, I support this proposal for new salaries.

Besides the above, I also want to mention that the people in our Constituency have high hope from all of us, to meet such hope we need to spend some amount of money even from our own pocket. Therefore, it is good to make better status for MLAs. And one thing which I would like to point out today is that I want to emphasize better facilities more than the salary itself. Here I have the salaries of MLAs of about six states in which they emphasize on facilities such as medical facilities and others. Therefore, I also keep in my mind that better facilities are more important than the salaries itself.

Again, in regard to declaration of headquarters I know no problems to accept the speeches of hon'ble Members from Chawngte and Saitual constituencies respectively. We may change the wording as "to be declared by the Member" instead of "to be declared by the Speaker". This will be suited to Schedule II of our Act. For example, in the normal procedure of office, the headquarters of Peon is not declared by the Director of that office, he himself declares his permanent residence. Therefore, it is not appropriate to declare the headquarters of MLAs by the Speaker. So, I request our hon'ble Minister to explain this.

And in regard to Discretionary Fund for the Chief Minister, the Speaker, the Deputy Speaker and the Council of Ministers I do not know the reason why we want to legislate this. Just setting aside for it in the budget is enough and I opine that we need not pass any Act for Discretionary Fund. Therefore, I also want to propose verbal amendment for this purpose as done by Pu Sanghmingthanga, hon'ble member from Kawnpui Constituency.

SPEAKER : Now, let us call upon our House Leader.

PU ZORAMTHANGA : Mr. Speaker Sir, the speeches of our Members are
CHIEF MINISTER correct and there would be many other points to be
discussed. As this bill is a new one it might be
incomplete. It is difficult to prepare a perfect Bill
within a short period. Therefore, further amendment will be inevitable. And, in regard
to expenditure for foreign tour we got hint from the Governor to delete from our Act.
This deletion would not affect the financial involvement. We made this proposal because
the permission for foreign tour is to be given by the Government of India. So, we are
careful not to go against this standing order.

Next, in regard to car loan, I also agree with the amendment made by
the hon'ble Member from Kawnpui Constituency. His amendment reveals the decision
of the General Purposes Committee meeting.

And, in regard to salaries for legislators, some people may think that
the new proposal for salaries are too high. On the other hand, every legislator requires
some amount of money to manage his family. So, these new salaries are drafted. In this
way, corruption and other bad practices would be avoided. Besides, vehicle is very
important in our daily life as well in order to function as an MLA. Therefore, car loan
is also to be introduced. All these proposals are prepared to prevent temptations.

I, myself had proposed better status for MLAs while I was in the
opposition bench. Therefore, I really support these Bills today. If we think this proposed
increment is too much, I would like to say that new salaries for legislators always
requires legislation and the process is very troublesome to some extent. So, it is thought
that this new proposed salaries will be suitable for more than 10 years. Therefore, if
there are some points to be amended it can be done further. Mr. Speaker Sir, I would
like to request every Member to agree with the amendment made by the hon'ble Member
from Kawnpui Constituency and I wish these Bills to be passed today.

S P E A K E R : Now, we shall call upon Pu F. Malsawma, Minister,
to wind up our discussion.

PU F. MALSAWMA : Mr. Speaker Sir, thank you for discussing my Bills by
MINISTER sixteen Members. This means that we are all inter-
ested in my Bills. First of all, as said by our hon'ble
House Leader, verbal amendment proposed by Pu
Sanghmingthanga is very important. Because, if there is no such amendment our Act
can be misused and his proposal for amendment clearly reveals the decision of General
Purposes Committee meeting. Next, in regard to declaration of Headquarters for MLAs,
as said by the hon'ble Member from Saitual Constituency, his proposal may be good, but
there may be more and more proposals for the betterment of our Act which can be
brought to the House Leader, the Speaker and the Minister of Parliamentary Affairs.
Consequently, further amendment can be made through Ordinance or Assembly Session
in future. We can find out the better one after it has come into effect. It is infact, in
the General Purposes Committee meeting that our hon'ble Speaker always wanted to
avoid burdens to fall upon our Members. Therefore, let us hope that there would be
no problem in this regard.

