

SEVENTH SITTING ON FRIDAY, THE 23RD JULY, 1999
(Time : 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)

PRESENT

Pu R. Lalawia, Speaker, at the Chair, 14 Ministers, Deputy Speaker and 20 Members were present.

QUESTIONS

1. Questions entered in separate list to be asked and oral answers.

PRIVATE MEMBERS' BUSINESS

2. Resolutions.

SPEAKER : You shall not be partial in judgement; you shall hear the small and the great alike; you shall not be afraid of the face of man, for the judgement is God's; and the case that is too hard for you, you shall bring to me, and I will hear it.

Deuteronomy 1:17

Now we will take up questions. I will call upon Dr. Lalzama to ask question No. 69.

DR. LALZAMA : Mr. Speaker Sir, thank you. I ask, starred question No. 69, to be answered by hon'ble Education Minister.

SPEAKER : We will call Pu F. Malsawma to answer the question.

**PU F. MALSAWMA
MINISTER** : Mr. Speaker Sir, the question is - What is the reason for not making all the School Headmaster, as DDO with full power, when they are all grouped as Grade A Officers? The answer is, after UT 14 High Schools was provincialised and was given DDO power. Then in the year 1999 - 94, the provincialised High Schols were given power to draw pay and allowances, from Treasury and Bank. As for the other schools, they were not given, because they do not deserve the DDO power and also if the DDO power is given to all the Headmasters, it will be difficult to get back the expenditure return.

DR. LALZAMA : Mr. Speaker Sir, supplementary question. Number of new Higher Secondary Schools are now opened, these schools do not have any Principal, they only have headmasters, what is the reason? What is the qualification needed for Principal?

PU R. LALZIRLIANA : Mr. Speaker Sir, I hope my question is relevant, previous Ministry had given power to High School teachers to draw their pay from Bank. Now, that this Ministry had stoped this. What is the government planning to do in this regard?

PU LALTHAN KUNGA : Mr. Speaker Sir, in the year 1991, High Schools were provincialised and Headmasters and Assistant Headmasters were given promotion against their seniority, inter seniority was broken. I request the Minister to clarify this matter. Then there are Headmasters who are post Graduate and have the experience of many years but removed from their post, I request the Minister to clarify this.

One more question, death cum retirement gratuity rules were made in 1990, why is it not in use now?

PU F. MALSAWMA : Mr. Speaker Sir, answer to the question hon'ble Member Pu Dr. Lalzama and Pu Thankunga is - Yes, Higher Secondary School Principal is in process. As we have just listened, there are Headmasters without post Graduate degree, they are given relaxation by name. However, now we are planning to give relaxation to all headmasters. There is a proposal to fill up 20 vacant post. Their names had been sent to MPSC. Then regarding gratuity rules, the question is not very relevant, therefore, I am not prepared, however, I don't think it would be very difficult to look into it, I request the hon'ble Members to come over to the office.

As regards to the point raised by hon'ble Member from Saitual constituency, today Senior Officers are having meeting in this regard, let's hope they come up with a good decision.

SPEAKER : We shall move on to question no. 70 to be asked by Pu R. Lalzirliana.

PU R. LALZIRLIANA : Mr. Speaker Sir, I ask question no. 70 to be answered by hon'ble Minister incharge Rural Development.

SPEAKER : Now we will call Dr. R. Lalthangliana to answer the question.

Dr. R. LALTHANGLIANA : Mr. Speaker Sir, the question made by hon'ble Member Pu R. Lalzirliana is -

- (a) Is it possible to withdraw RD/DRDA Department fund with political party seal? The Answer is 'No'.
- (b) If it is possible, how was it given? The answer is NIL.

S P E A K E R : Now we will call Pu F. Lalthanzuala to ask question no. 71.

PU F. LALTHANZUALA : Mr. Speaker Sir, my question is - In order to prevent wild fire in the forest, what steps is the government taking?

S P E A K E R : Now, to answer the question, we shall call Pu Rualchhina Minister incharge to answer the question.

PU RUALCHHINA MINISTER : Mr. Speaker Sir, in order to prevent wild fire in the forest, forest fire protection scheme is made with the help of Central Government. There are other proposal too for the prevention of wild fire in the forest.

PU LALTHANKUNGA : Mr. Speaker Sir, supplementary question. Besides the permitted Mahal of bamboo, Mizoram bamboo is being wasted, the Mahaldars are buying without permit too. This whole system needs to be checked. Is it possible to have proper rules in this regard?

PU LALTHANZUALA : Mr. Speaker Sir, my question was about wild fire in the forest. We practise jhuming cultivation in Mizoram for which forests are burnt. What I want to know is whether there is any rule for punishment of the offender for forest burning?

S P E A K E R : Now, we shall call the hon'ble Minister to answer the question.

PU RUALCHHINA MINISTER : Mr. Speaker Sir, we are taking steps to prevent burning of bamboos and to protect Tuirial and Serlui area.

As for hon'ble Member Pu Lalthanzuala's question, the answer is, the burning of forest is not the sole responsibilities of Forest Department. The LAD has a rule called. The Mizoram Prevention and Control of Fire in the Village Council Land Rules 1993.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, the Minister is putting all the blame on Local Administration Department. To a certain extent it may be correct, but the forest reserve areas are also burning. Recently, Tlungvel forest reserve area

was burning, I saw it with my own eyes. Not even one forest staff was present to stop the fire. My question is - why is the government not protecting the reserve area? Where were the forest staff?

