

THIRTEENTH SITTING ON MONDAY, APRIL 2, 1990.

PRESENT

1. Pu Hiphei, Speaker at the Chair, 12 Ministers and 10 members were present.

QUESTIONS

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

LEGISLATIVE BUSINESS

Bill for Introduction.

3. Dr.H. Thansanga, Minister to beg leave of the House to introduce the Mizoram Prevention of Mal-practices at Examination Bill, 1990.

to introduce the Bill.

LEGISLATIVE BUSINESS

Bill for consideration and passing.

4. (a) Pu S.Hiato, Minister of State to move that the Mizoram Nursing (Registration) Bill, 1990 to be taken into consideration.

ALSO

to move that the Bill be passed.

- (b) Pu S.Hiato, Minister of State to move that the Pharmacy Act (Extension to Mizoram) Bill, 1990 be taken into consideration.

ALSO

to move that the Bill be passed.

S P E A K E R : Blessed is the nation whose God is the Lord, the people whom he has chosen as his heritage.

Psalms 33:12.

We shall take up question No.111 which will be asked by Pu Aichhinga.

PU AICHHINGA

: Pu Speaker, the Hon'ble Minister had clarified my question on the other day, so it is not necessary to ask.

S P E A K E R

: Now I shall call upon Pu K.Vanlalauva to ask question No. 112.

PU K.VANLALAUVA

: Pu Speaker, Starred Question No.112-

Will the Hon'ble Minister in-charge Secretariat Administration Department be pleased to state -

The number of Vehicles owned by various Departments of Mizoram Government -

(a) Heavy Vehicles, Serviceable/Unserviceable. ?

(b) Light Vehicles, Serviceable/Unserviceable ?

S P E A K E R

: Let the Minister in-charge answer it.

PU LAL THANHAWLA
CHIEF MINISTER

: Pu Speaker, the total No. of Vehicles owned by various departments under the Government of Mizoram is 1738 -

(a) Total of heavy vehicles - 393
Serviceable - 353
Unserviceable - 40

(b) Total of Light vehicles - 1345
Serviceable - 1264
Unserviceable - 81

PU K.VANLALAUVA

: Pu Speaker, though the answer given by the Hon'ble Chief Minister is clear, what I wanted to know is the number of vehicle owned by each Department. Is it difficult to answer department wise Pu Speaker ?

S P E A K E R

: The Hon'ble Chief Minister had said it is difficult to mention in department wise. Anyway, let me call upon the Minister in-charge to clarify this if possible.

PU LAL THANHAWLA
CHIEF MINISTER

: Pu Speaker, if the Hon'ble Member agrees, I will give him the list later in writing.

PU R.TLANGHMINGTHANGA:

Pu Speaker, supplementary question. I feel concern about the unserviceable vehicles as the number is quite large. Transport Departments workshop is now fully occupied by these unserviceable vehicles. Is there any intention to clear these vehicles ?

PU LAL THANHAWLA : Pu Speaker, there are many unservice-
CHIEF MINISTER able vehicles in each Department
particularly in Transport Department
as this Department is having more vehicles. There is problem
to dispose of a condemn these unserviceable vehicles. Now
we are trying to simplify the rules of condemnation or dis-
posal.

PU TAWNLUIA : Pu Speaker, supplementary question.
Is there specific regulation to off-
road light vehicles used by the
Government? Secondly, do drivers get over time allowances?
And how to identify Government Vehicles from private as it
is no more possible to differentiate Government Vehicles and
private vehicles from Registration number?

S P E A K E R : Let the Minister in-charge answer it.

PU LAL THANHAWLA : Pu Speaker, in order to condemn or off
CHIEF MINISTER road Government Vehicle it should be
in service at least five years or it
should at least run 1,00,000 kilometres. But as I had already
mentioned, we are trying to simplify this.

In regard to identification of Govern-
ment vehicles easily since MZ had been used for Registration,
order had been issued to write name of Department and an
alloted designation in all Government vehicles, It seems
some are not following this order. So just recently, I had
instructed Chief Secretary regarding this matter. I do not
know why some have not yet followed this instruction. Even
in regard to Red Light, there are so many cases where red-
lights are wrongly used. Those who are not supposed to use
red-light are still using it. Size of red light should also
be small one. And if persons who are not entitled to using
red-light are in the vehicle, the red-light should be covered.