PU NIRUPAM CHAKMA : Here it is written that "as soon as possible after he or
she is declared elected in form 'A' appended to second
schedule. What he or she considers the headquarter

should be intimated to the prescribed authority, and any subsequent constituency headquarter so declared shall be notified in the said form to the prescribed authority". Here the prescribed authority is inevitably the Speaker. So, will there be two separate headquarters? Contradiction can be there. That is the reason why we point out this.

PU F. MALSAWMA : Mr. Speaker Sir, the spirit of their speech might be
MINISTER correct. Therefore, we say that "Let us see". Therefore, Mr. Speaker Sir, we need two days advance to propose amendment according to our Rules.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, the verbal amendment proposed by
the hon'ble Member from Kawnpui Constituency is also admitted now

S P E A K E R : Please listen to me, our Minister had read not our Rules. Therefore, amendment for the fulfillment of the Bill only is to be admitted. Your proposal proposes deletion of some portion of the Bill. So, it is not allowed by our Rules.

PU F. MALSAWMA : Mr. Speaker Sir, let me continue my speech. I would
MINISTER like to pass the Bills first and if we have problems after it has come into force we can amend it. Ordinance can also be issued if required. Therefore, the proposal made by the hon'ble Member from Saitual Constituency is under the power of the Speaker and we cannot impose on him. Again in regard to foreign tour, our Speaker takes cautious measures not to contradict the existing Rules used by the Central Government. And, in regard to Discretionary Fund, we can revise it in the Revised Estimate or Supplementary demands. And in this regard it is different from state to state. Assam State set aside Rupees ten lakhs for this. Anyway, we need not worry about the holder of this fund. Anyone can become the Speaker of this House in future. Therefore, it is good to keep up the honour of this post.

Regarding the question asked by the hon'ble Member from Sangau Constituency, Daily Allowance is given to the Minister of Central Government. We have documents from Finance Department and Pu C. Silvera, the first Central Minister among Mizos. And, the answer to question asked by Pu Nirupam Chakma is the same with the answer of Pu R. Lalzirliana's question. Therefore, I am not going to repeat the answer. In regard to the speech of Pu K. Thangzualla, here the "Minister of State" means the Ministers in our State Mizoram. So, it may be grammatical mistake and we can rewrite it if we want. The Minister of State here refers to all the Ministers including Chief Minister of Mizoram State. Anyway, Mr. Speaker Sir, if there is problems we can discuss them further.

Mr. Speaker Sir, I would like to convey my thanks to the staff of Parliamentary Affairs and Law Departments, Assembly Secretariat and our Chief Secretary and his staff for their hard working efforts to prepare these Bills. The proposed Bills are not a type of amendment, they are the new Bills. Delegates from every political party had accepted them in the General Purposes Committee meeting and I have clarified the question made by the hon'ble Member from Saitual Constituency. And let us be aware that some advanced countries like USA, UK, etc. had given good facilities

to their legislators. Our state also follows this way of quality improvement. Mr. Speaker Sir, for our information I would like to point out the basic pay of our Chief Secretary which is Rs. 26,000/- and his total emolument is Rs. 37,720/- with two MR Peons and free telephone connection in his office and his residence. At the sametime, the salary of every MLA including Ministers and Speaker and Deputy Speaker is Rs. 10,000/- each. We enjoy the same basic pay to adopt Jawaharlal Nehru's socialistic pattern of society. Our basic pay is equal to the pay of Senior MCS who hold Under Secretary post. I mention this for general information only and to avoid mis-interpretation in furture. Taking the salary of our Chief Minister for example, he will get Rs. 6,000/- for sumptuary allowance, Rs. 5,000/- for family allowance, Rs. 6,500/- for entertainment allowance. Therefore, his total emolument including DA will be Rs. 38,000/-. It is greater by Rs. 1000 only than the salary of our Chief Secretary. Consequently, the salary of Minister, if he stays in Bungalow is less than the salary of Chief Secretary by Rs. 1000/-. The salary of the Speaker, if he stays in Bungalow is equal with the salary of Chief Secretary.