PU F. LALTHANZUALA : Mr. Speaker Sir, it looks like it is not the responsibility of Forest Department alone. My question is - is there any co-ordination committee for the effectiveness Fire Protection Rules made by Local Administration Department and Forest Department.

SPEAKER : To answer the question, we shall now call Pu Rualchhina.

PU RUALCHHINA : Mr. Speaker Sir, hon'ble Member from Saiha had just mentioned about the burning of forest plantation. In the record, 415 hectares of land is burnt. There are several forest reserved burnt else where in the state too. The department is doing the best it can with the little fund it has. That's all I can say now.

PU ZORAMTHANGA : Mr. Speaker Sir, for the information of the hon'ble CHIEF MINISTER Members Forest fire protection is not just the responsibility of one department, we are trying to co-ordinate even from General Administration. It may be true that this year, the forest reserved are burning much more than the previous years. Now the state is observing Green Mizoram. We are taking step. From November, Security Personnel will be deployed along the border roads, they will be given two wheelers. Anyone who is burning the forest should get the permission of VC first and they should ensure safety before burning the forest. I just want to give information to the House, that from November, the work of forest fire protection will take place in full swing.

SPEAKER : We will move on to starred question no. 72. It's a joint question by Pu R. Lalzirliana and Pu Chama. Who will ask? Pu Chama.

PU LALCHAMLIANA : Mr. Speaker Sir, thank you. The question is -

- (a) Under Mizoram Government, from which rank of Officer is Muster Roll worker given?
- (b) How many workers are they given?

PU ZORAMTHANGA : Mr. Speaker Sir, the answer is - CHIEF MINISTER

- (a) Group 'A' Officer and Under Secretary above are given Muster Roll and also Officers from Secretariat who are the same rank with that of Under Secretary and above are also given.
- (b) Chief Secretary - 4, Commissioner/Secretary, Additional Secretary, Joint

Secretary and Officers of their rank are given 2 Muster Roll (MR). Then Deputy Secretary, Under Secretary and Officers of their rank are given 1 each.

PU R. LALZIRLIANA : Mr. Speaker Sir, supplementary question, it is good to give MR Workers to these officers if they are entitled. However, there are officers who are not entitled to have MR yet they are given, my question is, Is there any proposal to stop such practice?

PU ZORAMTHANGA : Mr. Speaker Sir, for the information of the House, there are 11308 MR Workers at present. As the hon'ble Member has just mentioned, we are checking the list of MR and the government is trying to cut down the number of MR. I am also aware of Officers who are not entitled to have MR but are given not just one, but more than one. Therefore, the government is looking into this matter.

PU R. LALZIRLIANA : Mr. Speaker Sir, there are 11308 MR. I request the hon'ble Chief Minister to remove 5000 MR as even this may not be genuine?

ER. K. THANGZUALA : Mr. Speaker Sir, these Officers and attached officers used bill form of MR employees to draw the pay of attendants. Is it true that they are attendants and not MR employees?

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you. The hon'ble Chief Minister had just said that they are checking the MR, I request the hon'ble Chief Minister to let us know who is doing the checking.

PU ZORAMTHANGA : Mr. Speaker Sir, I cannot give their names now in the House as it is not very appropriate. However, I can tell you in person later.

Regarding attendants, Yes they are attendants, but they are known as MR labourers.

SPEAKER : Now we shall move on to question no. 73. It is a joint question by Pu Nirupam Chakma and Pu R. Lalzirliana. Who is going to ask?

PU R. LALZIRLIANA : Mr. Speaker Sir, I ask starred question no. 73 to be answered by hon'ble Education Minister.

SPEAKER : Let us call Pu F. Malsawma to answer the question.

PU F. MALSAWMA : Mr. Speaker Sir, the question was -

- (a) How many High School (Private) will be upgraded into grant-in-aid/deficit status during 1999 - 2000. The answer is - There is a proposal to upgrade the High Schools, however, the government is examining the funds, therefore, I cannot give the number now.
- (b) I cannot give the names of the Schools, as nothing is finalised.

SPEAKER : To ask starred question no. 74, we will now call Pu L.N. Tuanga.

PU L.N. TLUANGA : Mr. Speaker Sir, my question is -

- (a) In Mizoram, how many private High Schools and Middle Schools are opened with permission of the Government.
- (b) Is the government trying to provincialise these High Schools during the financial year of 1999 - 2000 ?

PU F. MALSAWMA : Mr. Speaker Sir, the answer to question (a) - there are 118 High School (private) and 24 Middle Schools per record. (b) - there is no proposal for provincialisation.

SPEAKER : Starred question no. 75, is a joint question of Pu C. Sangzuala and Pu L.N. Tuanga.

PU C. SANGZUALA : Mr. Speaker Sir, thank you. I ask question (a) to (e) of starred question no. 75.

PU ZORAMTHANGA : Mr. Speaker Sir, the questions are -
CHIEF MINISTER

- (a) Are A.O. upgraded to MCS ? and
- (b) If not so, is there any proposal to upgrade these A.O.s.
- (c) What is the number of A.O. who are serving under the Mizoram Government.
- (d) Is there any proposal to regularise their service.

