

MIZORAM STATE FOURTH LEGISLATIVE ASSEMBLY

GOVERNOR

Pu A. Padmanaban

SPEAKER

Pu R. Lalawia

DEPUTY SPEAKER

Pu Lalthan Kunga

SECRETARY

Pu T. Saikunga

CABINET MINISTERS

- | | |
|---------------------------------------|--|
| 1. PU ZORAMTHANGA
CHIEF MINISTER | 1. Finance and Planning Department
2. Power and Electricity Department
3. Agriculture Department
4. Horticulture Department
5. General Administration Department |
| 2. PU TAWNLUIA
MINISTER | 1. Home Department
2. Public Health Engineering Department
3. Health Services Department
4. DP & AR |
| 3. PU R. TLANGHMINGTHANGA
MINISTER | 1. Public Works Department
2. Social Welfare Department
3. Co-operation Department |
| 4. PU LALRINCHHANA
MINISTER | 1. Land Revenue & Settlement Department
2. Animal Husbandry & Veterinary
Department
3. Relief & Rehabilitation Department |
| 5. PU RUALCHHINA
MINISTER | 1. Environment & Forest Department
2. Printing & Stationary Department
3. Soil & Water Conservation Department |
| 6. PU AICHHINGA
MINISTER | 1. Food & Civil Supplies Department
2. Art & Culture Department
3. Trade & Commerce Department |

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| 7. | Dr. R. LALTHANGLIANA
MINISTER | 1. Rural Development Department
2. Secretariat Administration Department
3. I & PR Department |
| 8. | PU F. MALSAWMA
MINISTER | 1. School Education Department
2. Tourism Department
3. Law & Parliamentary Affairs Department |
| 9. | PU H. VANLALAUVA
MINISTER | 1. Local Administration Department
2. Fisheries Department
3. District Council Affairs Department |
| 10. | PU B. LALTHLENGLIANA
MINISTER | 1. Higher & Technical Education Department
2. Sports & Youth Services Department
3. Prison Department |

MINISTERS OF STATE (Independent Charge)

- | | | |
|-----|--------------------|--|
| 11. | PU K. VANLALAUVA | 1. Social Welfare Department
(Not Independence)
2. Excise Departments Department |
| 12. | PU K. SANGTHUAMA | 1. Transport Department
2. Labour & Employment Department |
| 13. | Er. K. THANGZUALLA | 1. Industries Department
2. Sericulture Department |
| 14. | PU LALCHAMLIANA | 1. Health Service (Not Independence)
2. Finance Department (Not Independence)
3. Taxation Department |
| 15. | PU C. LALRINSANGA | 1. Agriculture Department (Not Independence)
2. Horticulture Department (Not Independence) |

**LIST OF MEMBERS OF FOURTH
MIZORAM LEGISLATIVE ASSEMBLY - 2000**

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.	Hnahtthial	F. Lalthanzuala	Zohnuai, Lunglei
13.	N.Vanlaiphai	R. Lalawia	Tuikhuahlang, 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	Aichinga	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.I. utu	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. Tluanga	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

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ANNOUNCEMENT

6. The Speaker to intimate the House that Bill passed by the House during the Sixth and Budget Session, 2000 has received assent of his Excellency, the Governor of Mizoram.
7. The Speaker to announce names of Members to be on the Panel of Chairmen for the current Session.

PRESENTATION OF REPORT

8. The Speaker to report to the House the time table as chalked out by the Business Advisory Committee for the Seventh Session of the Fourth Assembly.

RESOLUTION

9. Pu Tawnluia, Minister, to move official resolution.

LEGISLATIVE BUSINESS

10. Bill for consideration and passing.

Pu Lalrinchhana, Minister to move that the Mizoram Tenancy and Government Land Settlement Bill, 2000 be taken into consideration

to move that the Bill be passed.

SPEAKER : The sentence is by the decree of the Watchers, the decision by the word of the holy ones, to the end that the living may know that the Most High rules, the kingdom of men, and gives it to whom he will, and sets over it to the lowliest of men.

Daniel 4 : 17

Today, it is very unfortunate as two of our leaders - Pu Vaivenga former Speaker of the House and Pu F. Hrangvela, ex - MLA had died in between our last session thus obituary reference has to be done. I will call upon Pu Zoramthanga, House Leader to make obituary reference.

**PU ZORAMTHANGA
CHIEF MINISTER** : Mr. Speaker Sir, it is very unfortunate to have lost two of our leaders and politicians in between the session, Obituary has to be done now.

Firstly, Pu Vaivenga - As in the official record he was the son of Pu Laldawla and Pi Selluiai born in 11th November, 1934 at Khawzawl and expired on 24th July, 2000 at his residence Tuikhuahtlang due to Lung cancer. Married Pi Tluangliani, has 3 daughters.

Passed Matric in 1956 from Government High School, I.A. in 1960 from Borapani Christian College, BA in 1963 from Cotton College, Gauhati.

Entered into Politics in 1965, joined Mizo Union Party. Elected as Secretary and later as President, Kangmun Block in 1965 and served as President for 6 years.

Due to disturbances in Mizoram in 1967, shifted to Aizawl and was elected Joint Secretary of Mizo Union Headquarters in 1968. Became District Council Member of Suangpuilawn Bial and Executive Member of the District Council in 1971 and was in charge of Education.

In Mizoram UT Assembly Election he was elected from Serchhip Constituency in 1972, was one of the Ministers in the first Ministry of Mizoram Union Territory on 3.5.1972 and on 17.11.1975 was elected Speaker of the Assembly.

Elected Vice President of Mizoram Congress Party and served till 30.6.1984, was Minister in Congress (I) Ministry.

In the Mizoram General Assembly Election held on 21.1.1989, elected from Kawnpui Constituency, became Vice Chairman State Planning Board and was elected Vice President of Mizoram Pradesh Congress Committee, Sworn in as Minister on 20.11.1991 for the third time.

Again elected MLA from Bilkhawthlir Constituency in Congress (I) ticket and subsequently elected as Speaker, Legislative Assembly for the second time and held this Office till December 1998.

He visited several parts of the world while he held the office of Speaker and Minister and used to tell other what he learnt for the development of Mizoram. Due to efforts made by him North East Indian Presiding Officers Conference was held.

Inspite of his ill health, he continued to serve the country with much enthusiasm. While we thought his health was improving he passed away on 24th July, 2000 at 6:15 P.M. In him Mizoram lost a prominent leader and a politician. I would like to say that his demise is a great loss to the House.

Secondly, Pu F. Hrangvela - the former hon'ble Member of this House who died on 25th July, 2000 at 8:00 P.M. at Civil Hospital due to diabetes and high blood pressure at the age of 71. Married Pi Selchhingpuii in 1948 and has three sons and three daughters.

Had served as L.P. School Teacher at various places. In 1957 - 58 he completed Basic Education Training at Chaitlang and served at Hmawngkawn. Shifted to Aizawl in 1964 and joined Mizo Union Party. In 1969 he was elected President of Aizawl Town Block, was also counsellor in Mizo Union High Committee. Elected to the Mizoram Legislative Assembly in April, 1972 from Khawbung constituency. He was also the first VCP of Khatla and held this post for 3 terms. He was one of the founders of Mizoram Chamber of Industries and he was an adviser till his death. His motto was self sufficiency for Mizoram. He was an active member of Khatla Church - Sunday School teacher. Due to his illness, has an operation but could not improve, re-admitted to Civil Hospital on 8th July 2000 and died on 25th July, 2000 at 8:00 P.M.