According to the new proposed salaries, the salary of the Chief Minister is higher than the Speaker by Rs. 1000/-. The Speaker will get Rs. 1000 more than the Ministers. The salary of Deputy Speaker, Minister of State and Government Chief Whip will be less than the salary of the Ministers by Rs. 1000. Again, the salary of each MLA is Rs. 10,000. In addition to this he will get Rs. 5000/- for Constituency allowance, Rs. 5000/- for family allowance, Rs. 3000/- for contingency allowance and Rs. 3500/- for House rent. House rent is provided to every MLA even if they stay in the MLA Hostel. Therefore, the total emolument for MLA is atleast Rs. 26,000/- which is equal to the salary of senior Lecturers under the UGC pay structure. As we had listened from the hon'ble Member from Sangau Constituency, we have used our existing pay for about 12 years. This new salary proposal is also drafted for about 10 - 15 years. Therefore, I would like to say that this new salary is not so high as denounced by some critics. Legislators, especially in our state, require good income to meet the expectations of their people. Many states have also been revising their legislators' salaries.

Again, I would like to repeat the speech of our House Leader, the new proposed salaries for legislators is drafted to avoid corruption and other bad practices. But there are some people who always oppose any measure taken by the government. Therefore, I opine that our proposed salaries are good enough and in regard to pension, it is to be increased from Rs. 2500 to Rs. 5000 and Rs. 6500 for those who had held three terms. Beside, there will be family pension of Rs. 2500 for the family of those who had passed away. Mr. Speaker Sir, I beg leave of the House to pass my Bills with the verbal amendment which you had accepted.

Thank you.

S P E A K E R : Now, we have finished discussion on our Bills. Regarding foreign tours which I had pointed out is a request from the hon'ble Governor. Therefore, can we omit No. 7(a) of page 6 " or foreign tour with spouse with permission of the Speaker" and No. 7(b) "or while on foreign tour with spouse as mentioned in clause (a) above if he should choose" from our Rules. Yes, it is good. We discussed it here unanimously. Now, coming to the next, we shall take up Bills one by one. Firstly, we shall vote on "The Mizoram Salaries, Allowances and Pension of Member of Legislative Assembly Bill" in which we shall take vote first on the verbal amendment proposed by Pu Sanghmingthanga. Those who agree with his proposal will say 'yes' and those who disagree will say 'no'. Yes it is passed unanimously.

Now, coming to the next, those who agree to pass clause 2 - 11 will say 'Yes' and those who disagree will say 'No'. Next, those who agree to pass clause 13 -

22 will say 'Yes' and those who disagree will say 'No'. Now it is passed.

Next, those who agree to pass schedule 1 and 2 of these Bills will say 'Yes' and those who disagree will say 'No'. It is passed unanimously.

Again, those who agree to pass the Preamble, Enacting Formula and Clause 1 of these Bills will say 'Yes' and those who disagree will say 'No'. It is passed unanimously. Therefore, the Preamble, Enacting formula and clause 1 will be attached to these Bills.

Now, those who agree to pass The Mizoram Salaries and Allowances of Minister Bill, 1999 clause 2 - 14 will say 'Yes' and those who disagree will say 'No'. It is passed unanimously. And, regarding the only schedule of this Bill, those who agree to pass will say again 'Yes' and those who disagree will say 'No'. It is also passed unanimously.