S P E A K E R : Now Pu Zoramthanga.

PU ZORAMTHANGA : Pu Speaker, supplementary question,
In my opinion the Registration No.
given by transport department is too
long. Therefore, is there a way to simplify this?

Dr.R.LALTHANGLIANA : Pu Speaker, may I request the Minis-
ter in-charge to tell us who entitled
to use red-light.

PU LAL THANHAWLA : Pu Speaker, it is difficult to name
CHIEF MINISTER those who are entitled to use red-
light. Besides Secretaries and
Ministers, District S.P. and D.C. entitled to use red-light.
As I had already said, it is difficult to distinguish but
we had made a list, But I can not remember the detail, so
I'll try to verify this,

Regarding registration no of vehicles, the present registration number is used in all over India under Motor Vehicle Act; Therefore, we can not change as we wish.

PU AICHHINGA : Pu Speaker, supplementary question, some private cars like ZRM/ZRA are having VIP Light. Is there any rules and regulations in this matter ?

PU RUALCHHINA : Pu Speaker, one more supplementary question. Can department drivers keep department vehicles ? Is there any rules in this matter ?

PU LAL THANHAWLA
CHIEF MINISTER : Pu Speaker, there is no rules for drivers to keep department vehicles. But some officers do not have proper garage, so their drivers used to keep the vehicle, And sometimes drivers used to take home their vehicles after returning late from their journey with the permission of their supervisors.

Besides these, for economic measure, discipline, road safety and pedestrian safety, we are checking vehicles on Government Holidays whether the actual driver drives or not, and whether the sons of officers and Ministers are unnecessarily driving Government Vehicles or not or whether it is official or not, Just recently also, I have got a list for explanation. Likewise, we are trying our best but as I have said earlier, there is no rules for drivers to keep department vehicles.

In regard to the question asked by the Hon'ble Member from Kolasib Constituency, if there are ZRM using VIP Light, they may be corporation vehicles. Since Corporations are either semi or Quasi Government, they can register their vehicles as private vehicles.

PU K.VANLALAUVA : Pu Speaker, the answers given by the Hon'ble Chief Minister are quite satisfactory, I would like to know whether Legislative Secretariat is a department ?

PU LAL THANHAWLA
CHIEF MINISTER : Pu Speaker, Legislative Secretariat is a department having separate Secretariat.

S P E A K E R : Pu Aichhinga to ask question No.113.

PU AICHHINGA : Pu Speaker, question No. 113 -

Will the Hon'ble Minister in-charge Power & Electricity Department be pleased to state -

- (a) Is there any intention to create new Division under Power & Electricity Department? If so is it for transmission or electrical?
- (b) Is there any intention to expand Civil Engineering Wing under Power & Electricity Department?

PU LAL THANHAWLA CHIEF MINISTER : Pu Speaker, (a) Yes, there is no specific mention of Transmission or Electrical in the creation.
(b) Yes, expansion of the Civil Engineering Wing will be considered as per the demand of the workload.

S P E A K E R : Now Pu Rualchhina to ask question No. 114.

PU RUALCHHINA : Pu Speaker, Starred Question No.114 -

Will the Hon'ble Minister in-charge Power & Electricity Department be pleased to state -

- (a) Reasons for shortage of electric power?
- (b) What steps had been taken by the Government for Tlawng Project which will give more electric power?

PU LAL THANHAWLA CHIEF MINISTER : PU Speaker, (a) Due to breakdown of transmission line from Assam and NEEPCO.

(b) As Government of India cannot give Forest and Environmental clearances for this project as multipurpose project, the NHPC, the executing agency for this project has advised Mizoram Government to take up the project afresh with Government of India as Hydro Electric Power project only is under active consideration of Government, when decision on this issue is taken, Government of Mizoram will take up all possible actions to get clearance for the project on top most priority.

S P E A K E R : Pu Aichhinga to ask question No.115.