Thus, Mr. Speaker Sir, it is regretting that we lost two of our leaders

and we feel it is the duty of this House to show our respect to our departed leaders. I would like to mention that it is a great loss for Mizoram.

Thank you.

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

PU LALHMINGTHANGA : Thank you, Mr. Speaker Sir, it is regretting to make obituary reference on our former leaders. It is a great loss both for this House and Mizoram.

Pu Vaivenga was one of the most successful politicians, from his first contest for MDC Election in 1970 he was successful and as we all know he even became a Minister of various Departments. In his political career, he was among the first. Besides his good works while he was a Minister, he will be remembered in the way he led the Assembly as a Speaker. We, members of the House had our sittings with great pleasure under his guidance. He treated both ruling and opposition members equally. Even while he was a Minister, he used to listen and accept the suggestions made by even the opposition members if it was for the benefit and welfare of the people of Mizoram.

To lose such an important leader is a great lost for the people of Mizoram and it is our prayer that God will bless Pi Tuangliani and their children. We have many things to learn from him, it is a must to have condolence meeting/obituary reference in the House.

As pointed out by the hon'ble House Leader, Pu F. Hrangvela was among our first politicians. As his father died while he was a small boy, he could study only upto class seven yet he was a strong nationalist and his motto was to develop Mizoram. While he left many to learn in the field of politics, he also pioneered industries in Mizoram. He was a hard working person and had a good sense of humour. Though he could not attain higher education, his life was a good example for us and it is a great lost for Mizoram. It is our prayer that God will bless his wife and his children.

Thank you.

S P E A K E R : Now I call upon Pu Zakhu Hlychho.

PU ZAKHU HLYCHHO : Thank you, Mr. Speaker Sir. It is a pity that we need to have an obituary on the demise of our former members and former Speaker of this House.

Firstly, I came to know Pu Vaivenga as a politician when he was EM i/c Education during Mizoram District Council. At that time I was in PL Regional Council. As he was in charge of education, he used to listen and find a way to solve a problem. One thing I cannot forget is permission he granted for conducting Primary Exam in Mara language and from that on I really admired him. He was a true Mizo, amiable, unselfish man. He was like an adviser for the Government. I also feel that Pu Vaivenga knew the people of Mizoram clearly. Though there are many politicians in Mizoram he was the one who accepted the minorities as we are and tried

his best to uplift us. When the Government faced problems with insurgent groups he was chosen to solve the problems and he never fails in his mission. It is a great loss specially for the minorities.

Secondly, Pu Hrangvela was a true Mizo, unselfish and hard working man. As pointed out by our House Leader he left us many good examples. In particular he took great efforts in industry so that Mizoram could attain self sufficiency in this field. So it is a great loss for Mizoram to have lost such a person. Today I and my colleagues do really mourn with the families of Pu Vaivenga and Pu Hrangvela for their death.

Thank you.

PU R. LALZIRLIANA : Thank you, Mr. Speaker Sir. It is disheartening to know that Pu Vaivenga our former Speaker will never occupy this House. But I would like to mention that his works, how he led this House freely and graciously and the way he treated all members equally will not be forgotten by the people of Mizoram.

Pu Vaivenga passed class 6 in 1948. As invited by Ruantlang Chief Pu Pakeia he established Ruantlang Primary School in 1949. After matriculation in 1956 he again established Middle School at Kanhmun as invited by Kanhmun leaders. Though the Missionaries wanted him to continue his studies he said he is glad if others could get education so he did not continue.

When he became Executive Member in District Council, he was in charge of Education Department. In 1972 MLA election, he became the first Minister of Education and Health Department under Pu Ch. Chhunga Ministry. Knowing that these two Departments are the most important Departments for the development of a country, he worked with great enthusiasm. In spite of his ill health and till his death, he used his mind on how Mizoram could attain good education. He even asked Synod delegates from America to establish Science College for Mizoram and took great efforts so that our youths could have higher education in Science and Technology. He also helped the families of MNF during disturbances. While we were in UT we had only few doctors not to mention Post Graduate. With his efforts, we now have a number of specialists. Even when the then Lt. Governor Pu Mukherjee suggested to take non Mizo doctors, he strongly refused in order to pave way for Mizo youths. When he was elected MLA in 1989 he became Planning Board Vice Chairman, and he used to conduct Planning Board meeting at Saiha and Lunglei. Lunglei High Power Committee was formed to look into the problem of the people of Lunglei District. When Pu Rajiv Gandhi the then Prime Minister visited Mizoram in 1986, he asked him to have BRTF construct Serkhan - Bagha Road and in 1992 this road became motorable. During his tenure as Speaker Live Telecast of Mizoram Legislative Assembly Session had started and we are the first in India to do so. He was a think tank for Congress Party. Even Pu Lal Thanhawla, the former Chief Minister used to consult and take advice from him. To lose such a person is a great loss.

In regard to the age and educational qualification of Pu Hrangvela, his wife and children wanted to make correction. His age should be 73 and his educational qualification should be class 8. Pu Hrangvela used to think hard as to how Mizoram will get self sufficiency. He was the first businessman among the Mizos and he was the second to have Bedford heavy vehicle. While he was an MLA, he never did contract works. He himself said that being an MLA he never have beyond what he already had except water and telephone connection. It is a great loss for Mizoram to have lost such an honest man.

It is our prayer that God will bless the families of Pu Vaivenga and Pu Hrangvela.

Thank you.

PU J. LALTHANGLIANA : Mr. Speaker Sir, I feel that it is my duty to say at least few words in the obituary on our departed leaders - Pu Vaivenga and Pu Hrangvela.

Pu Vaivenga established both Middle School and High School at my constituent Village Kanhmun and I would like to say on behalf of the people of my constituency and myself that we are really touched by his death. While he was Joint Secretary of Mizo Union he was also an Editor of Mizo Arsi and opened an account at Post Office in the name of Mizo Arsi. His real name was Siamliana but was called Vaivenga as he used to be a guard from his childhood. This shows that even from his childhood he was reliable person and till his death he worked with all his might for Mizoram.

Pu Hrangvela was my friend. He was very happy when 12 of his students from Baktawng and Sateek got scholarship. While he was at Baktawng he made vegetable garden to set an example. He was a successful person. Locality of Upper Khatla is the name given by him. As mentioned earlier, he held Khatla VCP post for 3 consecutive terms. JL High School was established while he was VCP. He was a great leader and a hard working man.

With these few words I would like to express my lamentation for the lost of our leaders Pu Vaivenga and Pu Hrangvela.

Thank you.

SPEAKER : Leaders of each group had participated in the obituary. I am sure many of you want to say, I myself have many things to say. At the same time we have to go on to our business. I, therefore, request you all to understand. Now I call upon Pu Lalchamlia and after that we will continue to take up our business.