The answers are -

- (a) As the MCS rules permit, A.O.s are upgraded to MCS.
- (c) There are 34 A.O.s serving in Mizoram Government.
- (d) They are all regularised.

PU C. SANGZUALA : Mr. Speaker Sir, the hon'ble Chief Minister did not answer the question 'e'.

PU ZORAMTHANGA : Mr. Speaker Sir, the answer to question 'e' is - A.O.s
CHIEF MINISTER

are Block Development Committee Member and they are supervisor for Village census and they are also AERO at the time of roll revision. They are now posted in District Headquarters and Sub-Divisional Headquarters.

I request the hon'ble Member to repeat the supplementary question.

PU C. SANGZUALA : Mr. Speaker Sir, what is the number of A.O.s up-graded to MCS?

PU ZORAMTHANGA : Mr. Speaker Sir, I cannot give the actual number right now, however, there are 34 left to be upgraded to MCS. We have 15 post vacant in MCS right now.
CHIEF MINISTER

Er. K. THANGZUALA : Mr. Speaker Sir, as we have heard, the status of A.O. is very important. In some places, store keeper takes the charge of A.O., I don't know the reason, what I would like to know is - is there a way of stopping such practice?

PU ZORAMTHANGA : Mr. Speaker Sir, we are trying to stop this to the best of our ability with the help of DC and BDO, we are deploying A.O.s to the places where they are needed.
CHIEF MINISTER

S P E A K E R : Starred question no. 76 to be asked by Pu C. Thanghluna.

PU C. THANGHLUNA : Mr. Speaker Sir, starred question no. 76, the questions are - (a) Is there any proposal to develop Lawngtlai District.

PU ZORAMTHANGA : Mr. Speaker Sir, from the Central Government, there is Famine Relief Fund which Lawngtlai DC will receive. The amount is 15 lakhs.
CHIEF MINISTER

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you. Supplementary question from what the information I received, the State Government received Rs. 20 crore, but has distributed only 1½ crore. Is this correct?

PU F. LALTHANZUALA : Mr. Speaker Sir, is it possible to give contract work from this fund?

PU Z.H. ROPUIA : Mr. Speaker Sir, what is the amount of drought relief distributed to D.C. ? Was it based on population ?

PU C. THANGHLUNA : Mr. Speaker Sir, will it be possible to add the fund, the people are facing great problem ?

S P E A K E R : The question hour is over. We will call the hon'ble Chief Minister to answer the question.

PU ZORAMTHANGA : Mr. Speaker Sir, regarding Pu Zakhu Hlychho's question, we demand 23 crore, but when the hon'ble Prime Minister visited the state, he promised us Rs. 20 crore for drought relief. We distributed this as relief fund as the following - Aizawl D.C. Rs. 20 lakhs, Lunglei Rs. 20 lakhs, Mamit Rs. 18 lakhs, Lawngtlai Rs. 15 lakhs, Champhai 15 lakhs, Serchhip Rs. 12 lakhs and Kolasib Rs. 12 lakhs.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, I have the sanction order with me, it looks like the Prime Minister is giving wrong information to the people of Mizoram. The sanction order states - "On the account of advance payment of Normal Central Assistance to the State annual plan 1999 - 2000 under Prime Minister's package for assisting financial problem as well as the effect of recent draught in the State."

PU ZORAMTHANGA : Yes, it is correct, Mr. Speaker Sir, the Prime Minister promised the people to release 20 crores from draught relief fund. However, when sanction was released and in the sanction letter, it was stated as Central Assistance advance. This is what we also are questioning to the Planning Department.

Then, regarding contract works, the fund cannot be used for contract works.

S P E A K E R : Question hour is over. We will now move on to our list of business no. 2, Private Member's resolution. There are 7 resolutions with one rejected. Allotment of time, I will leave it to the hon'ble Member, whether it should be 10 or 15 minutes. The mover of the resolution will be given 5 minutes extra time and he will be called at the end again.

PU K.T. ROKHAW : Mr. Speaker Sir, today is the only day that we have for resolution. Kindly give us 15 minutes.

PU H. LALTANPUIA : Mr. Speaker Sir, give us less minute, so that we can finish two resolutions.

PUR. TLANGHMINGTHANGA: Mr. Speaker Sir, there are four resolutions, are we taking the four resolution today or are we going to follow the schedule time of 4 : 00 P.M.

SPEAKER : We will try and finish at the given time but there are times when we have to cross that time. Today, let us listen to the opposition's request, Members will be given 15 minutes.

PU LALRINCHHANA : Mr. Speaker Sir, is it possible to move new resolution after the scheduled time ?

SPEAKER : No, only extension of time for the on going resolution on the floor is possible. We will now call Pu Zakhu Hlychho to move the resolution.

PU ZAKHU HLYCHHO : Mr. Speaker Sir, thank you for giving me the permission to move this important resolution for the people of Mizoram. My resolution is - Proper rules and regulations be constituted for protection of the people of Mizoram before Sales Tax is being imposed.

This is not only my resolution, it is also the election manifesto of the treasury bench. Therefore, I am very glad to move this resolution as the treasury bench will support me.

Mr. Speaker Sir, from District Council, Mizoram became UT in 1972 and State in 1987, therefore, our State is only 25 years old. When other States are using their fifth five year plan, we are using our first five year plan. Therefore, we cannot move along with other States of India, we are only beginner, we are starting from NIL. The State does not have any resources, we are the poorest States in India. So, also, the price of materials in Aizawl is the highest in India. Mr. Speaker Sir, we have to think from all corner, are we ready to take sales tax at this stage. It is a big question.