PU AICHHINGA : Pu Speaker, Starred Question No.115-

Will the Hon'ble Minister in-charge Power & Electricity Department be pleased to state -

Had the erection of 132 KV Transmission works for the following lines been started? If so, how far had been done?

- (a) Aizawl - Khawzawl
- (b) Aizawl - West Phaileng
- (c) Serchhip - Marpara
- (d) Lunglei - Lawngtlai
- (e) Lunglei - Lungsen.

PU LAL THANHAWLA : Pu Speaker, Yes, Erection works of
CHIEF MINISTER Aizawl - Khawzawl and Aizawl - West
Phaileng lines are in progrss, for
other lines preliminary survey works have been taken up.

PU AICHHINGA : Pu Speaker, supplementary question,
Had the contractors for Serchhip -
Marpara, Serchhip - East Lungdar,
Lunglei - Lawngtlai and Lunglei - Lungsen been chosen ?
Who did the survey works - the contractors or the department ?

PU LAL THANHAWLA : Pu Speaker, the construction works
CHIEF MINISTER for Aizawl - Khawzawl and Aizawl -
West Phaileng lines are intended to
complete by this year itself. And as I had pointed out,
preliminary survey works have been taken up by the Department
for Serchhip - Marpara, Serchhip - East Lungdar, Lunglei -
Lawngtlai and Lunglei - Lungsen lines.

The estimated cost for Serchhip -
Marpara is 420 lakh rupees, for Serchhip - E.Lungdar is 189
lakhs, Lunglei - Lawngtlai is 131 lakhs and for Lunglei -
Lungsen is 168 lakhs. These are placed under token provi-
sion and these works are to be completed within the current
financial year.

Regarding contractors other than
Aizawl - Khawzawl and Aizawl - W.Phaileng has not been fina-
lised. Lunglei - Lawngtlai will be taken up by N.E.C.

S P E A K E R : Now we have finished the question.
A privilege motion had been submit-
ted and let me read out the motion.

"Privilege come to Editor of Sakei-
baknei bi-Weekly News Magazine. Sir, under rule 144 of the
Rules of Procedure and Conduct of Business in the Legislative
Assembly of Mizoram. I give Notice of intention to move the
Motion of Privilege in the House- against the Editor-in-
chief and Editor of Sakeibaknei bi-Weekly Magazine Volume
1 No. 294, March 30, 1990 under the caption".

The Hon'ble Member, submitted a
privilege motion in the House on 27th March, '90 soon after
question hour was over. He suggested that the motion be
taken up by Breach of Privilege Committee. The local news-
paper namely Mizo Arsi wrongly reported the speech of Pu
P.C.Zoramsangliana and this offended Pu Zoramsangliana, So
he suggested this matter to be considered in the House. The
article published in the Mizo Arsi on 21st March 1990 pointed
out what seems to be the reaction of ex-servicemen over the
alleged statement made by Pu Zoramsangliana on 16th March '90.

I consider that the News published in Sakeibaknei Bi-Weekly News Magazine is in breach of the Privilege of the Members as the speech is wrongly reported. A copy of Sakeibaknei Bi-Weekly News Magazine in Volume 1 No. 294 March 30, 1990 is enclosed herewith.

Sir, I invite you kindly to admit my motion and allow me to move in the House.

In this regard, I will not make decision. I will call the mover and the House will decide whether to refer the matter to Privilege Committee or simply discuss in the House. So I shall call upon Pu Liansuama to ask permission of the House to move the motion.

PU LIANSUAMA : Pu Speaker, Thank you for admitting
MINISTER OF STATE Breach of Privilege Motion which had been submitted according to our Rules 144. I beg permission of the House to move the motion.

S P E A K E R : Shall we allow him to move the motion? (Members said 'Yes'). Then you are allowed to move your motion.

PU LIANSUAMA : Pu Speaker, as you had read out the
MINISTER OF STATE motion, the Hon'ble Member from Lungpho Constituency had moved a breach of privilege motion on 27th as Mizo Arsi wrongly published about the Hon'ble Member Pu Zoramsangliana from Tlungvel Constituency. As you had informed the House, Pu Speaker, this matter had been referred to the breach of privilege Committee, Sakeibaknei bi-weekly reproduced the article of the Mizo Arsi and the speech of Pu Sapremthanga. Here what I would like to point out before I concentrate on the motion is that journalists are not careful enough in what they are publishing in their papers. So, I would like to request all journalists to be very careful in their publication because they are the main source of information for the public.