PU LALCHAMLIANA : Thank you, Mr. Speaker Sir. We had listened the history of two of our great leaders so I shall not repeat. But I would like to make one point each both for Pu Vaivenga and Pu F. Hrangvela. Pu Vaivenga left one lesson in my mind i.e. in 1998 election, we contested together from Bilkhawthlir constituency. But I should say we did not campaign as other candidates in other constituency did, we just contested the election. I would like to point out this so that other candidates should follow how we faced the election. Pu Vaivenga taught us that election could be faced without fighting each other so much.

We have heard that Pu Hrangvela was hard working man and how he longed for the development of Mizoram. What I learnt from the life of Pu Hrangvela was he never spent money unnecessarily and I feel it is very important for all Mizos to learn this concept of Pu Hrangvela.

Thank you.

SPEAKER : Today, we pay respect to two of our great leaders - Pu Vaivenga, Ex - Speaker and Pu Hrangvela. I sup-

pose that each and everyone of us will have something to say about them. Since we have other matters to discuss let us all stand up in silence to pay our respect to these two great departed leaders.

(One minute silence was observed.)

We shall now take up questions. I call upon Pu J. Lalthangliana to ask starred question no. 1.

PU J. LALTHANGLIANA : Mr. Speaker Sir, starred question no. 1 is -

Will the hon'ble Minister in - charge Home Department be pleased to state -

- (a) When will the Government of Mizoram take back Bru refugees?
- (b) Did the Government of Mizoram, Tripura and India make agreement for this?
- (c) If yes, may we know the condition.

SPEAKER : Now I call upon Pu Tawnluia to answer.

PU TAWNLUIA : Mr. Speaker Sir, answer for starred question no. 1 is -
MINISTER

- (a) The date and time can not be fixed.
- (b) No.
- (c) Does not arise.

PU J. LALTHANGLIANA : Mr. Speaker Sir, it is written in the national paper that the meeting of highest political level held on 7th August at Delhi decided to take back Bru refugees into two phases. The first phase will be in October and the last phase in December. I would like to know whether this is correct. Secondly, I would like to know the exact number of Bru refugees from Mizoram. Thirdly, how will they settle when they return and fourthly, is it true that their re - settlement will be provided by Central Government as written by the newspaper.

PU K.T. ROKHAW : Mr. Speaker Sir, is there any proposal/plan to take back Mizo refugees who were expelled by Tuikuk at Sakhan Tlangang, Sakhan Serhmun, Sakhan Tuaitleng and Upper Dosa?

PU ZAKHU HLYCHHO : Supplementary question, Mr. Speaker Sir. Can the hon'ble Home Minister tell the House the position of the Government regarding Bru refugees. Should the conditions written in a Government Press release be our stand? If Bru refugees come back without surrendering their arms/weapons should not we lose our status of being the most peaceful state.

The hon'ble Home Minister called a meeting of various parties includ-

ing NGO on 27th April to consider about Brus, and that meeting condemned the activities of Brus. Will the hon'ble Home Minister consult them again in this matter? Lastly, it was humiliating for the Government to declare that one police personel killed by Brus has not indeed died. How could such thing happened ?

PU H. RAMMAWI : Mr. Speaker Sir, some called Tuikuk as 'Bru' and some 'Riang. What is the constitutional term and is it in Scheduled Tribe Order ?

DR. LALZAMA : Supplementary question, Mr. Speaker Sir, I would like to know the reason for seeking refuge by the Brus and when did they seek refuge? Can those refugees be called citizen of Mizoram, since when did they settle in Mizoram and since when did their names entered in the Electoral Roll? And lastly, do some political parties made agreement with these so called Bru refugees ?

PU VANLALHLANA : Mr. Speaker Sir, I would like to know the number of Brus refugees as recorded by the Government of Mizoram and the Government of Tripura.

SPEAKER : Now I call upon Minister in - charge to answer.

PU TAWNLUIA : Mr. Speaker Sir, in regard to the question asked by MINISTER
Dr. Lalzama, in 23 & 24 September, 1997 Bru National Union had General Assembly and BNLF was formed in pursuance of the resolution of this meeting. Within a short period of time i.e. on 21st October, 1997 Pu Lalzawmliana Forest Gate Watcher who worked at Dampa Forest Reserve Sanctuary was killed by BNLF. Since then the BNLF instigated their people to move out from Mizoram and settle in the place where they are staying now.

I shall try to clarify the point raised by the hon'ble member from Phuldungsei Constituency. Union Home Minister L.K. Advani called a meeting in his chamber with Mizoram Chief Minister and Chief Secretary, Tripura Chief Minister and Chief Secretary, Secretary of Home Ministry to discuss how to take back the refugees. As our Chief Minister could not be present, I attended the meeting in his place. The Home Minister said in the meeting that Human Rights Committee submitted the ease of Riang refugees to the Government and the Government also wanted to settle this matter as soon as possible. In the meeting, we said that we do not oppose to take back true Riang refugees as decided by the meeting of Union Home Minister and Government of Mizoram held on 28th Novermber, 1997. In that meeting, Government of Mizoram accepted to take back true Riang refugees and that is what we said and that was 'our stand'. So, in August meeting, we said BNLF, an underground group was born from the refugee camp and creates many problems through their activities. The people of Mizoram will not understand if this refugee problem is not solved, even the Government of Mizoram does not feel it right. To take back the refugees in two phases was the proposal of the other members of the meeting. As I had mentioned in the Press meet, there was no final decision. The officials of Home Ministry had their own version while the version of Mizoram Government had been broadcasted and issued in radio and newspaper respectively in this regard.

In regard to the question of the number of Brus from Mizoram who took refuge at Tripura Bru refugee camp, I would like to inform the House that it is difficult to tell the exact number as the list sent to us by the Tripura government is found to be unreliable. At present, the government of Mizoram has been taking vigorous steps to detect and report the exact number of Brus belonging to Mizoram.

It is true that the hon'ble Home Minister had convened a meeting comprising of representatives from NGO, political parties and various Church denominations on April. In the meeting, ideas and suggestions regarding the Bru refugees were contributed which are found to be constructive. We are pleased with these representatives for their constructive suggestions and ideas and it is a great encouragement and inspiration for us.

As for the question of the settlement of these refugees in case of their return from Tripura - In this case, necessary measures will be taken as already committed by the Government of Mizoram in 1997. All the Deputy Commissioners concerned are already instructed to require and report their decisions to the government. The Central government has also committed to provide financial assistance to those refugees.

PU K.T. ROKHAW : Mr. Speaker Sir, the hon'ble Minister has not answered my question. So, I would like to make a repetition. The Mizo inhabitants of the four villages of Sakhan Tlangsang, Sakhan Serhmun, Sakhan Tuaitleng and Upper Dosa at Tripura were ousted by the Brus. Does the Government of Mizoram has proposal for their return?

PU TAWNLUIA : Mr. Speaker Sir, many Mizo families have moved to Mizoram from Tripura due to the influx of Bru refugees. The verification stated that about 100 Mizo families have been spread over to various parts of Mizoram. The Government of Mizoram will take necessary measures.

SPEAKER : We shall take starred question no. 2 to be asked by Pu R. Lalzirliana.