Mr. Speaker Sir, in the year 1952 when we were District Council, there was trading regulation. Trading by non-tribal regulation Act. Then when we became UT we could not use this act, however, the Chief Minister at that time made it possible to use the act for another 10 years. Then in 1987, this Act was stopped by the ruling MNF Ministry, they tried to continue the Act but, it was not possible. Then Congress Ministry came into power. The President approved the Trading Regulation Act in 12.2.1997. Then ordinance was made in 1997 August Session, the ordinance was laid in the House, in order to keep the ordinance alive. However, the opposition at that time, who are now in the treasury bench opposed to it, thereby it was withdrawn.

Mr. Speaker Sir, I am saying all these because I am thinking whether it would be wise to impose sales tax before having trading regulation. Mr. Speaker Sir, it's not that I opposed imposition of tax. What I want to say is before levying taxes,

there should be an Act to protect the people of Mizoram from people of other States in taking up business in our State. If we look at our neighbouring State like Meghalaya, most of the big business men in the State are from other States.

Mr. Speaker Sir, from the information I received, the government is planning to levy tax on luxury item. Cabinet's decision is already taken. That is the reason why I am saying all these. Let us not levy tax without regulation Act, let us not open flood gate, we will suffer economically.

The people does not understand the actual effect it will have on collecting taxes on luxury items. They said that it will effect only the rich people. But it is not so, it will effect even the poor people. In Mizoram, there is TV, fridge in every house hold. It will effect our daily lives.

Lastly, as we know, Mizoram is a special category state, the Central Government is providing 90% of the State fund and 10% is received as loan. What I want to say is, if we take tax on luxury items, it will not be much. The demand of materials does not increase as the population of the State is not much in comparison with other States. Therefore, I request the government not to impose tax before making Trading Regulation Act. The Central government is providing us 90% fund we need, we are still able to go with this fund till date. I request all the hon'ble Members to help and support this resolution for the people of Mizoram. Mr. Speaker Sir, with this, I move this reslution.

Thank you.

S P E A K E R : Now, anyone from the Member, 15 minutes. Pu K.T. Rokhaw.

P U K . T . R O K H A W : Mr. Speaker Sir, today's resolution is very important because it deals with the safety of the people of Mizoram. I want to thank you, Mr. Speaker Sir, for giving time to speak for 15 minutes.

Mr. Speaker Sir, during Congress rule, the present ruling MNF opposed to imposing tax, without having trading regulation, therefore, till date we are not paying tax. So, Mr. Speaker Sir, it looks like we are going to pass this resolution without anyone opposing it.

From the information we received, the ruling MNF Ministry is intending to take sales tax on luxury goods. If we take sales tax, it will effect the poor people. Mr. Speaker Sir, if we take sales tax without having trading regulation, there will be assimilation as is the case in our neighbouring state Meghalaya. We should first have trading regulation, so as to safeguard the people of the state from being assimilated. The present Ministry opposed to taking tax without trading regulation during the Congress Ministry. Why are they planning to take tax now. Mr. Speaker Sir, its not that I am against the tax alone, it's just that we should have trading regulation first.

Mr. Speaker Sir, if we look at our neighbouring state like Meghalaya, all the leading businessmen are from outside the state. They do not have proper Trading Regulation, therefore, assimilation is taking place in the State. The same fate will be our's if we take tax without having trading regulation. In order to levy tax, we must have Trading Regulation. If we register businessmen, then its like we are allowing them to establish business in the State, this way we are inviting business men from other states to establish their business here in the state. Mr. Speaker Sir, we should therefore,

first make Trading Regulation if not, there will be assimilation.

Lastly, Mr. Speaker Sir, for the welfare of the people of Mizoram, we must not take tax at present, without Trading Regulation Act.

Thank you.

COL. LALCHUNGUNGA : Mr. Speaker Sir, thank you. Today's resolution is very important. I was expecting the opposition to join hands in paying tax. But, it seems they are a bit reluctant.

Mr. Speaker Sir, persons coming from outside the state are given Inner Line Permit for six months only and in order to own Trading Licence, a person has to stay in Mizoram continuously for two years. Mr. Speaker Sir, if this is the case, where is the chance for plain people to establish business here in Mizoram, when they are given only six months Inner Line Permit. Therefore, the people of Mizoram are safe with Inner Line Permit.

Mr. Speaker Sir, another thing I would like to say is regarding the paying of sales tax. The government is intending to take sales tax on luxury items. This is a must, the people should make contribution to the government's treasury. If we look at the way we are spending money, there is no sense of belonging to the government. By paying tax, there is a sense of belonging to the government. If we look at America, paying tax has great significant. Tax payer can make objection to officials who are misusing funds of the government. Therefore, paying of tax is a must, as citizens of the state.

Mr. Speaker Sir, the state is facing financial problem. We have to survive with the help of Central assistant. The Planning Commission in Delhi, often question about non-payment of tax by the people of our state. If we pay tax on luxury goods, the hon'ble Chief Minister too can demand more funds from the Planning Commission in Delhi, we have to take part in doing our duties as citizens.

Thank you.

