

# MIZORAM STATE FOURTH LEGISLATIVE ASSEMBLY

## GOVERNOR

Pu A. Padmanaban

## SPEAKER

Pu R. Lalawia

## DEPUTY SPEAKER

Pu Vanlalhlana

## SECRETARY

Pu H.L. Chunga

## CABINET MINISTERS

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| 1. PU ZORAMTHANGA<br>CHIEF MINISTER        | 1. Finance Department<br>2. Agriculture Department<br>3. Horticulture Department<br>4. Political & Cabinet Department<br>5. DP & AR<br>6. General Administration Department<br>7. Secretariat Administration Department<br>8. Vigilance Department<br>9. Economic & Statistics Department<br>10. Planning & Programme Implementation<br>Department |
| 2. PU LALHMINGTHANGA<br>Dy. CHIEF MINISTER | 1. Power & Electricity Department<br>2. Industries Department<br>3. Soil & Water Conservation Department   |
| 3. PU TAWNLUIA<br>MINISTER                 | 1. Home Department<br>2. Public Health Engineering Department<br>3. Taxation & Excise Department   |
| 4. PU R. TLANGHMINGTHANGA<br>MINISTER      | 1. Public Works Department<br>2. Co-operation Department   |
| 5. PU LALRINCHHANA<br>MINISTER             | 1. Land Revenue & Settlement Department<br>2. Animal Husbandry & Veterinary<br>Department  |

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| 6.  | PU RUALCHHINA<br>MINISTER        | 1. Forest & Environment Department<br>2. Printing & Stationary Department                                      |
| 7.  | PU AICHHINGA<br>MINISTER         | 1. Food & Civil Supplies Department<br>2. Trade & Commerce Department<br>3. Relief & Rehabilitation Department |
| 8.  | Dr. R. LALTHANGLIANA<br>MINISTER | 1. Rural Development Department<br>2. District Council Affairs Department                                      |
| 9.  | PU F. MALSAWMA<br>MINISTER       | 1. School Education Department<br>2. Information & Public Relations<br>3. Law & Parliamentary Affairs          |
| 10. | PU K.L. LIANCHIA<br>MINISTER     | 1. Health & Family Welfare Department<br>2. Sericulture Department   |
| 11. | Col. LALCHUNGNUNGA<br>MINISTER   | 1. Social Welfare Department<br>2. Labour & Employment Department  |

#### **MINISTERS OF STATE (Independent Charge)**

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| 12. | PU B. LALTHLENGLIANA | 1. Higher & Technical Education Department<br>2. Sports & Youth Services Department |
| 13. | PU H. VANLALAUVA     | 1. Local Administration Department<br>2. Fisheries Department                       |
| 14. | PU J. LALTHANGLIANA  | 1. Art & Culture Department<br>2. Tourism Department                                |
| 15. | PU LALRINZUALA       | 1. Transport Department<br>2. Prison Department                                     |