PU R. LALZIRLIANA : Thank you, Mr. Speaker Sir. I ask starred question no. 2.

Will the hon'ble Minister i/c Public Works Department be pleased to state -

- (a) Whether construction work could be started on Saitual - Phullen - Tuivai - Daido - Bukpui road.
- (b) If yes, which firm will undertake the project?
- (c) If no, what is the reason thereof?

PU R. TLANGHMINGTHANGA: The answer to starred question no. 2 are as below -
MINISTER

- (a) Construction work on Saitual - Phullen - Tuivai - Daido - Bukpui Road cannot be started for now.

- (b) Not yet arise.
- (c) The said road is to be undertaken by the NEC. However, fund has not yet been sanctioned.

PU H. LALTANPUIA : Mr. Speaker Sir, a supplementary question please.

NEEPCO has already sanctioned Rs. 19.90 crores for the construction of approach road to Tuivai Hydrel Electric Project Power House Station. Subsequently, the State PWD has also taken steps to accomplish the project work. Estimate was also made and even tender was floated. But, today, the ongoing project was abandoned and the NEC has made fresh proposal for the construction of approach road through Ngopa. Moreover, the authorities from NEC has informed the PWD that Rs. 50 crores would be sanctioned for widening and improvement of Saitual - Phullen road. The estimated amount for the said road is only 32 crores and the remaining 18 crores is proposed to be utilised for the completion of interstate road between Mizoram and Manipur. In this regard I would like to enquire if the NEC has authority to modify the projects already started by the State government. I would further like to ask if the Government of Mizoram is aware of the action of the NEC in this regard.

PU R. LALZIRLIANA : Mr. Speaker Sir, in addition to the points mentioned by the member before me, let me say another point on the matter. When the hon'ble Chief Minister attended the last NEC meeting, we looked forward to the outcome and that the construction of the link road will be included in the NEC project, we get the reverse outcome and that the project was diverted. Does this denote that the hon'ble Chief Minister had not put enough pressure on the NEC?

S P E A K E R : The Minister may furnish his replies.

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, improvement works on Saitual - Phullen road was started as sanctioned by the NEC. However, in the middle of the ongoing works, the Central Government has demanded EFC clearance and sanction was withdrawn as the work has stopped. Fund for repayment of the expenditure already incurred is being sought from the NEC. At the same time, Phullen - Tuivai road is an urgent pre - requisite for NEEPCO for its project, the construction work for the said road was allotted to the State PWD,, for which tender was floated as already stated by the member. However, with the cancellation of the sanction by NEEPCO, the tender was also cancelled. Initially, NEEPCO had the policy that if NEC has taken up improvement works on Saitual - Phullen road, it would take over the construction of the remaining road as it is a pre - requisite for its project. But, with the cancellation of sanction from the NEC, NEEPCO has automatically withdrawn its sanction as well.

The hon'ble member has asked if there is an intention to divert the construction of approach road to Tuivai Hydrel power project towards Ngopa. In this regard, I would like to inform the member that there are new suggestion and so, the matter is under review. As for now, there is consideration for maintenance of the existing road along Ngopa village.

PU H. LALTANPUIA : Mr. Speaker Sir, I would like to ask the hon'ble Minister the width of the road that has been marked and maintained as an approach road to the dam site.

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, the said road is designed to be the
MINISTER size of 7.5 metre width as instructed by the NEC.

PU R. LALZIRLIANA : Mr. Speaker Sir, according to some newspapers, a
condemned PWD road roller near Tuivai was recently
moved for repair as authorised by the Chief Engineer
Zone I. It has been reported that the road roller was not put up for auction. If so, I
ask whether action is taken against the authorising official.

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, the EE incharge of Saitual have
MINISTER neither knowledge about this matter nor the persons
who removed the road roller. As such, FIR was filed
to the Police and the matter is under investigation.

PU R. LALZIRLIANA : Mr. Speaker Sir, I would further like to ask if Saitual
area is under the authority of the Chief Engineer Zone I.

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, having the impression that the road
MINISTER roller was already auctioned, the CE Zone -I has writ-
ten an authority note for its removal. As I have state
before, the Police have investigated the case and the
truth will come after the enquiry is completed.

PU K.T. ROKHAW : Mr. Speaker Sir, the Chief Engineer should have
known whether the road roller was auctioned or not. I
would like to urge the hon'ble Minister to furnish the
truth to the House.

PU LALTANPUIA : Mr. Speaker Sir, as I am not clear with the replies of
the hon'ble Minister, I would like to repeat my ques-
tion. It is understood that the North Eastern Council
plans to divert fund for the construction of Kawikulh - Ngopa as STDP road for the
improvement of Ngopa road. Has the Government acknowledged this proposal ?

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, I have no knowledge of such pro-
MINISTER posal.

PU R. LALZIRLIANA : Mr. Speaker Sir, I trust and have confidence in the
hon'ble PWD Minister. But, I am disappointed that his
replies become rather vague. It is also a matter of
regret that I have to inform the House that the road roller under discussion is not
auctioned but is being processed for auction.

PU R. TLANGHMINGTHANGA: Mr. Speaker Sir, it is not proper to show one's
MINISTER feelings and make a decision while the matter is still
under investigation.

The truth about this road roller is not yet found and thus, investigation is still under way. As such, I am not in a position to furnish replies as expected by the members. I have also come to wonder why the opposition members have not brought up the matter to my office in the first place. So that a lot of time and debate could have been saved and avoided. They would be welcomed if the matter had been disclosed to me personally.

S P E A K E R : Let us hope that the House will know the truth when the investigation is completed.

We shall go on to the next question to be asked by Pu K.L. Lianchia.

P U K . L . L I A N C H I A : Mr. Speaker Sir, I ask starred question no. 3.

Will the hon'ble Chief Minister be pleased to state -

- (a) Whether workcharge employees under PWD, Power Department and PHE Department are given the status as provided under CPWD Manual Vol. III.
- (b) Whether Guwahati High Court has issued judgement order against workcharge employees of Mizoram.
- (c) If so, whether the judgement order is executed.

S P E A K E R : Let us call upon the Chief Minister to answer starred question no. 3.

P U Z O R A M T H A N G A : Mr. Speaker Sir, the answer to starred question no. 3
C H I E F M I N I S T E R are as below :

- (a) The workcharge employees under PHE, PWD and Power & Electric Department are treated according to CPWD manual volume III.
- (b) Guwahati High Court has issued judgement order concerning workcharge employees.
- (c) The Government of Mizoram has been taking steps to execute the judgement order in regard to the service of workcharge employees.

S P E A K E R : Question hour is over. We shall go on to the next business which is laying of Papers. Pu Zoramthanga, Chief Minister will be asked to lay on the House

(a) The Mizoram State Lottery Rules, 2000 and (b) The Mizoram Exhibition of Films on Television Screen through Video Cassettee Players Rules, 2000.

P U Z O R A M T H A N G A : Mr. Speaker Sir, with your permission I lay on the
C H I E F M I N I S T E R Table of the House 'The Mizoram State Lottery Rules, 2000' and 'The Mizoram Exhibition of Films on Television Screen through Video Cassettee Players Rules, 2000'.
Thank you.