PU LALCHAMLIANA
MINISTER OF STATE

Mr. Speaker Sir, thank you. I was expecting that the resolution will be passed by the consent of all the members. However it seems that, the opposition bench does not agree to it.

Tax is a very difficult issue. As the hon'ble Opposition Leader has just mentioned, Sales Taxes Act was made in 1989 during the Congress Ministry. We should thank them for this Act. But, due to certain reasons we are unable to continue with this Act. I think it is good news that the new government is planning to take tax on luxury items. Mizoram government is taking tax on petroleum products from 1974. During the year 1998 - 1999 the government collected Rs. 228 lakhs. I feel this is a great deal.

Our neighbouring states have taken tax on various item. The mover of the resolution have mentioned about Meghalaya. It is true that Meghalaya have taken tax on various items, but I don't think it is true that assimilation has taken place in Meghalaya due to paying of tax, it is because of their land system, the 'syiem-ship' in which land is leased for 99 years. Nagaland after acquiring statehood in 1967, starts

taking tax after five years. So is Arunachal Pradesh. Therefore, this new Ministry understands the need to take tax, it now decided to take tax on luxury items. However, the rate is still lower than our neighbouring states like in automobiles, our state will take only 2% whereas our neighbouring states take 4%. Mr. Speaker Sir, Trading Regulation Act is not the only act that can safeguard the Mizos. Just as the hon'ble Minister has just mentioned, Inner Line Regulation is also enough to safeguard the people of this state.

Mr. Speaker Sir, what I want the hon'ble Members and the people of this State to know is, we are going to take tax and at the same time, the people of this state will be safe from assimilation. The main concern of the mover of this resolution is assimilation, it is true that every one of us is concerned about assimilation but, what we should also know is, without paying tax, we have not stopped business men coming from neighbouring states into Mizoram. Mr. Speaker Sir, if we pay tax we, the consumers will be safe. Therefore, Mr. Speaker Sir, I request the hon'ble Member to withdraw this resolution.

Thank you.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, thank you. I would like to support the opposition group leader's resolution. We, the Congress party does not agree to paying tax. Our stand is the same as it was when we were the ruling party. We respect the people, we respect the sentiment of the opposition and we respect the sentiment of various ideas including the Mizoram chamber of commerce. However, I don't say that introduction of sale tax is bad.

Mr. Speaker Sir, the previous Speaker including the mover of the resolution have already mentioned that Trading Regulations will safeguard the business interest of our people and will also prevent the outsiders to come here and assimilate us. This matter has been debated enough in this House for the past many years. The ruling ministry should seek the opinion of opposition before the implementation of sale tax. That was what we did during our ministry, therefore, till date tax is not taken in the state as the opposition and the people of this state opposed to it. This new ministry have promised the people that they will not take sales tax, it is there in their manifesto. Today they have decided to take tax. I don't oppose to imposition of tax, but the government should make Trading Regulation to safeguard the people from assimilation and to prevent illegal traders coming to Mizoram.

Therefore, Mr. Speaker Sir, I would request all the hon'ble Members not to take it in other sense what I have spoken. It is for the betterment of the people of Mizoram and for the betterment of this state. Through this resolution, let us come together and pass this resolution.

Thank you.

PU F. MALSAWMA : Mr. Speaker Sir, I will not take long. Hon'ble
MINISTER Members before me have mentioned that, we don't have proper rules and regulations regarding trading, what I would like the hon'ble Members to know is that, it's not that we don't have Trading Regulation Act, we have Trading Regulation Act, however the President has not approved the Act, thereby, the Act cannot be passed in the House. What I want to say is, we have a proper trading regulation act.

Mr. Speaker Sir, this new ministry is formed by members who have given their lives for this state, who have spent half their lives in the jungle for the betterment of the state. Therefore, we should trust them. If, the government have taken the decision to impose tax, we should trust that, it will be done to safeguard the people of the state. The central government have also put pressure on us, saying we should also take part and do whatever we can. The government feels that it is safe to take tax now. The opposition members were concerned about assimilation if tax is taken, however, imposition of tax will not result in assimilation. It will help the people in resource mobilization. Tax will be taken to help the people in various field of developments.

We are facing MP Election very soon, it is understood that opposition are taking advantage of it. It is alright if they are taking advantage of this. But we will not allow them to stop us from taking measures for development of Mizoram. I request the hon'ble mover to withdraw the resolution considering the state's need for resource mobilization.

Thank you.

SPEAKER : We will now have break and start again at 2:00 P.M.
Meeting adjourned.

2:00 P.M.

SPEAKER : We will start our discussion. Pu Z.H. Ropuia.

PU Z.H. ROPUIA : Mr. Speaker Sir, thank you. Today's resolution is very important, therefore, previous ministry too have introduced it several times but withdrawn again due to opposition from various corners. From this, it is clear that it is important to introduce sales taxes, as every political party agrees to it. By paying tax, the people of the state can own the government, there will be a sense of belonging in the government. Misuse of funds will also be less, it will be like we are part of the builder of the state. If we look at America tax offenders are sent to jail. Developed countries take tax seriously, tax payer have a say in their countries. Mizoram will be safe even we take sales tax. The state is already in a position to introduce sales tax. We should trust the government and we should remember that we are in safe hands of rulers who are the owner of this state.

Thank you.