Now, those who agree to pass The Mizoram Salaries and Allowances of the Government Chief Whip and Government Deputy Chief Whip Bill, 1999 clause 2 - 14 with its one schedule will say 'Yes' and those who disagree will say 'No'. It is passed unanimously.

Now, we shall vote on "The Mizoram Salaries and Allowances of the Leader of Opposition Bill, 1999 clause II to VIII". Those who agree to pass this Bill will say 'Yes' and those who disagree will say 'No'. It is passed unanimously. Again in regard to The Preamble, Enacting Formula and clause I of this Bill, those who agree to pass will say 'Yes' and those who disagree will say 'No'. It is also passed unanimously.

Next, we will consider the following Bills :

- (a) The Mizoram Salaries and Allowances and Pensions of Members of Legislative Assembly Bill, 1999.
- (b) The Mizoram Salaries and Allowances of Minister Bill, 1999.
- (c) The Mizoram Salaries and Allowances of Speaker and Deputy Speaker Bill, 1999.
- (d) The Mizoram Salaries and Allowances of the Government Chief Whip and the Government Deputy Chief Whip Bill, 1999.
- (e) The Mizoram Salaries and Allowances of Leader of Opposition Bill, 1999.

Those who agree to pass all these Bills will say 'Yes' and those who disagree will say 'No'. They are passed unanimously.

Today, we have passed our Salaries and Allowances Bills unanimously. I hope that we should know the wishes of the people of Mizoram, they want to avoid corruption. Therefore, if we enjoy this higher Salaries and Allowances it is important to avoid corruption and other bad practices for all of us.

Now, we shall go to the next business, "The Lushai Hills District (Village Council) (Amendment) Bill, 1999" has been introduced here in this House. We shall call upon the concerned Minister, Pu H. Vanlalaiva to beg leave of the House to discuss this Bill.

PU H. VANLALAUVA : Mr. Speaker Sir, with your permission, I beg leave of the House to discuss The Lushai Hills District (Village Council) Act 1993 Amendment Bill, 1999 in this august House.

S P E A K E R : Do we all agree with him? Yes, we agree. Now, time is open for those who want to discuss this Bill.

PU LALCHAMLIANA : Mr. Speaker Sir, I am happy to know that our hon'ble Minister incharge Local Administration Department moved the amendment Bill of The Lushai District (Village Council) Act. As he proposes only two points for the amendment, I would like to pass his Bill without spending more time on discussion.

Thank you.

PU N.K. CHAKMA : Mr. Speaker Sir, thank you. Here in this amendment Bill I would like to point out a little thing which seems to be a confusing point. It states that, "Provided that the village wants to notify constituent of a Village Council is liable to deletion or cancellation at any time if village became vacant as a result of migration". In Tlabung Constituency there are many small recognised sub - villages. As per this Amendment if situation arises or demanding such deletion or cancellation for a reasonable ground of administration, development or security nature this will go against the wishes of the people. Therefore, the Government should seek people's opinion of the concerned villagers which is to be cancelled or deleted.

Recently, there have been some proposals within Tlabung Constituency for shifting Zohmun sub - village and Moneskata sub - vantage from the jurisdiction of Tlabung Village Council to Tipperaghat and Nunsury Village Council respectively. This is against the opinion of the people and these sub - villages have been under the jurisdiction of Tlabung Village Council since the time of Mizo District Council. I have submitted a representation to the hon'ble Chief Minister in this regard. In matter of Section 26 in the part III, if the government is of the opinion that a situation has arisen demanding stoppage or closing of any sub - village or Thlawhbawk, or any sort of settlement at any place, including those sub - village already opened under Sub - section (1). This is something I find confusing therefore, if any action is to be taken the concerned habitants should be consulted before. Otherwise, that action can go against the wishes of the people. Therefore, Mr. Speaker Sir, I would like to request the hon'ble Minister to see this act of the Section 26 of Part III and in the amendment that part may be included.

Thank you.