S P E A K E R : Let us now call upon Pu F. Malsawma to lay on the Table of the House his paper.

PU F. MALSAWMA : Mr. Speaker Sir, with your permission and approval
MINISTER of the House, I lay on the Table of the House, 'The Mizoram Legislative Assembly (Grant of loans and Advance to Members) Rules, 2000' and 'The Second Report of the Rules Committee'.

Thank you.

SPEAKER : Pu K. Sangthuama, Minister to lay on the Table of the House 'The Mizoram (Regulation and Control of Vehicle parking) Rules, 2000.

PU K. SANGTHUAMA : Mr. Speaker Sir, with you permission and the approval of the House I lay on the Table of the House, 'The Mizoram Regulations and Control of Vehicles parking Rules, 2000'.

SPEAKER : Pu H. Rammawi, Chairman, Public Accounts Committee to lay on the Table Statement of Action Taken on 27th Report of the Public Accounts.

PU H. RAMMAWI : Mr. Speaker Sir, with your permission and approval of the House I lay on the Table Statement of action taken on further Recommendations contained in the Action taken reports on the 27th Reports of Public Accounts Committee.

Thank you.

SPEAKER : The copies may be distributed to the members.

I would like to announce that the Bills that are passed by the House in the last session are approval by His Excellency the Governor. Those are -

The Mizoram Sales Tax Amendment Bill, 2000
The Mizoram Appropriation No. 1 Bill, 2000
The Mizoram Appropriation Bill No. 2, Vote on Account Bill, 2000
The Mizoram Appropriation No. 3, 2000.

The Mizoram Tenancy and Government Land Settlement Bill, 2000 will be discussed today.

His Excellency, the Governor has called the 7th Meeting of the 4th Mizoram Legislative Assembly Report of the Bussiness Advisory Committee on 9.10.2000 at 10 : 30 A.M.

The Business Advisory Committee sitting held on 12.9.2000 set the business for this session. 9.10.2000 (Monday) is set for Government Business, Obituary Reference, question, consideration of Government Bill and any other Government Business if any. The second day 10.10.2000 (Tuesday) is set for question, Election of Deputy Speaker, Introduction and Consideration of Bill, Any other Government Business if any. The copy of the programme is already circulated to the members on 13.9.2000. I hope the House approved this programme.

Pu Tawnluia, Minister has official Resolution to move. The Panel of Chairmen are Pu Sanghmingthanga H. Pautu, Pu L.N. Tluanga, Pu K.T. Rokhaw and Pu H. Rammawi.

Pu Tawnluia may be called to move his Resolution.

PU TAWNLUIA : Mr. Speaker Sir, with your permission and as provided in the Rules of Procedure and Conduct Rules 121 and 134 I move to the House, my resolution, 'The transplantation of Human Organs Act 1994 Central Act 42 of 1994 and Central Transplantation of Human Organs Rules, 1995 for consideration and passing.

Mr. Speaker Sir, "whereas it is expedient to provide for the regulation of removal and transplantation of human organs for therapeutic purpose and their prevention of commercial dealings in human organs in the State. And whereas Parliament has no power to make laws for the States with respect to any of the matters aforesaid except as provided in Act 249 of the Constitution. And where as the Government desires that a resolution be passed by the State Legislative to adopt transplantation of human organs Act, 1994 Act No. 42 of 1994. And the rules made there under namely - Transplantation of Human Organs Rules 1995 in the State of Mizoram. Now, therefore, under Article 252 of the Constitution of India, the 4th Mizoram Legislative Assembly in its 7th Session resolved that the Transplantation of Human Organs Act 1994 (Central Act No. 42 of 1994) and the Central Transplantation of Human Organs Rules, 1995 be adopted and implemented within the whole of the State of Mizoram in this 51st year of the Republic of India.

Mr. Speaker, I have moved this Resolution in pursuance of the desire of the Central government to pass a resolution in this regard.

I will try to explain the Resolution. Whereas it is expedient to donate human organs for therapeutic purpose, it is also important to prevent commercial dealings in human organs. In view of this, the Parliament has passed an Act in this regard and as desired by the Government of India, a resolution has been moved today for the adoption of 'Transplantation of human organs Act, 1995 in the State of Mizoram'.

Thank you.

SPEAKER : Is there any member who would like to make a speech? Pu J. Lalthangliana.

PU J. LALTHANGLIANA : Thank you, Mr. Speaker Sir. This Resolution is very important for everyone. There will be a time when transplantation could be done here in our own State. Though I have not studied the Rules myself, I am but quite satisfied that it is an important one, at the same time, there is a wide chance of misuse. The Rules provides for the prevention of misuse as well. Therefore, I support this Resolution. At the same time, it is important to take advantage of the Rules of taking all the possible measures to have better health facilities in the State.

Thank you.

SPEAKER : If there is no other member to stand, we shall take

vote on the Resolution. Is there any member who disagree to pass the resolution? Well, the Official Resolution moved by Pu Tawnluia is passed by the House unanimously.

Pu Lalrinchhana, Revenue Minister, has introduced 'The Mizoram Tenancy and Government Land Settlement Bill, 2000' in the last Session. But, it was left without having discussion. So, the Minister may be asked to move the same Bill.

PU LALRINCHHANA MINISTER : Mr. Speaker Sir, I beg leave of the House to move my Bill, 'The Mizoram Tenancy and Government Land Settlement Bill, 2000'.

S P E A K E R : If the members agree to move the Bill, we shall start discussion. The members will be allotted 14 minutes each.

PU LALRINCHHANA MINISTER : Thank you, Mr. Speaker Sir. In Mizoram, we have been adopting the same Land Settlement Act since 1953, however, slight changes and amendment are constantly made. Since Mizoram attained statehood, the Act is found to be unsatisfactory. Therefore, the need to make new Act has arisen. Rules in connection with land settlement has been drafted. The State Level Committee has been scrutinizing those drafted rules.

What I would like to say is that besides the 'Tenancy and Government Land Settlement Act, other bills like 'Prevention of Land Encroachment Act', Mizoram 'Public Demand Recovery Act' and 'Surveyor's Settlement Act' are also drafted. All these Bills are pre-requisite for the preservation of our land. These Bills are expected to be introduced in the next Budget Session.

The Mizoram Tenancy and Government Land Settlement Act' is introduced to consolidate and reform the existing Acts like 'The Lushai Hill District House Act 1953', 'The Mizo District Land and Revenue Act 1956' and 'The Mizo District Agriculture Land Act, 1963'. If this Bill is passed today, it will replace the other three Acts.

This Bill has been drafted in accordance with the other Revenue Acts in India. However, there are some provisions which cannot be applied to Mizoram. Like the case of the Deputy Commissioner in other State where revenue power is also vested in him. In the case of Mizoram, the Deputy Commissioner will have authority over revenue as far as the Government entrusted him. In the district level, the Deputy Commissioner will be entrusted to coordinate with other Revenue Officials.