PU VANLALHLANA : Mr. Speaker Sir, I will say in just few words. The resolution is unless there is proper rules and regulation, sales tax should not be taken. It seems all of us are of the same opinion. We agree on taking sales tax, but proper rules and regulation should be made before taking sales tax. Our manifesto also stated that illegal traders should be stop and proper rules and regulation should be made before taking sales tax.

Regarding trading, it is realised that, our state needs to be safeguarded from traders coming from outside. In the year 1975, trading by non-tribal regulation was made. That was under UT. The regulation was for 10 years, thereby which, in the year 1985, the regulation expired. After the regulation act expired the act was not renewed. We all know who did not renew the act at that time. Then in 1990, it was realised that

we were staying without trading regulation. Then trading by non-tribal was made, the bill needs the assent of the President. However, the President cannot give the assent as, 1988 - 86 amendment of the constitution omits the word, 'non-tribal'. Then in the year 1991 March, another bill was introduced - 'The Mizoram Trading Regulation Act, 1991'. This Act was passed by this House in 1999. The Governor gave his assent too. It was released in the Mizoram Gazette extra ordinary, dated 1.7.1991. Thus we have the 'Mizoram Trading Regulation Act, 1991'. But this act was not in use. If we look at this Gazette, you will not find the effective date. Therefore, the new ministry knows that we are lacking in funds, therefore, we should make some contributions, thus we need to pay tax. This resolution does not have any meaning.

Thank you.

PU H. LALTANPUIA : Mr. Speaker Sir, thank you. I would say in few words, I'll not use up my time. The hon'ble Members before me have spoken about the rules and regulation, I will not repeat them. From my personal opinion, sale tax should be taken not only on luxury items but on various items. I am grateful that the government has come up with sales tax. By paying tax, one can feel a sense of belonging to the government. It will enable us to get more involved in the government.

Like the Deputy Speaker has just mentioned, we have trading regulation which was passed by this House in 1991. We have also heard of Inner Line Permit (ILP). ILP is safe enough for safe guarding our state from assimilation and economic assimilation. Mr. Speaker Sir, the government is sure of what they are doing, they know the rules and regulation, they know that it is safe to take sale tax, we should trust the government. The opposition Group Leader was concerned about economic assimilation, but I don't see the need to be concerned. It is safe enough. In 1989 when bill was introduced regarding sales tax, the Congress Chief Minister at that time, said that, in a way, it will solve the problem of the people if sale tax is being imposed. He also mentioned that, by introducing sales tax, it makes the Congress Party great and powerful. If that is the case, why is the opposition leader not following the party leader's view, the hon'ble Opposition Leader should withdraw his resolution. It is safe to take tax, we have trading regulation act and Bengal Eastern Frontier Regulation 1873. Mr. Speaker Sir, I request the hon'ble Opposition Leader to withdraw his resolution.

Thank you.

Er. K. THANGZUALLA : Mr. Speaker Sir, the hon'ble Member Pu Zakhu Hlychho have moved his resolution. I was expecting him to clarify some of the wordings, but he didn't. I wanted to hear what he means by 'the people of the state are not safe'.

Mr. Speaker Sir, I was expecting the mover to move strongly to stop taking of tax, but it was not so, he merely said that he did not totally oppose to taking of tax. He cancels his own resolution. Then, hon'ble Member, Pu Rokhaw also mentioned that, in principal he is not hesitate to take sales tax, instead of supporting the resolution he was against the resolution. So, also, Pu Nirupam Chakma, said that, 'he welcomed introduction of sales tax'. Therefore, Mr. Speaker Sir, three members from opposition spoke against the Opposition Leader's resolution, I, therefore, see no reason to go on with this resolution.

Most of the members spoke about the rules and regulation that we

have. The mover was concerned about assimilation and that there should be proper rules and regulation before taking of tax. However, we have heard that we have proper rules and regulation. Therefore, I don't see any point that proves that, we should not take sales tax.

From my personal view, it is time we pay tax. Since we don't pay tax, we are unable to get enough fund from plan fund since we don't have any contribution. The Central has put pressure on us to increase our resource mobilization so as, to receive more, from plan fund. If we look at Meghalaya, they have 500 to 600 crore contribution. Therefore, it is time we pay tax. The hon'ble Opposition Leader should withdraw his resolution, as, he himself does not support his resolution.

Thank you.

S P E A K E R : Dr. Lalzama. 50% from opposition have spoken and 25% from ruling have spoken.

DR. LALZAMA : Mr. Speaker Sir, thank you. As we have heard it is time to take sales tax in Mizoram. The Central Government has also put pressure on us to make some contribution. Today we should keep aside the party feelings, we should all join hands toward the betterment of the state. Like we have heard before, we are unable to get big projects as we don't pay tax. States are expected to contribute atleast 50%, therefore it is time we also make some contribution.

The opposition too are clear about sales tax, during the previous Ministry, they were planning to take sales tax, today it's just that they are a bit concern about assimilation. Mr. Speaker Sir, we should not worry about that, we can trust the present government regarding assimilation they will not take tax unless they are certain that assimilation will not take place. I request the hon'ble Members to withdraw his resolution.

Thank you.

PU L.N. TLUANGA : Mr. Speaker Sir, I read the opposition leader's resolution. I want to thank him for his concern. I think this resolution is to guide the government to be careful in taking of tax.