PU TAWNLUIA : Mr. Speaker Sir, I would like to convey my thanks to the hon'ble Minister and his Department for preparing this 'Village Council Act, 1953 Amendment Bill'.

MINISTER
Amendment is required in our existing Act. If we look back at the past years our former Ministries do not seems to have proper Acts, so that the government can administer the Village Councils as they like.

S P E A K E R : Now, it is 4 : 00 P.M. We need to take House consent. Shall we continue our discussion. If so, let us continue.

PU TAWNLUIA : Mr. Speaker Sir, I would like to point out the matter of Nominated seats. It can make advantage for the ruling party. It can disturb the wishes of the people. Therefore, I really appreciate this Amendment Bill as it proposes to abolish nominated seat.

MINISTER

Next, in regard to deletion of Village Council's as seen in Section 3, I support this amendment Bill. There are many villages which are not convenient to have separate Village Council in my constituency also. Besides this, it can prevent the rising of improper settlement and it can control sub-villages or Thlawhbawk properly. For all these reasons I support this Bill and I expect all of us to agree to pass this Bill.

Thank you.

PU R. LALZIRLIANA : Mr. Speaker Sir, I am happy to know that our amendment Bill proposes abolition of Nominated seats. Therefore, I would like to convey my thanks to the concerned Minister. I also appreciate the proposal for the abolition of Village Councils for very small villages which we called Thlawhbawk (a small settlement). But I am afraid that our Act would be abused in favour of the ruling party. Besides this, if we are going to amend Village Council Act, it is also good to revise their remunerations. The Village Councils are the grass root level worker, so their remuneration should also be increased and I opine that they are very pitiful to get such a small amount for remuneration. Anyway, I support this Amendment Bill.

Thank you.

PU AICHHINGA : Mr. Speaker Sir, I am happy for this proposal of
MINISTER Amendment Bill especially for the abolition of Nominated seats. In the beginning during the time of District Council, Nominated Seats were occupied by some resourceful persons for better administration in the Village Council level. But nowadays, it is generally misused by the ruling party to consolidate their party position. Therefore, I really appreciate this proposal and I praise Local Administration Department and its concerned Minister. I want the House to pass this Bill.

Next, deletion of Thlawhbawk (small settlement) Village Council is also very good. This amendment will check the growing of self-styled new settlements and it will direct better administration for every village. For all these reasons I request all of us to agree with this Bill and to pass it without spending too much time.

Thank you.

S P E A K E R : Now, we shall call upon Pu Zakhu Hlychho and is it good to call the concerned Minister after him to wind up our discussion?

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you. I would like to mention that Village Council is people's representative body which stood next to Legislative Assembly. Therefore, their position is very important. And regarding this amendment Bill, I opine that this proposal has been made during the previous Ministry. Anyway, I appreciate the proposal for the abolition of Nominated Seats, but there is one thing more important than this, which is Election Rules. There can be bad practices in this existing election system. So, I would like to ask the hon'ble Minister as to what steps have been taken to reform such election system?

And, as said by the hon'ble Member from Saitual Constituency, Village Councils are the limbs of the government who have responsibility at the grass root level

and their responsibilities are very important. Therefore, I opine that their remuneration is to be increased as the salaries of government servants and even MLAs have been increased.

Next, in regard to cancellation or deletion of Village Council for vacated settlements, I am afraid that our Act can be abused by the ruling party on the ground of administrative delevopment and security measures. Therefore, we must be careful to add this Act.

Again, in regard to No. 6 of physical eviction in section 25 or 26 of this amendment, who will take up this action on unauthorised occupation? I opine that we will require Magistrate to take up this Act. And, in sub - para 5, we see that a fine of Rs. 100 per day would be imposed on those who remain in such unauthorised village. This fine is too much in my opinion. It can happen due to unavoidable reasons.

Mr. Speaker Sir, I would like to point out that we have no procedure to impeach VCP in our existing Act and even in this amendment. Therefore, I propose to make such procedures too. Lastly, I would like to say that the status of Village Council would be made higher as they have high responsibilities.