Motion had been submitted as permitted by the Rules of Procedure and Conduct of Business against the Mizo Arsi newspaper as it wrongly reported about the Hon'ble Member Pu P.C.Zoramsangliana and Pu Speaker, you had referred the matter to the Privilege Committee. Now we are waiting the recommendation of the Committee. The Editor of this news Magazine intentionally published what had been discussed in the House on 27th March, 1990 as if to disgrace more Pu Zoramsangliana. This not only concern Pu Zoramsangliana but all of us, So, I feel it is difficult to understand various Editors for publishing wrongly whatever is being discussed by members in the House.

Pu Speaker, it can be considered to some extent if the matter had been published only in Mizo Arsi. But while the matter had been referred to the privilege Committee, the same matter had been reproduced in the Sakeibaknei Bi-Weekly Magazine dated 30th March as you had read out. This issue had been brought out by Pu Zosiama Pachuau while the Ministers answered the questions asked by

Pu Zoramsangliana. Pu Speaker, whatever been said by each member in the House is recorded and the proceeding record of all sessions are published by Assembly Secretariat. Therefore, it can be proved that Pu Zoramsangliana did not say anything as he had been accused. So, no one should publish wrongly speeches of the members specially which are spoken in the House. Whether we are Ruling or Opposition member, we can say anything in the House either it is our privilege or for the well-being of our country. But it is difficult to understand to report wrongly the speech of our member. Therefore, Pu Speaker, I would like to consider this matter in the House.

Pu Speaker, even those who did not read Mizo Arsi Newspaper will read Sakeibaknei Bi-Weekly Magazine and they will form their opinion about Pu Zoramsangliana. I, therefore, appreciate your decision Pu Speaker, by permitting to express our views in the House. Anyway, the Privilege Committee can consider the matter more carefully even after we discuss it in the House. Publishing speeches of the members wrongly with wrong excuses is not tolerable.

We know that the very Editor is a bright editor to know what will disgrace members. He even used to hold an important place in M.J.A. Therefore, we demand to take necessary action against him as he intentionally published this. This will give a lesson to other journalists who used to write baseless articles. I think writing about not only the members but even about the officials wrongly in the newspapers really humiliate the Mizos as a nation to others. Therefore, we have to be very careful in writing about ourselves.

The Chief Minister himself often said that we welcome any constructive criticism in our service for the country. Otherwise it is not good to write as if to disgrace and humiliate others.

Lastly, Pu Speaker, we may not remember what had been said by each member in the House, so, kindly allow us to hear from the tape in order to prove that Pu Zoramsangliana did not say what he was accused of saying due to the alleged involvement of ex-service-men in politics, corruption and evil practices from this we, the members can confirm that this Magazine wrongly published the speeches of Pu Zoramsangliana, and I hope this thing will not be repeated in future. Pu Speaker, I will stop now, I think you will give me few minutes at the end of the discussion.

Thank you.

PU K.VANLALAUVA : Pu Speaker, we came to know about today's business just recently. The reason is it involves about the dignity of the members. So, it is clear that members of the House are giving deep concern to this case.

It is known to all that members of this House are unrighteous, simple and not clever enough, but we are elected to represent our constituency, it is regretting to publish our speeches wrongly as if to disgrace

and humiliate us. On the other hand it is good if our speeches are criticised after listening carefully from the tape. Today also, it will be good if the speeches of the Hon'ble member from Tlungvel Constituency are played, from that we can prove whether he had said those things as accused by the Magazine. If it is not in the tape, as he is accused, Pu Speaker, it is your duty to preserve the dignity of your members. How will you take action? from now on, all should know the dignity of the members. Therefore, Pu Speaker, kindly let us hear from the tape what had been said so that we can verify whether the Hon'ble member had said or not as he is accused by Sakeibaknei Bi-Weekly.

Thank you.