**LIST OF MEMBERS OF FOURTH  
MIZORAM LEGISLATIVE ASSEMBLY - 1999**

Sl.No.	Name of the Constituency	Name of Members	Address
1.	Tuipang	K.T. Rokhaw	Hunthar Veng, Aizawl
2.	Saiha	Zakhu Hlychho	Chaltlang, Aizawl
3.	Sangau	H. Rammawi	Tuikual 'A', Aizawl
4.	Lawngtlai	C. Thanghluna	Assembly Hostel
5.	Chawngte	Nirupam Chakma	Assembly Hostel
6.	Tlabung	N.K. Chakma	Assembly Hostel
7.	Buarpui	Lalrinzuala	Zohnuai Lunglei
8.	Lunglei 'S'	J. Lawmzuala	Assembly Hostel
9.	Lunglei 'N'	Dr. R. Lalthangliana	Kanan Veng, Aizawl
10.	Tawipui	Z.H. Ropuia	Salem Veng, Lunglei
11.	Vanva	C. Lalrinsamga	Bazar Veng, Lunglei
12.	Hnahthial	F. Lalthanzuala	Zohnuai, Lunglei
13.	N.Vanlaiphai	R. Lalawia	Tuikhuahtlang, Aizawl
14.	Khawbung	K. Vanlalauva	Venghlui, Aizawl
15.	Champhai	Zoramthanga	Chaltlang, Aizawl
16.	Khawhai	K.L. Lianchia	Electric Veng, Aizawl
17.	Saitual	R. Lalzirliana	Armed Veng North, Aizawl
18.	Khawzawl	Aichhinga	Babutlang, Aizawl
19.	Ngopa	P.B. Rosanga	Kanan Veng, Aizawl
20.	Suangpuilawn	H. Laltanpuia	Venghlui, Aizawl
21.	Ratu	Lalthan Kunga	Chhinga Veng, Aizawl
22.	Kawnpui	Sanghmingthanga H.Pautu	Chhinga Veng, Aizawl
23.	Kolasib	Rualchhina	Luangmual, Aizawl
24.	Bilkhawthlir	Lalchamlia	Electric Veng, Aizawl
25.	Lokicherra	Tawnluia	Kanan Veng, Aizawl
26.	Kawrthah	K. Sangthuama	Electric Veng, Aizawl
27.	Mamit	Brig. T. Sailo	Kanan Veng, Aizawl
28.	Phuldungsei	J. Lalthangliana	Republic Veng, Aizawl
29.	Sateek	B. Lalthlengliana	Bethlehem Veng, Aizawl
30.	Serchhip	Er. K. Thangzualla	Chanmari Veng, Aizawl
31.	Lungpho	Vanlalhlana	Venghlui, Aizawl
32.	Tlungvel	L.N. Tuanga	Electric Veng, Aizawl
33.	Aizawl 'N' I	Dr. Lalzama	Chaltlang Lily Veng, Aizawl
34.	Aizawl 'N' II	F. Malsawma	Chaltlang, Aizawl
35.	Aizawl 'E' I	Lalhmingthanga	Khatla, Aizawl
36.	Aizawl 'E' II	H. Vanlalauva	Chhinga Veng, Aizawl
37.	Aizawl 'W' I	Col. Lalchungnunga	Bungkawn Vengthar, Aizawl
38.	Aizawl 'W' II	Lalrinchhana	Tuikual 'A', Aizawl
39.	Aizawl 'S' I	R. Tlanghmingthanga	Venghlui, Aizawl
40.	Aizawl 'S' II	C. Sangzuala	Chaltlang, Aizawl

**PROCEEDINGS OF THE FIFTH SESSION OF THE FOURTH  
MIZORAM STATE LEGISLATIVE ASSEMBLY  
ON 29TH DECEMBER, 1999**

PU R. LALAWIA, Speaker of the Chair, Fifteen Ministers and 24 Members were present.

**AN OFFICIAL RESOLUTION**

Pu F. Malsawma to move an official resolution in the following form -

"That this House ratifies the amendment to the constitution of India falling within the purview of clause (d) of the proviso to clause (2) of Article 368, proposed to be made by the constitution (Eighty fourth Amendment) Bill, 1999 as passed by the two Houses of the Parliament".

**S P E A K E R** : Hon'ble members who are absent -  
Brig. T. Sailo and Pu Zakhu Hlychho.

Today is no doubt a special day, for, our opposition group leader is now recognised as opposition leader in a democratic norm. Unfortunately however, Dr. Sankar Dayal Sharma, the ex - president of India has expired. It is a great loss to the nation. Obituary reference on the departed leader has to be done, but, as we have not collected enough information, I think we better postpone it for other day when all the members could be present.

Today, we have an official resolution. Special provision for scheduled tribe and caste we have in the Indian Constitution is going to expire on 24th January. As already passed in the Parliament, this special reservation is going to be extended, but, it has however to be passed in the State Assembly. At least half of the Indian states have to pass to make it effective. The favour bestowed on us is now going to be discussed, before that, we will call upon Pu F. Malsawma to move first the resolution.