Thank you.

ER. K. THANGZUALLA : Mr. Speaker Sir, I appreciate this amendment. But the document which I keep defines district as "District means Aizawl and Lunglei District in the court of Mizoram". If so, can we exercise this Act outside Aizawl and Lunglei Districts? Therefore, I request the Minister to clarify this point in his wind up speech.

PU SANGHMINGTHANGA : Mr. Speaker Sir, thank you. As said by my fellow
H. PAUTU Members I also appreciate this Bill particularly the proposal for the abolition of Village Council Nominated seats and the introduction of odd number of seats for Village Council. I also agree with the proposal for the abolition of Thlawhbawk (small settlements). I opine that the growing number of such small settlement should be controlled strictly.

Besides the above, I would like to say that there will be no problem on eviction, the action should be taken by the Magistrate as shown in the last clause No. 7. Therefore, Mr. Speaker Sir, there is nothing much to discuss here in this Bill, I propose to pass it without spending more time for its discussion.

Thank you.

S P E A K E R : Now, let us call upon Pu Nirupam Chakma. Then we shall call upon the concerned Minister to deliver wind up speech.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, when I read this Amendment Bill it greatly contrasts my mind. This type of Amendment is seriously considered by the previous Ministry and amendment had also been proposed by the Department which was refered to the Cabinet Meeting. Then, the previous Ministry tried to introduce Panchayati Raj system in place

of Village Council in Mizoram. Official Resolution was moved in the last Session. But the opposition members of that ministry moved No Confidence Motion in the House and the Speaker adjourned the House. So, Resolution could not be taken up. Otherwise, Panchayati Raj system would have been implemented in Mizoram.

I support the introduction of Village Council in Mizoram. But I opine that its power in the sphere of village administration and development is too little. Therefore, if we introduce Panchayati Raj system in place of Village Council, 'Power to the people' could be more implemented. This is the idea of the Cabinet during the last Ministry.

Lastly, Mr. Speaker Sir, I would like to make proposal to change the wording of Section 3 "Deletion and cancellation" into "abolition" which, in my opinion, is more appropriate. Again in this sphere, I did not like the wording of "where a reasonable ground of administrative, developmental or security nature the government may decide". This sentence may give unlimited power to the government to abolish Village Councils whatever they like. This is very bad.

S P E A K E R : Pu H. Vanlalaiva to wind up the discussion.

P U H. VANLALAUVA : Mr. Speaker Sir, thank you. At the outset, I would like to say that I have some points to clarify. The words used on the last paragraph of Section 3 of the Bill which is reads as 'deletion or cancellation' should be corrected as 'Dissolution or Abolition'. Also, on No. (a) & (b) on page no. 2 of the Bill Amendment, inverted coma should be placed. I think this is also a typing mistake.

The member from Serchhip Constituency has mentioned the definition of District on the Amendment Bill. The point under question has been defined in the 'short title extend' of the Amendment Bill.

The member from Chawngte Constituency has raised a suggestion for Panchayati Raj and Municipality. Interest has also been extended in this regard. However, it is too early to take such a big step for the time being.

The hon'ble Opposition Leader has stated that the points moved for amendment in the Bill today are mostly those that are already taken up by the Congress Ministry. In this regard, I convey my gratitude to the previous ministry for taking up such matters. At the same time, it is a step forward for this Ministry to be able to move this Amendment Bill within a period of 7 month Ministry.

The Bill introduced today has carried three main points. The first point concerns dissolution or abolition of Village Council if it is necessary.

Secondly, the presence of even number of Village Council member in a particular village has been a problem for some time, as this can be an advantage for ruling party. Therefore, to solve that problem this Amendment Bill aims to alter Section no. 2 (3) of 'The Lushai Hills District Village Council Act, 1953' which is being enforced.