PU P.C.BAWITLUANGA : Pu Speaker, as we all know, the Hon'ble Member from Tlungvel Constituency denied that he did not say those words as published by Sakeibaknei Bi-Weekly Magazine. As such is the case, a motion had been submitted because this breaches the privilege and dignity of the members, even you the Speaker had referred the matter to the Privilege Committee to look into the matter. Knowing all these, Editor of Sakeibaknei reproduced the same statement which is baseless, It seems he did this intentionally to disgrace a particular member. Therefore, I take it as an insult and breach the privileges of the Hon'ble Member which our Rules and even the Constitution guaranteed him.

We, the members of this House may be unrighteous and an ordinary people as mentioned by the Hon'ble Member from Khawbung Constituency, but we are elected to represent one constituency each, we are representing thousand of people from our constituency, Because of this, we are not to be insulted or humiliated by anyone as they wish. Now also, the Editor of Sakeibaknei Bi-Weekly Magazine not only breaches the privilege of Pu Zoramsangliana but all of us.

If we read the article carefully, it seems that the Ex-Service League assembled to consider this matter. Though we do not know their decision, the intention of this Editor is clear enough. He intends to sow a seed of hatred between Ex-Servicemen and the members of this House who are the representatives of Mizoram. Therefore, this matter can not be neglected. So, Pu Speaker, in order to prove whether this Editor really breaches the privilege of a member, let us hear again from the tape what had been said by Pu Zoramsangliana. If he is guilty, action should be taken against him as permitted by our rules. So, Pu Speaker I request you to prove this matter as seen as possible.

Thank you.

PU P.C.ZORAMSANGLIANA: Pu Speaker. the Hon'ble Member from Lungpho Constituency submitted a motion on 27.3.1990. I am grateful to you for admitting it as permitted by our Rules. When the Hon'ble Member from Khawbung Constituency pointed out breach of privilege of members. I could not control myself as the topic concerned me. On that day also I expressed my true feelings because the article published in the Magazine really upset me, Behaviour of the members on that day showed we want to safeguard our privileges and dignities.472/-

Regarding the Editor in-chief of Sakeibaknei Weekly Magazine, he not only disgraces me by wrongly publishing my speeches while the case is being undertaken by Privilege Committee but also challenges the House.

Therefore, Pu Speaker, I would like to suggest that Privilege Committee consider the matter either today or tomorrow. And I think it will be good if the Editor is asked to present before the Committee and also hear my speeches and how my speeches are published in the Magazine, from these we can decide how to take action against this Editor in your guidance. As I had mentioned earlier, this does not concern only me but the House as a whole.

Thank you.

PU H.RAMMAWI : Pu Speaker, would you please explain our Rules No. 146 (1) which reads as follows -

"The right to raise a question of privilege shall be governed by the following conditions -

(1) not more than one question shall be raised at the same sitting."

PU VANLALNGHAKA : Pu Speaker, we had argued in this issue. Here 'sitting' means a days sitting.
MINISTER OF STATE

S P E A K E R : So, it means a day's sitting. It can also be taken as there can not be more than one privilege motion in one day sitting. (H.Rammawi: I want the definition so that there will be no more confusion in future) Then, 'sitting' here is defined as a day's sitting.

PU LIANSUAMA : Pu Speaker, in order to clear out confusions in the interpretation of such things, we can have a look at our rules no. 304 which says whatever you said is the final. Therefore, now also your definition is right.
MINISTER OF STATE

PU H.RAMMAWI : Pu Speaker, it is clearly written in page No. 3 of our Rules. According to it we have to accept your definition. Pu Speaker, what I would like to point out is we have to safeguard the privilege of the members. In the current session privilege motion has been moved thrice. I think this is the highest number of privilege motion moved in one session. One motion was about Dr. R.Lalthangliana and the other two were about the Hon'ble Member from Tlungvel Constituency, Pu P.C.Zoramsangliana.