**PU F. MALSAWMA** : Pu Speaker, thank you for admitting my resolution.  
**MINISTER** As stated earlier, the amendment to the constitution of 368 article which had been passed by both the Houses of Parliament has to be passed by the state Assembly.

If the amendment bill is passed, special proviso made for Scheduled Tribe and Caste in the Indian Constitution will be extended for another 10 years which is what we want all along. After passing, the resolution will have to be sent to the Central Government without delay, as such, I request the members to agree to pass it today. Everything connected with the resolution has to be readied before 24th January.

As you have mentioned earlier, the proviso which needs to be amended is an important one specially for us, the tribals as it safeguards and protects our lives. I am glad that our Government gives priority to the amendment of this important article. I hope the members will agree to pass it.

**S P E A K E R** : Is there any member who wants to speak ?

**PU LALHMINGTHANGA :** Pu Speaker, our session today is a special one and the resolution is of great importance to our State. Not only this, but it is also that the Assembly session is held at a time when the world is entering into a new millenium. I feel that we are fortunate to be legislators in the Assembly session of a new era.

As your honour had mentioned in the introductory speech, guidelines for opposition leader have been laid under your guidance and my candidature for recognised opposition party leader is being accepted eventhough I am not worthy of the position. Today's session is therefore, a historical landmark in the history of our State Assembly.

What we are going to consider is about the provision made in the Indian Constitution for safeguarding the interests of scheduled tribes and scheduled castes living in Indian Union. In this connection, what comes into our mind is far sightedness of Dr. Ambedkar who, while drafting the Indian constitution knew the need to protect the interest of the tribals, low - caste harijan and backward classess living in India whose existence could be in danger if not given special protection by the law. Hence, a special provision was made and the tribals such as the Mizo, Naga, Khasi, Garo, Kachari, etc. and the harijan have come to be known as scheduled tribe and scheduled caste since then. This provision was made to be in effective for 50 years which is going to expire on 20th January, 2000. However, the Indian Parliament of both Houses - Rajya Sabha and Lok Sabha is in the opinion that time has not ripen for lifting this special provision, so, a bill was passed for its extension for another ten years. This was on 27th & 28th October, 1999 respectively. Yet, unless more than half of the Indian states give approval in their respective Legislatures; the bill cannot become effective even if the two Houses of Parliament had approved it. This being the case, the present resolution has come up today for consideration for which I am thankful to our Parliamentary Affair's Minister. It is because of this special provision that we could have 38 seats in the State Assembly whereas only 2 seats, that of S. Lunglei and Lokicherra are general seat. A lone seat we have both at the Houses of Parliament is also because of this provision. I think we can rightly say that this special provision which we are now going to consider is a foundation of safety and welfare for the Mizos. I think it is also wise to be the first ones among the Indian states to approve and pass the bill as it is one of our best survival kits in various walks of life. If we study Indian Constitution, we can see that we, the backward classes of scheduled tribes and scheduled castes are not only being protected by this special provision but are being provided with special reservation in various walks of life such as employment, education, politics, etc. From local self government we have come to a full - fledged state and we are given special category status and the allotment of fund from the Planning Commission and the reservation seat we have in the State Assembly and Parliament Houses have now been criticized. Such being the importance of this provision that we, the beneficiary should be prompt and eager to pass the bill. If we are late or if it is not passed on time, we will be the ones who is the loser. It is an issue where the ruling and the opposition members should be of the same view and pass the bill.

At this juncture, I would like to extend my thanks to the Central Government and the sitting MPs. Had they not passed this bill first, we would not have this important official resolution today. We, the opposition members unanimously support the official resolution submitted by the hon'ble Parliamentary Affairs Minister and we agree to pass it.

**PU TAWNLUIA MINISTER :** Pu Speaker, I am truly thankful for the opportunity we have on this day of 29th December, 1999 to

consider and discuss an important issue for backward classes of Indian Union including we, the Mizos. Regardless of our different political ideologies, we could have a resolution moved today on which we all are of the same mind for which I am really thankful.