The next point concerns the nominated seat in the Village Council. This Amendment Bill aims to abolish the nominated seat. The desire to abolish the nominated seat is not a new thing. However, it is an advantage for the Ruling party and thus, when opposition party suggests for the abolition, it was always rejected. This ministry has clearly understood that the nominated seat is a great benefit for us. But, it is our policy to abolish this benefit if it does not bring favourable outcome for the people. With this aim in view this Amendment Bill is moved in the House.

In view of the increase of the number of Sub - villages and small settlements without the approval of the government, the authority feels the need to have a strict regulation to restrict and prevent this set up. These small settlements, when grown to 10 or more families, they apply for sub - village committee and sometimes even press the government that a ruling party Village Council would be formed. In such cases, the ruling party would eventually given permission to create a new Village Council. At present, there are several such sub - villages. Therefore, it is necessary to have a strict Regulation to control and restrict this practice. Section 26 of the main Act has the provision in the regard. However, it is found to be unsatisfactory and hence this amendment is proposed.

Mention has been made on the remuneration of the Village Council. We are keenly aware of this matter. However, the amount of the remuneration of the Village Council was increased recently and at the same time Panchayati Raj and Municipality are being suggested. Therefore, remuneration of the Village Council has been set aside for future consideration.

I agree with the points of criticism on the system of the election of the Village Council. As pointed out by the hon'ble Opposition Leader according to the existing election rules voters have an opportunity to cheat. In view of this, amendment of the election rules has been made. The whole system of election rules requires review.

Therefore, Mr. Speaker Sir, if there are unsatisfactory wordings, correction would be made and with that I request this august House to pass 'The Lushai Hills District Council Act, 1953 Amendment Bill, 1999'.

Thank you.

S P E A K E R : The Minister has wound up and sought the permission of the House to pass the Bill. Please understand. We are going to take note now. All those who agree to pass clause 2 - 4, say 'agree', those who disagree say 'disagree'. Okay clause 2 - 4 is passed by this august House. Now those who agree to pass the 'Preamble and enacting formula and clause 1', say 'agree'. Those who disagree say 'disagree'. The Preamble and enacting formula and clause 1 is passed by this august House.

All those who agree to pass The Lushai Hills District Village Council Amendment Bill, 1999 say 'agree' and those who disagree say 'disagree'. Now the Amendment Bill, 1999 is passed by this august House.

Now, we shall call the hon'ble Chief Minister to move the Official Resolution.

P U Z O R A M T H A N G A : Mr. Speaker Sir, thank you. The Official Resolution
C H I E F M I N I S T E R is about the change of Public Debt Act, 1944 to

Security Act. State Legislature has to empower this Act before the Parliament adopt the Act. I will read out the Resolution.

"Whereas the Mizoram Legislative Assembly considers that it is desirable to have a uniform law throughout India for the regulation of Public Debt of the states and for all matters connected there with or ancillary and incidental thereto;

And whereas, the subject matters of such a law is relatable mainly to the matter enumerated in entry 43 in list II in the Seventh Schedule to the Constitution of India;

And whereas, Parliament has no power to make such a law for the states with respect to the matter enumerated in entry 43 in List II aforesaid except as provided in Articles 249 and 250 of the Constitution of India;

And whereas, the Public Debt Act, 1944 is applicable for marketable loans raised by Reserve Bank of India on behalf of both the Union and the State Governments.

Now, therefore, in pursuance of clause (1) of Article 252, this Assembly hereby resolves that the Parliament be empowered to regulate by law matters relating to Government securities and all other matters connected therewith or ancillary or incidental thereto and pertaining to the State of Mizoram".