As is the case in other states, the terms 'tenants' and 'tenancy' has been used for the occupier or user of a land. It had been suggested from the Non-Reform Committee that the term 'Tenancy' be substituted. However, after thorough review and consideration, it was decided that the term should be used as in other States. The term is also opened for amendment after the Bill becomes an Act. As for now, it has been decided to accept as it is.

The Bill is carefully drafted and was sent for the approval of the Committee and afterward Law Department had studied and scrutinized the drafting and found it to be satisfactory. After the Bill gone through the necessary channel, it was moved to the House for final approval. I hope and request this august House to pass this Bill unanimously.

Thank you.

S P E A K E R : The Minister has moved his Bill. The Members will be allotted 14 minutes each. Let us now call upon Col. Lalchungnunga.

Col. LALCHUNGNUNGA : Thank you, Mr. Speaker. At the outset, I would like to state that there are quite a number of modifications to be made in the drafting of the Bill. I have carefully scrutinized the Bill and it is clear that it cannot be passed as it is because it concerns the Constitution of India besides being under the concurrent list. As that is the case, the State Legislature has no sole authority over it. I wonder how the cabinet and the Committee have not detected that.

The term 'tenancy' also seems to be wrongly used in the Bills as owner of a land cannot be termed as a tenant. The term 'tenant' should be used for person who rents land or property from a landlord. At the same time, 'owner' or ownership have not been mentioned in the Bill which denotes that there are no owners of land but all rentor. If that is so, how can we accept this Bill? This Bill violates the Constitution. Even if we pass this Bill, it violates Articles no. 14, 19, 32, 300 and therefore will become invalid.

Coming to the case of Concurrent list, agriculture lands do not come under concurrent list but all non - agriculture lands are put in the concurrent list. If we do not discuss this subject with the Central Government how can the State Legislature pass the Bill as it is under the concurrent list. Any subject that belongs to the concurrent list cannot be made into a Bill by the State Legislature without consulting the Central Government. Therefore, Mr. Speaker Sir, this Bill should be reviewed. The Land Settlement Certificate that are in our possession is much more valuable than this Act. The Land Settlement Certificate holder is vested with legal ownership of the land including all rights and interests of such settlement subject to act. But, if we pass this Bill the right provided to the owner of the land would become null. As seen in the Bill, 'when a plot of land is allotted to a person, the person concerned shall be given a permit to construct a house within a period of 3 years and land lease for the plot shall be issued only when the house is constructed and other formalities, if any, are fulfilled'. Mr. Speaker Sir, the above provision will create problem for the lower section of the people. The majority people may not be able to construct a house within a period of 3 years. Therefore, we should make Rules that are applicable to all the people of Mizoram otherwise, the Bill will miss its purpose.

In regard to ownership of agricultural land, I have come to understand that the members are against the ownership of vast areas of land by an individual. But, the limit of areas of land that can be owned by an individual has not been prescribed in the Bill. The initial policy of the government was to collect taxes from vast agricultural lands and if the owner is not capable of giving his dues, the land would be acquired by the government. But, it is disappointing to note that the provision for such matters are not included in the Bill. Therefore, the Bill should be carefully reviewed. If we agree to pass as it is we will make problems and difficulties for majority of the people.

On page 7 of the draft, we have seen that the existing power of the Village Council is also taken away in regard to the allotment of land for Jhumming. While it is the policy of the Government to embody the Village Council with more powers and authority, this Bill has the provision to reduce the existing power. Therefore, Mr. Speaker, the Bill should not be proceeded as it is and I would like to suggest for the hon'ble Minister to withdraw his Bill.

Thank you.

S P E A K E R : The House will have a recess till 2 : 00 P.M.
Meeting adjourn.

2 : 00 P.M.

S P E A K E R : The House will resume discussion of the Bill.

P U J. LALTHANGLIANA : Thank you, Mr. Speaker, I have thoroughly studied the Bill moved by the hon'ble Minister. This Bill is very important as there is a chance for losing ownership through this Bill. Therefore, I shall try to mention the points which I find unsatisfactory.

First, the Bill contains definitions of different words like 'Village', 'Town Area', 'Person' and so on, but the words 'Tenants' and 'Tenancy' are not defined. A Dictionary defines 'tenant' as a person who holds land for a period of time by payment of rent. But, this Act termed 'tenant' as a holder of Settlement Certificate which is quite confusing.

Secondly, the Bill says that Lease holder, Limited lease holder, Permit holder and Pass holder are tenants. The word 'Hold' means to keep or kept in the hand. In the Bill, there is no definition for the word 'hold'. Moreover, the term 'owner' has not appeared in the Bill because it appears that there are no land owners but only tenants. If we read on the Bill, it says that, 'with effect from the date this Act comes into force, the Act mentioned below shall stand repealed'. Those Acts are, 'Lushai Hill District House Site Act, 1953', 'Mizo District Land and Revenue Act, 1956' and 'Mizo District Agriculture Land Act, 1963'. That means the above mentioned Acts will be repealed and replaced by 'the Mizoram Tenancy and Government Settlement Bill' when it comes into force. 'Mizo District Land and Revenue Rules, 1967, 1971' and 'Bengal Eastern Frontier Regulation Act 1873' have provision which states that it shall not be lawful for any British subject or other persons not being a native of Mizoram comprising of in the regulation. This provision indicates that it is unlawful for non-Mizos to settle permanently in Mizoram without possessing permanent residential certificate. However, if the Bill under discussion is processed, there is a way for outsiders to own land within Mizoram.

Also, on Chapter - III there is norm for measurement of a land. Here, the system of measurement prescribed is rather outdated. I would like to suggest for provision of a modern system.

The terms used in the Bill itself is not appropriate and unsuitable. At the beginning of the Bill, it reads as 'A bill to consolidate and reform the Law relating to land tenure'. Here also, instead of using the term 'land tenure' 'tenancy' may better be used. Therefore, the definition itself is unsatisfactory.

Moreover, according to the Bill, permanent land holder is known as a tenant, pass holder, lease holder and even the persons who lease out land are all termed as 'tenants'. Mr. Speaker, I think it will be better if all classes could be classified.

On Chapter II, in the definition of settlement certificate holder, it says that '..... a tenant to whome agricultural land has been leased for one particular cultivation or for mixed farming Provided that a settlement certificate holder shall not have sub - soil rights'. Here also, the wording 'sub - soil right' can be very

confusing. If the land holder has no sub-soil right within his land, there will not be any advantage of holding a land. This point also requires clarification.

This Tenancy Bill provides little or no right to the land holder within his own land. Hence, it is difficult to accept the Bill as it is.

To conclude my speech, I would like to state that, the Bill provides for authorities to take up any matter relating to land revenues. Some of the designations of the appointed officers are not applicable to Mizoram. Like the District Revenue Officer that is to be appointed as the official who takes up matters relating to land revenue. Here also, I would like to suggest for a more suitable official than we have in Mizoram.

Mr. Speaker, I would like to request the hon'ble Minister to withdraw this Bill for now. However, it may be moved again after conducting a thorough review of the Bill.

Thank you.