Frankly speaking, it has not been long since I am aware of the existence of special provision in the Indian Constitution for scheduled tribes and scheduled castes as our constitution is a wide and varied one. As India is a land of diversity, our leaders have thoughtfully realized the need to give special protection to certain sections of the people living in the State. Hence, this special provision comes into existence in the constitution. The Parliament to this day recognised this, so, the bill for extension of this special provision of the constitution was passed in the month of October and the States are made to get involved by passing the bill in their respective Legislatures.

The person/persons who framed the said provision seemed to have taken every care, for, there is no other provision or rule in the Constitution, requiring the approval of half of the Indian States, to be in effective. After approval, the provision does however, seem unchallengeable. Considering its importance, it is my personal wish that the Parliament had extended the term for 50 years without having to amend it at every ten year. Nevertheless, what was passed has to be accepted and we are ready to give our consent to it.

At this juncture, I want to emphasize this that the people and the hon'ble members of this House should work in tandem to lay foundation for self-sufficiency within this grace period of ten years so as not to require the said special provision in the future. It is our obligation to make Mizoram self-sufficient.

It is therefore our obligation to pass unanimously the resolution, moved by the hon'ble Parliamentary Affairs Minister and I want to say that we support the resolution and agree to pass it. Thank you.

PU SANGHMINGTHANGA H. PAUTU : Pu Speaker, as the hon'ble opposition leader had stated, Dr. Ambedkar was truly a blessing to the low castes and backward classes living in Indian Union. It was at his initiative that special provision was made in the constitution to protect such sections of the people. He was a great philosopher and of a great learned man which earned him the respect of other leaders. Being himself a low caste, he had gone through many hardships which, perhaps moulded his attitude and inclination towards the people of lower section and he stood firmly by them. It was said that he had once mis-understanding with Mr. Mahatma Gandhi over the issue of special provision for scheduled tribes, castes and Harijans but as he stood firmly by them, Mr. Gandhiji had to give in.

We are now discussing the special provision provided to us by the Constitution. It is a privilege to be one of the members who can extend the term of this special provision. Now, the provision had been in existence for fifty years, if it is extended, it will mean that tribal reservation is going to be in existence for sixty years. If other State too had extended it, we too should do so definitely. In 1989, the 62nd Constitutional Admendment extended the period from forty to fifty years. The provision was effective from 1st January 1990. If it is extended for more than ten years it will be very useful for us as well as for our new generation. There is plenty of seat reservation for backward classes. The seat reservations are usually filled in on merit basis among backward classes. No one showed any favour but for any persons who are

on the merit list. In fact, as the other tribes are more backward than us, the provision could be of much help for our new generation but at the same time there could be change towards our youths in the near future. That's why, I request all the hon'ble Members to pass this Resolution moved by the hon'ble Minister i/c Parliamentary Affairs as both Houses of Parliament had passed the same. Thank you.

**PU R. LALZIRLIANA** : Thank you Mr. Speaker Sir, for sparing me time to speak. On this day, Mr. Speaker Sir, I feel that it is undesirable for us to have to amend Article 334 of the Indian Constitution as we are more backward than non - Christians States of India.

That's why, it is truly necessary to take steps seriously for the upliftment of the people of Mizoram. On the other hand, we are not the only tribe included in article 334 of the Indian Constitution but there are many tribals living in India. That's why, it is important to pass this Resolution.

On this day, the article 334 Amendment Bill may be regarded as the shelter of Mizos against assimilation. If we do not pass this Resolution it may become the source of assimilation for us as said before. Amendment Bill to this article, 334 passed by both Houses of parliament is to be highly appreciated for us. There should be no objection. I want to say that all of us automatically pass this Resolution. I feel that this should be passed without any objection unlike any other resolution discussed in this august House. I feel that we should adopt this Amendment Bill as it is not only for the advantage of the Mizos but also for all backward classes living in India.

Thank you.