It is very shameful that, till date we have not paid tax. Let this resolution be a guide to the government in taking tax. I thank the mover of this resolution.

Thank you.

PU LALRINCHHANA
MINISTER : Mr. Speaker Sir, in the previous terms, I was among the speakers who opposed taking of sales tax, I would therefore like to say few things today. We opposed taking of sales tax then, because at that time, we did not have proper rules and regulation. We were not against taking of sales tax, but we were concern about assimilation. They too are concerned with the same thing though trading regulation was made.

Today, we are taking sales tax, we should remember that we have rules and regulation that can safeguard the people from assimilation. The Inner Line regulation is safe enough to protect us from economic assimilation. The mover mentioned that we lagged behind in development. It is correct. If we say that we are not in the position to impose sales tax now, there will not be a time for us to pay tax. If we look at other states of our country, we will find that they managed themselves partly by the collection of sales tax. Therefore, the government's decision to take sales tax on luxury items should be supported. The mover of this resolution was concerned by assimilation, therefore, I should remain him that it is safe to collect tax. Therefore, he should withdraw his resolution.

Thank you.

S P E A K E R : I will call one more member from the opposition, then we shall call the Minister.

P U T A W N L U I A
M I N I S T E R : Mr. Speaker Sir, please make adjustment. Let the Deputy Chief Minister and Chief Minister say few words.

S P E A K E R : We will call one more opposition member.

P U R. L A L Z I R L I A N A : Mr. Speaker Sir, thank you. There are some members who say that the government is taking tax, because of financial problem in the State. It is a very difficult issue. There are some members who say that taking tax on luxury item will not effect the poor. But, Mr. Speaker Sir, what I would like to say is, it will definitely effect the poor people, if tax is taken on vehicle. Then, the fare will shoot up, which in turn will effect the poor.

As some of the members have mentioned, we all agree on taking of tax, it is correct. The previous ministry was planning to take tax on various items, but did not do so, because of the opposition of the present treasury bench. We should not mix inner line permit and trading regulation Act. Could they tell me how many person who does not have permit has been deported by the government? and how many traders without permit have been deported? If the government says that we have proper rules and regulation, then we may also accept taking of tax. Mr. Speaker Sir, what I don't understand is, the treasury bench who were the ones to oppose to the taking of tax are now planning to take tax. Mr. Speaker Sir, with your permission, I would like to quote the Chief Ministers speech from 11.3.1997 proceedings. The Chief Minister said that, 'if we mobilise our resources that people will be left with nothing, we must stop the taking of tax. Since we don't have proper rules and regulations, we will just legalise the non Mizo traders'. Mr. Speaker Sir, this was the speech made by the hon'ble House Leader. We must back up the speech. Why is the same person who was pleading to stop the taking of tax just a few years back now advised taking of tax. Here, Mr. Speaker Sir, can you see that this is the joint manifesto of MPC and MNF, it is clearly written here Mr. Speaker Sir, I will give you this copy so that you will know they are not standing by their words.

S P E A K E R : The name of the writer is not written therefore, we cannot accept it as document.

PU TAWNLUIA MINISTER : Mr. Speaker Sir, that is not the procedure of this august House. It is a false document. The member should remove that.

PU R. LALZIRLIANA : Mr. Speaker Sir, they have denied their own manifesto today, how can the people trust them when they are denying their manifesto of only seven months. Mr. Speaker Sir, before we have proper rules and regulation we must not take sales tax.

Thank you.

S P E A K E R : Now, we will call the Minister to wind up. Then we will call the House Leader. The hon'ble Minister will be given 25 minutes.

PU TAWNLUIA MINISTER : Mr. Speaker Sir, thank you. Today we are discussing a very important resolution moved by Pu Zakhu Hlychho.

The first thing I would like to point out is that the state have proper rules and regulations to safeguard the people of this state. We have Bengal Eastern Frontier Regulation during British rule, i.e. Inner Line regulation, which exists till date. Under this act, whoever wants to enter into Mizoram will enter only with the permission of the authority.

Then under peace accord, special provision was made, which was then incorporated with the Indian Constitution, Article 371(g). This made it clear that people who wants to enter Mizoram will have to enter through proper channel. Therefore, the government knows that we have a proper rules and regulation to safeguard the people of the state.

Regarding sales tax, in the year 1989, the Mizoram government passed the sales tax act. Non-Mizo traders are to register themselves, before conducting a business in Mizoram. It is written in the sales tax act section 9, 10, 11. Then business man who are intending to conduct business in Mizoram should have Inner Line Permist atleast for a period of 2 years.

Today the government is planning to take sales tax on luxury goods. This is not going to touch the poor people, sales tax will be taken on rich people who afford to buy luxury items. Before we have trading regulation we have inner line permit. Therefore, we are safe under this rules. Mr. Speaker Sir, there are some people who believe that by taking tax, there will be increase in price rate, but this is not true, the price of certain items increased because there is no one to control the rate. What I want the hon'ble Members to know is that we are only beginning to take sales tax on few luxury items. Previous Ministry was planning to take sales tax, we opposed it at that time, and now, we are planning to take sales tax and now the opposition members are opposing it. At that time, we opposed, because there was no proper rules and regulation.