PU AICHHINGA : Thank you, Mr. Speaker. I have no intention of
MINISTER pointing out the contents of the Bill itself. It is
pleasing to see that this Bill has assembled the provisions of the three Acts like 'Lushai Hills District House Site Act 1953', 'The Mizoram District Land & Revenue Act, 1956' and 'The Mizoram District Agriculture Land Act 1963' into one Act known as 'The Mizoram Tenancy and Government Land Settlement Bill, 2000'. As we have already listened, this Bill is designed to repeal the other three Acts. But it contains the important provisions that are prescribed in the latter. The Revenue regulations that are being in force are found in various Acts. But, from the commencement of this Bill, those former Acts will be repealed which is expected to be quite a relief.

Article 371(c) of the Indian Constitution provides for the ownership of land of Mizoram to the Government of Mizoram and consequently, there is nothing to prevent us from making new Revenue laws. On the contrary, the Government of Mizoram has the sole authority over the land of Mizoram. Mr. Speaker, this Act is prerequisite for Mizoram.

As for the definition of the term 'tenancy', the Member who stood before me must have misinterpreted the wordings. 'Tenancy' is simply a common name, the system in which land certificate is held is more important. According to the Act, we are all tenants. The system in which one becomes a tenant is the central idea. I think the members should not be confused in this point. In my opinion, it is important to have and make new Laws, it may not be perfect in the beginning. If found unsatisfactory after practising it, we are still the body that can make amendments. Therefore, Mr. Speaker, I support this Bill and advocates for its passing by the House.

Thank you.

PU VANLALHLANA : Thank you, Mr. Speaker, for allotting me time. As we
already know, we are adopting various Acts regarding revenues in Mizoram. These Acts must be quite satisfactory for we have been enforcing them for the last 50 years with only slight amendments. These Acts carry Rules and Regulations. We have our own State Legislature and has power to make new laws for 25 years. I understand that within the last 25 years, Bills relating to land administration had not be introduced in the House. We have been enforcing those Acts that were made during the time of the District

Council. Therefore, we can conclude that those Acts must be quite satisfactory for we have been enforcing them for such a long year. However, with progress and developments, there may be flaws in the existing laws. In order to have a more efficient administration, the hon'ble Minister has rendered efforts for materialisation of the Bill. I would like to praise his effort for moving this Bill.

At the same time, this Bill demands careful scrutiny as it concerns the whole population of Mizoram. I would, therefore, like to point out a few of my observation. Firstly, the words 'tenants' and 'tenancy' have never appeared in the existing Acts. This is the first time that the words have been used in Zoram Land Administration. On Section III of this Bill, we find different kinds of tenants like, Settlement Certificate holder, Lease holder, limited lease holder, permit holder and pass holder. As this is a new introduction, we, the members seek for definition. But it is not available. The Assam non-agricultural Urban areas Tenancy Act, 1956 and Assam Temporary and Settled Area Tenancy Act, 1971, have defined 'Tenants' as "a person who hold land under another person other than Government and who is but liable to pay rent for that land to the latter". Manipur Land Revenue and Land Reform Act 1960 has defined 'Tenant' as "a person who cultivates or holds land, a land of another person under an agreement on condition of paying rent in cash or kind. Mr. Speaker, looking into the Bill, we find that the word tenancy and the contents of the Bill are in contrast. In other State, Tenancy Act is introduced for taking up matters between the landlord who is the owner of the land and the tenant, a person to whom land is rented. In the case of Mizoram, there is no separate landlord but all the persons related to a particular land are termed as tenants. Therefore, it is difficult to accept the wordings of the Bill.

On Section 3 of the Bill, there are 5 types of tenants. Lease holder is also defined as a tenant and as all are defined as tenants, the Government of Mizoram seems to be the landlord. But, this Bill does not show any sign of showing the Government as a landlord. Therefore, it becomes very confusing.

In the Bill, land occupiers and owners are termed as tenants. But, LSC owner has legal ownership of that land. Considering the present condition of Mizoram, this Bill has little significant. The existing three Acts that are supposed to be repealed by Tenancy Act may have certain flaws. However, Tenancy Act is also not good enough to have totally replaced those Acts that have been enforced for the last 50 years. Land Administration Acts made by our forefathers is still satisfactory for the time being. I donot agree to any Act that strips an individual of ownership right. Mr. Speaker, Sir, I am certain that the hon'ble Minister desires to take land administration in the right manner. In order to achieve that desire, the bill should be withdrawn for now but may be moved again after having a review.

Thank you.

PU H. LALTANPUIA : Mr. Speaker Sir, thank you. As members before me have mentioned, I went through the bill. It is stated that, the three Acts that we have during the District Council, i.e. Lushai Hills District, House Site Act, 1953 and Mizo District Land and Revenue Act 1956 and the Mizo District Agricultural Land Act, 1963 will be repealed. Mr. Speaker Sir, 80% of Mizos are cultivators. The bill will not repeal the Lushai Hills District Jhumming Regulation 1954. Therefore, this bill is unsuitable.

Mr. Speaker Sir, regarding the Preamble of the bill, as the hon'ble Supply Minister have mentioned, article 371(g), Ownership and Transfer of land should also be included in the preamble which will make the bill more accomplishing.

Mr. Speaker Sir, in Bengal Eastern Frontier Regulation, 1873 Section

7 clearly stated that, "It shall not be Lawful for any British subject or other person not being a native of the District comprised in the Preamble of this Regulation, to acquire any interest in land beyond the said inner line, without the sanction of the Local Government appointed in this behalf. Mr. Speaker Sir, we have such protective Act, for the sons of the soils of Mizoram. Why do we need to repeal it? If we are to pass this Bill, a provision should be made for safeguarding the people of the state or else the upcoming generation will never forgive us. If we study the bill carefully, it clashes with the standard of Weight and Measures Act, 1976.

Then, regarding forest, we say that, it is concurrent list, does it mean that Revenue Department, will look after forest, Mr. Speaker Sir, if we pass the bill as it is, it will be very shameful for the Legislators. Mr. Speaker Sir, another part, regarding penalty, Section 4 it is not clear as to who will give the penalty. It is only stated that, Revenue Officer will impose penalty, nowhere will we find the Government's part. Mr. Speaker Sir, it is also a rigorous bill in regard to the procedure of cancellation of land site. How will poor people be able to build House within three years. Hon'ble Col. Lalchungnunga also mentioned that, he has a land site in Tuikhuahtlang, but is unable to built a house even after 20 years. This is the case Mr. Speaker Sir, therefore, it is a rigorous bill. Mr. Speaker Sir, is there a provision for compensation and Rehabilitation? Therefore, we should not pass this bill as it is.

Thank you.

PU R. LALZIRLIANA : Mr. Speaker Sir, thank you. I don't have much to say about the bill. But hon'ble Members after careful study, reveal that there are certain points which need to be revised. Like, Mr. Speaker Sir, isn't it embrassing that, sons of the soils and we the Legislators are mere tenant. Therefore, we should refer the bill to select committee, the Minister - in - charge also mentioned that the bill is not fully accomplished. Mr. Speaker Sir, therefore, I would like to suggest that, the bill should be referred to Select Committee.

Thank you.

PU LALRINZUALA : Mr. Speaker Sir, I am a member of Land reform committee, but I was not called for the committee.