**PU ZORAMTHANGA** : Mr. Speaker Sir, if we take the resolution from the dark side, it may be regarded as a deep sorrow to have such as an official resolution. But, we should look at it from the bright side and acknowledge its value for us.  
**CHIEF MINISTER**

In a democratic country like India, there is an election procedure in which the quantity of votes is important to have more representatives in the Parliament. But, thinly populated area like Mizoram have a representative in the Parliament as the Constitution of India safeguards minority groups. In fact, we are illegible to have a representative in the Parliament as per the provision of the constitution of India. But the constitution self-guarded the minorities against assimilation by the majority.

Not only that, but also education and economic life of the backward classes are specially safeguarded by the framers of the Constitution led by Dr. Ambedkar. The Anglo - Indians also have two nominated seats in the Parliament as they were not inhabitants of a particular area. That's why, it is very pleasing to have such a provision in the constitution that safeguards us.

And part (16) of Article 330 provides seat reservations for backward classes in the Parliament and State Legislative Assembly. It was reserved for 40 years at the beginning but it is still necessary to safeguard those seats, the reservation is extended for 10 years which would expire in the year 2000 if it is not renewed.

As the year 2000 is at hand, both Houses of the parliament passed the period for another ten years. The bill should be passed by at least half of the States. The State should pass this bill by simple majority. It is very pleasing for almost all

States of India for having the reservation extended for another 10 years. On the other hand, it may be regarded as disgracing. But in Democracy, a populous country like India has minority groups who requires to be given special consideration for its welfare.

The Central Government had an opinion to distribute development fund on the basis of population. But small States of India like ours made a request and begged the Central not to make allotment on this basis as we need everything as big States require just like the wearings of pig man as the giants. The Central too agree with us and gave us special consideration in different corners. That's why, it is very pleasing to have this resolution today. I, therefore, request all the Hon'ble Members to pass this Resolution without any complaint. Thank you.

**S P E A K E R** : It seems that all of us agreed with this Resolution as it is necessary for all of us. Now, Mr. Nirupam Chakma may speak about it.

**PU NIRUPAM CHAKMA** : Thank you, Mr. Speaker Sir. The hon'ble Members have already mentioned about the necessity of ratifying Article 334 for extension of Reservation of seats in Parliament and State Assemblies.

I would like to point out for the information of the House the number of seats reserved in the parliament and the State Assemblies. I have a book on the tribes of India. Mr. Speaker Sir, the total number of seat in the Parliament is 543 out of which seat reservation for Scheduled caste is 79 and 46 for Scheduled Tribe respectively. In the State Assemblies together with Union Territories there are 4037 Seats altogether, out of which 550 are reserved for Scheduled caste and 529 for Scheduled Tribe. I am presenting this for information of the House. Thank you Sir.

**S P E A K E R** : Now, we shall call upon Pu F. Malsawma to wind up his Resolution and to beg the House for passing the Resolution.

**PU F. MALSAWMA  
MINISTER** : Mr. Speaker Sir, I am very glad to point out my appreciation of the speech made by the Hon'ble Members' in regards to this resolution. For information of the House that this Resolution is passed at every ten years i.e. in 1959, 1970, 1980, 1989 and now, we have to pass in this year of 1999. It is 84th bill but after it is an Act it becomes 79th bill.

And the hon'ble Members had spoken with earnestness and with much interest. Mr. Speaker Sir, I feel that it is a very valuable Resolution to be passed just before the new millennium. I, therefore, beg this august House to pass the Resolution, "that this House ratifies the amendment to the Constitution of India falling within the purview of clause (d) of the proviso to clause (2) of Article 368 proposed to be made by the Constitution (84th Amendment) Bill 1999 as passed by the two Houses of Parliament". Thank you.

**S P E A K E R** : An official Resolution is brought in by the Hon'ble Minister of Parliamentary Affairs and begged the House



to pass it. (The Resolution is voted and passed without any complaint).

The Sitting was adjourned Sine die at 11:27 A.M.

H.L. CHUNGA  
Secretary.

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