Trade and Commerce department is now taking up trading regulations. Once they are through with it, everything will be smooth under this act. We have been

receiving aids from Central Government and we are still expecting aids from different corner, therefore, we should also do our parts, as they have requested us to start taking tax on certain items. There is still a lot of scope for development in the state. Therefore, Mr. Speaker Sir, the mover of this resolution should withdraw his resolution as we have proper rules and regulations.

Thank you.

S P E A K E R : The Home Minister have made a clear wind up speech. Now we will call the House Leader.

PU ZORAMTHANGA : Mr. Speaker Sir, thank you. Today's resolution moved
CHIEF MINISTER by the hon'ble Member Pu Zakhu Hlychho is - sales tax should not be taken unless there is proper rules and regulation to safeguard the people. Today it is not new that we are taking sales tax. It is just that the item on which sales tax is taken is still very few. This resolution cancels itself.

Mr. Speaker Sir, we have trading regulation, but we say that trading regulation that we have is not safe enough, therefore, all party joined hands in making the trading regulation. It was then sent to the President for his assent. However, till date it has not returned. There is already a pressure for collecting tax. Therefore, we are now planning to take tax on luxury items. What we should know is even today we are paying tax, it is just that the volume is still less. We have to do our parts as central is putting pressure on us. We should remember that in the last Ministry, treasury was closed several times.

In the plan fund, we have Rs. 333/- crore, but in actual the Central Government gave us Rs. 360/- crore, then in BMS we were given 20 crore and 2,000 lakhs. Then in drought relief 20 crore. As for Peace Bonus, the Central Government has advised us to make plan and scheme for three years amounting to Rs. 15 crores. If we are able to make more plan and scheme they have inform us that they can approve it.

PU R. LALZIRLIANA : If we have that much of fund, why is the government collect tax from the people ?

PU ZORAMTHANGA : Mr. Speaker Sir, we will be receiving fund for construction of Seling to Tipaimukh Highway and Sairang to Tripura National Highway and also fund from World Bank will also be received for Lunglei National Highway. The Central Government advised us to mobilise the additional resources whether it is much or less, so that the Planning Department i.e. Finance Department will know that we are doing our part. The Central has given us lots of scope for development.

We are collecting tax on items that will not effect the poor people. If we look at sales tax act, non-Mizos who are intending to conduct business here in Mizoram needs to have valid Inner Line Permit for two years. Therefore, it is safe under this act. We are still a poor state, that is why we are collecting tax only on few items.

S P E A K E R : Now we call the mover of the resolution.

P U Z A K H U H L Y C H H O : Mr. Speaker Sir, thank you. As I have mentioned earlier, I may not be able to bring out what is inside me, regarding this resolution. I move this resolution because it really worries me. If we are to take tax and if we don't have proper rules and regulation, there is going to be assimilation, some of the members did not want to understand the real cause.

Some of the hon'ble Members are mixing trading regulation and inner line permit.

Mr. Speaker Sir, the hon'ble Chief Minister mentioned about the various funds that the state is going to receive. If it is so, why is the Social Minister saying that we are taking tax because we don't have enough money. Why is the Chief Minister not telling his cabinet about the various funds, if it is true?

Then, Mr. Speaker Sir, regarding trading regulation act 1991, the Governor at that time, Mr. Kaushal, instead of sending for the assent of the President, he, himself gave his assent, which was not valid. Then the one that the President assented in the year 1997 could not be used as we did not pass it in time.

P U V A N L A L H L A N A : Every bill needs the assent of the President. The President have to sanction the bill. We say that trading regulation was already passed and the hon'ble Governor Swaraj Kaushal also gave his assent. Then, is it that, the Mizoram Trading Regulation Bill was passed in the House without the President's assent?

Mr. Speaker Sir, when a bill is passed in the House, the Governor has three things to do. He either assents the bill or sends it back to the House, or sends for the President's assent. The President gave his assent to the trading regulation bill. There was a Gazette notification.

Then, is it true that the trading regulation act was passed without the President's sanction?

P U Z A K H U H L Y C H H O : That was a mistake as I have mentioned earlier. The assent that the Governor gave was invalid. The President gave his assent in 1997 February. The ordinance was valid for six months, within which the House was to approve the ordinance. If the hon'ble Members want to verify, you can do so from the Law Secretary.

I don't agree with the hon'ble Member from Bilkhawthlir Constituency regarding sales tax. There is no such thing as by paying sale tax it makes us belong to that state or country. It shows that we are the sons of the soil.

S P E A K E R : Please stop. He did not say sons of the soil.

P U Z A K H U H L Y C H H O : Mr. Speaker Sir, if I make a mistake there, I am sorry.

Lastly, what I want to say is, the hon'ble Members mentioned that we are taking sales tax only from the rich people, it will not effect the poor people. That is not correct. It is going to effect the poor people. The House Leader spoke of petroleum tax. Petroleum tax is under selective tax, petroleum tax is taken because of Sales Tax Act 1989.

Mr. Speaker Sir, I, therefore, request this august House, to help me in passing my resolution.

Thank you.

SPEAKER : We will take a voice vote. Now the resolution, "Sales tax should not be taken unless there is proper rules and regulation to safeguard the sons of the soil". All those who agree with the resolution say 'Yes', O.K all those who disagree say 'No'. From the voice vote, there are more members who disagree with the resolution. Therefore, this resolution is not pass.

It is now 4:00 P.M.. The meeting is adjourned. Monday we will start at 10:30 A.M.

Meeting adjourned at 4:00 P.M.