In other State, Tenancy Act is enforced for making law between, landlords and tenants. The procedure of our Tenancy Act is a bit different. In this bill, there is no definition of Tenancy. As I am a member of Land Reform Committee, it is a bit awkward for me to say. Therefore, I would like to request the Minister to withdraw the bill for ractification for now, he can introduce it again in Winter Session.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, thank you. The intention of this bill is alright. However the provision of the bill needs careful revision.

Mr. Speaker Sir, I will just read out this portion. Mizoram have been entirely depending upon the grants received from the government of India since its inception into one of the UTs till date. There is no source of income except a little amount of Revenue which are levied from laws Court Revenue and from the Collection of taxes. It is too meagre to meet even a small percentage of grants to be made a State's share in the plan fund. One of the reasons for lack of taxes is the absence of proper acts and Rules, considering all those that the Government has been making

efforts and fress bill is being introduced. Mr. Speaker Sir, from this, it looks like that government is going to collect revenue. Mr. Speaker Sir, I would like to suggest that, the bill should be referred to select committee.

PU F. LALTHANZUALA : Mr. Speaker Sir, No. 9 regarding the period of lease site, we heard that it can be extented after three years. However, in No. 9 of section 4, it is state that, "in exceptional case, where it cannot be reclaimed during the period of 3 years due to reason beyond the control of the permit holder, the prescribed authority may renew the permit for only once and reasons for renewal be kept on the record. It is only for exceptional case. The bill further stated that, If a house is not constructed and other formalities are not fulfilled within three years from the date of this Act comes into force, the allotment of the house site shall become void". Will the government really be able to implement the rules? Election is very near, there will be sites which belong to the ruling party.

Then, regarding "reservation of reserve land". What is the need for Forest Department? If we pass this bill, there is going to be a big clash between Forest department and Revenue department. The Forest department is in the concurrent list. This again will clash with the forest Conservation Act, 1980 section 2. Therefore, I request the hon'ble Minister to withdraw the present bill.

Thank you.

PU SANGHMINGTHANGA: Mr. Speaker Sir, thank you. After Independence, the owner of the lands in Mizoram is the Revenue department. It is a known fact that the lands belong to Government. If we look at the copy of 'patta', you will find that the government still have the right to cancel the patta. Mr. Speaker Sir, we, Legislators all know what concurrent list is all about. If there is a clash between the Central government and State government in concurrent list, then the Central governments rules and regulation will prevail. The State government can make law for those which are under concurrent list, except on Union list. As for the clash between forest reserve, as mentioned by some of the members, I don't see any clash here. In the bill it is stated that "is no longer required for the purpose for which it was reserved". It simply means that it can again reserve the same area if no longer required, therefore, there is no contradiction. Mr. Speaker Sir, all rules and regulations are not for all time to come. With the changing of times, amendment can be made, this bill is drafted by members from different parties, therefore, Mr. Speaker Sir, we should pass this bill as it is for now, then we can make changes, from time to time.

Thank you.

PU LALCHAMLIANA : Mr. Speaker Sir, thank you. The bill that we are discussing today is a very important bill. State level committee is organised in which Revenue Minister is the Chairman. The department is very careful about this hence committee was organised. The bill is drafted by Pu S.R. Valla, IAS retired a very intellectual person. The committee has carefully examined the bill and has given their approval so does the cabinet. Mr. Speaker Sir, the hon'ble members have done a careful study, we can make out that from the point they have raised. However, what I would like to say is there is no difference between tenancy and the LSC. In latter part of Section 9, sub section III we will find how it is renewable. Then regarding Section 16, some members spoke about it. However, section 16 highlights about permit and not about the settlement

certificate. Some of the members feel that the ownership will be lost after three years, but Mr. Speaker Sir, if we read carefully, it is stated that, 'Land held under this certificate is heritable and transferable'. There is no big differences with the present procedure. Pass will be given to those who are in need. The sites is also transferable and heritable.

Some of the members stated that it should be Metric system. However, the fact is clear enough. One more point - today we are discussing about Revenue land and not forest land. Mr. Speaker Sir, therefore, we should pass this bill as it is.

Thank you.

PU C. SANGZUALA : Mr. Speaker Sir, thank you. Hon'ble Members before me mentioned various points. I don't have much point to say. The person who drafted the bill is very talented that he is able to make it very short. Then about amendment we make rules, but they cannot be used for all time to come, we have to amend where it is needed as time changes. Therefore, I suggest we pass the bill as it is.

Thank you.

DR. LAIZAMA : Mr. Speaker Sir, thank you. As we have heard, this bill is approved by the committee, Law department and cabinet before it reaches the House. Today, just because we are in the opposition bench, it does not mean we should criticize the bill. It is for the people of Mizoram we should join hands and pass this bill. The point that some members raised regarding tenancy, it is the same as we are practising now. There is no difference. Then regarding permits, we can obtain permits or renew the permits, the ownership will not be lost. It is transferable and heritable. Therefore, there is not much differences. Therefore, I suggest that we pass the bill as it is.

Thank you.

PU K.L. LIANCHIA : Mr. Speaker Sir, there has to be a constructive criticism/constructive opposition. For e.g. when UT was offered to us by Assam we opposed to it because we want state, therefore, we know what the result is. Another example is if the opposition members were heard and their suggest heeded earlier regarding trading by non-tribal the problem that we are facing now could be solved. At the time in 1987 during the MNF government, we the opposition demanded that the Mizoram Trading by non-Tribal Regulation Act, 1974, be renewed but the MNF ministry did not listen to the opposition, they did not want to renew the Act, they went on to make, "The Mizoram Trading by non-Tribal bill 1987". Therefore, the voice of opposition should also be given importance.

In the present bill that we are discussing, as hon'ble members before me have mentioned, there is this 'reserve land'. If it is 'reserve land' it indicates, the forest reserve land, therefore, it looks like the Revenue department is going to take control of the forest land. Then, regarding concurrent list, the hon'ble member from Kawnpui mentioned that, the state has the right to make rules for concurrent list. But, what if we are unable to make rules? We have to take precaution.

Then in 1976, rules have been passed for the use of Metric System. Now do we have the authority/rights to violate that rules regarding Metric System? Mr. Speaker Sir, I attended the BAC meeting, some of the members wanted to amend

the title, from this itself, it is proved that this bill is improper which needs revision, the minister should withdraw this bill.

Mr. Speaker Sir, regarding ownership, in the present form we have LSC which makes us the real owners of our House site. Mr. Speaker Sir, if we look at 'repeal and saving', it is stated that, 'provided that all the actions taken under the Act 'repeal' shall be deemed to have done under the corresponding provision of this Act. What is the corresponding provision? Is the lease holder the correspondency provision? Therefore, this also needs to be studied more carefully. I am not saying this because I am an opposition member, but I am not clear. I know the person who drafted the bill, he is an IAS Officer, but he is also a human being, he is not a perfect man. Therefore, the definition, the titles and ownership and various other points need to be amended. We are discussing a very important issue for the State, therefore, we should only pass the bill when there is a consensus.

Thank you.

S P E A K E R : Now, it's 4:00 P.M. Meeting shall be adjourned for today, we shall continue tommorrow at 10:30 A.M.

Meeting Adjourned 4:00 P.M.