In regard to the first motion which concern Dr.R.Lalthangliana, you referred the matter to privilege committee and we did not say anything in your decision. In regard to Pu P.C.Zoramsangliana, since it is the third time in the current session, it seems we are giving importance to it. Pu Speaker, what I would like to say is that many members are

not careful enough while speaking in this August House since long time back. In many occasions we used to use bad languages which we ought not to use. It seems we misuse our freedom. Therefore, we should be more careful in our languages and behaviour in the future. We used to be very proud of the behaviour of the members of this House if we compare to members of other states. But it had changed since short while ago. Still it is the best in India. So Pu Speaker, in my opinion, it is the responsibility of all members to mind our behaviour and languages in the House. And I would also like to request whoever in the chair, whether he is a Speaker or Deputy Speaker or Panel of Chairman to conduct the House in a dignified manner. (Speaker : Your time is up but you have not said about the motion) Pu Speaker, I am just going to say it, so please give me two more minutes.

We had discussed this motion the other day and I think many journalists listened our discussion. We were also present while the Hon'ble Member spoke about this, as reported by the Sakeibaknei News Magazine though he mentioned about the ex-servicemen. The Editor of this Magazine twisted the speeches of Pu P.C.Zoramsangliana. It seems we were offended because the Editor repeatedly published the matter. As this breaches the privilege of the members. I do support the motion. As already pointed out by Pu P.C.Hawitluanga, a member from Lungpho Constituency, this matter not only concern Pu P.C.Zoramsangliana but the privileges of all members. Therefore, I support your ruling to accept this motion in the House as this will give a lesson to everyone in regard to the privileges of members. So, in my opinion, even if this House does not take action, the Privilege Committee will know the motion of the House while considering this matter.

Thank you.

PU VANLALNGHAKA : Pu Speaker, I have got few things to
MINISTER OF STATE say in regard to this motion. There
will be confusions in the speech of
Pu P.C.Zoramsangliana if we do not listen the recorded
speech from the tape, in order to clear our confusions as
requested by the mover of this motion, then we can discuss
the matter again.

Dr.H.THANSANGA : Pu Speaker, I would like to say how
MINISTER journalists can publish speeches of
the members which they are supposed
to know. Journalists have the right to publish speeches of
the members exactly as they said without any comment even
the members can not deny this, But regarding the present
case, this Editor wrongly published the speeches of
Pu P.C.Zoramsangliana.

S P E A K E R : If you insist on playing the tape,
it can be done. But in our practices,
we used to play in order to enable
the Privilege Committee to find out truth while examining
such case. Then the report of the Privilege Committee will
be presented in the House and if we are not satisfied, we
can replay the tape. Now we want to know the truth, here
we have a copy of the recorded speech, let me read it out -

Dr.H.THANSANGA : Pu Speaker, I do not know the need
MINISTER to refer the matter to the Privi-
lege Committee. It seems we are
going to receive a report from Privilege Committee in the
case of Mizo Arsi Editor. Therefore, Pu Speaker, may I
ask when are we going to receive this report? (Speaker :
Time had been fixed for 45 days. But the thing is, though
the matter is the same, the paper is different. Therefore,
the House can urge the Committee to submit its report with-
in this session period). If that is the case, I think it
is good to urge the Privilege Committee to submit its re-
port as soon as possible so that the House can decide in
this session.

Thank you.

PU R.ROMAWIA : Pu Speaker, one problem can arise
because terms of the House Committees
had come to an end, if the Hon'ble
Speaker does not appoint committee members, for our present
topic is very urgent (Speaker : The existing committee mem-
bers can take up the charge)

Thank you.

PU P.C.BAWITLUANGA : Pu Speaker, if our rules permitted,
I think it is better to decide by
the House. Let the case of Mizo
Arsi go in its own course as it is a different paper since
its been referred to the Privilege Committee. As day after-
tomorrow i.e. 4th April, 1990 is the last day for this
session, let us call the Editor of Sakeibaknei Bi-Weekly
News Magazine in the House and consider the matter.

Thank you.

PU ZORAMTHANGA : Pu Speaker, our rules no 156 says --
"Except where the breach of Privi-
lege is committed in the actual
view of the House". According to this, I think it is good
to give chance to the person concerned to defend himself
before we make any judgement.

Thank you.

S P E A K E R : I think the House does not fully
understand what I had said, the
House can not reprimand. It is
the business of the Committee. What we can do is we can
urge the Committee to submit its report as soon as possible.