Mr. Speaker Sir, before Independence, the British had made this Public Debt Act, 1944. After Independence time has passed therefore, this Act is not relevant with the present time. Reserve Bank of India and its agent is unable to function properly. There are agents of Reserve Bank of India like National Saving Scheme, Indira Vikash Patra, Public Provident Fund Scheme, Special Deposit of non - Government Provident Fund, which does not suit with the Public Debt Act, 1944. Therefore, the Committee amend the Act. There are 17 section that are included in the Government Security Act from Debt Act, 1944. Mr. Speaker Sir, the parliament is going to amend the Act, therefore, the State Legislature have to empower the parliament to make the Act. Other State Legislatures too have empowered the Parliament. Therefore, this Assembly has to pass this Resolution to empower the parliament to make the Act. I, therefore move this resolution.

Thank you.

SPEAKER : The House Leader has explained the Resolution, can we pass the Resolution ?

PU ZAKHU HLYCHHO : Which state have adopted the resolution ?

PU ZORAMTHANGA CHIEF MINISTER : Mr. Speaker Sir, this resolution is sent to every state. I cannot give the names of state which have adopted the resolution. However, every state will adopt the resolution.

S P E A K E R : Shall we call the hon'ble House Leader to seek the permission of the House to pass the resolution? What about the Opposition Leader? (Yes)

P U Z O R A M T H A N G A : Mr. Speaker Sir, I request this august House to pass this resolution to empower the parliament to amend the Public Debt Act, 1944.

S P E A K E R : Now I shall read out the resolution. The following is the Official Resolution submitted by Pu Zoramthanga, Chief Minister and admitted for consideration on 4th August, 1999.

"Whereas the Mizoram Legislative Assembly considers that it is desirable to have a uniform law throughout India for the regulation of Public Debt of the states and for all matters connected there with or ancillary and incidental thereto;

And whereas, the subject matters of such a law is relatable mainly to the matter enumerated in entry 43 in list II in the Seventh Schedule to the Constitution of India;

And whereas, Parliament has no power to make such a law for the states with respect to the matter enumerated in entry 43 in List II aforesaid except as provided in Articles 249 and 250 of the Constitution of India;

And whereas, the Public Debt Act, 1944 is applicable for marketable loans raised by Reserve Bank of India on behalf of both the Union and the State Governments.

And whereas, it is felt desirable to repeal the Public Debt Act, 1944 and replace the same with a new Legislation viz. "Government Securities Act" in order to enable the Reserve Bank of India to render efficient and improved service to the holders of Government securities.

Now, therefore, in pursuance of clause (1) of Article 252, this Assembly hereby resolves that the Parliament be empowered to regulate by law matters relating to Government securities and all other matters connected therewith or ancillary or incidental thereto and pertaining to the State of Mizoram". All those who agree say 'agree' and those who disagree say 'disagree'. This august House pass the Official Resolution of the hon'ble House Leader. With that we have now finished our List of business.

Now, the summary of business transacted during session from 15th July, 1999 to August, 1999. Total starred question received 198, rejected starred question 9, starred question admitted 189, identical question 14, entered in List of Business 143, transfer to unstarred question 32, oral answer given in the House 55, questions listed in business for oral answer 88, reply not received 8, reply to receive late 3, unstarred question, total received 38, rejected 2, unstarred question admitted 36, transfer unstarred question 32, reply to receive 68, reply not received nil, reply received late nil, government bills received 7, paper lay on the table of the House 7, Presentation of Report, Report of Business Advisory Committee 1, Report of Public Accounts

Committee 5, Report of Estimate Committee, Report of Committee on Subordinate Legislation, Reports of Committee on Petition, Report of Government Assurance, Privilege Report, Rules Committee, Report House Committee, Library Committee, Public Undertakings Committee 1, Subject Committee I, II, III, IV, V. Private Member's Resolution admitted 4, resolution pass nil. Official resolution received 1, resolution rejected nil, resolution admitted 1, resolution pass 1, Assembly question list of department who did not give reply.

With that we come to the end of the meeting.

House adjourned, sine die at 5 : 16 P.M.

T.Saikunga
Secretary.

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