PU VANLALNGHAKA : Pu Speaker, I think it is the House
MINISTER OF STATE to reprimand the offender (Speaker:
No) Anyway, I do support what the
Hon'ble Member from Champhai Constituency had said, i.e. to
give chance to the offender to defend himself.

S P E A K E R : The person under discussion has no right to defend himself on the House but before the Privilege Committee. The House has to note that only the Privilege Committee has the right to pass the penalty.

PU P.C.ZORAMSANGLIANA: Pu Speaker, I would like to suggest that the Privilege Committee should have a meeting today, and if the situation demands the concerned person be called to the meeting. And the reports should be prepared to reach the House on Wednesday.

PU C.L.RUALA
MINISTER : Pu Speaker, today, our main subject is the member's breach of Privilege. But some members have the opinion that our privilege is misused. I am opposed to that. We the members have the privilege to express our feelings in this House. However, if the speech of a member of this House is wrongly published or recorded, the privilege of that member is breached. In this connection a privilege motion has been moved to the House against the Editor-in-chief of Sakeibaknei Bi-Weekly.

Therefore, as suggested by Pu Zoramsangliana, if the Privilege Committee could have a meeting today and send its reports to the House on or before Wednesday, it would be the best.

Thank you.

S P E A K E R : As suggested the Privilege Committee have time to sit for two days and send its report to the House on Wednesday.

PU LIANSUAMA
MINISTER OF STATE : Pu Speaker, I suggest that the report should be sent to you personally and should be discussed first thing in the morning on Wednesday.

S P E A K E R : We shall now go on to the Legislative Business. I shall now call upon Dr.H.Thansanga to beg leave of the House to introduce the Mizoram Prevention of Malpractices at Examination Bill, 1990.

Dr.H.THANSANGA
MINISTER : Pu Speaker, I beg leave of the House to introduce the Mizoram Prevention of Malpractices at Examination Bill, 1990.

S P E A K E R : Here is a question of introduction of Bill. Do you agree? (Members: Agree) Well, the Minister may introduce the Bill.

Dr.H.THANSANGA : Pu Speaker, I introduce the Bill,
MINISTER Thank you.

S P E A K E R : Let us now call upon Pu S.Hiato to
beg leave of the House to introduce
The Mizoram Nursing Registration
Bill, 1990. As he is absent today, he has authorised Pu
Vanlalnghaka to present the Bill.

PU VANLALNGHAKA : Pu Speaker, I would, first like to
MINISTER OF STATE request you to permit me to present
The Pharmacy Act (Extension to
Mizoram Bill) 1990 alongwith the Mizoram Nursing Registra-
tion Bill, (It is not allowed. The two Bills are to be
presented seperately) Thank you, Pu Speaker, with your
permission and this august house I beg leave the House to
consider my Bill.

PU H.RAMMAWI ; Pu Speaker, I wonder how many amend-
ment had been made. There are many
typing mistakes as well as many
corrections to be made in page No. 2, clause I sub-clause
3 it is written - it shall come into force with effect from
the date of publication in official Gazette. Here, Pu
Speaker, it is not clear the date of publication of official
Gazette. In my opinion it is better as it is in the latter
Bill as 'it shall come into force on such date as the State
Government of Mizoram may by the notification in the Mizoram
Gazette may appoint' I would like to request the Minister
to re-examine this portion. And Pu Speaker, in your permis-
sion we can make verbal amendment.

Secondly in clause 2(a) it is writ-
ten - 'Auxiliary Nurse-cum-Midwives means persons employed
to perform the duties of Health Workers in the Community
Health Centres or Auxiliary Nurse-cum-Midwifery having qual-
ified for training in two years course of Auxiliary Nurse-
cum-Midwifery with basic qualification of Class X passed or
High School Leaving Certificate constituted under this Act.
Here what I would like to say is that there are many ANMs
and Health Workers who do not pass Matric while many of them
had passed. According to this Bill, there is no provision
to condon those who had worked before the introduction of
this Bill who do not passed Matriculation. I think a provi-
sion should be made under this clause. I want this to be
re-considered.

In page No. 3 clause 2(b) the same
had been repeated for Health Workers. It means that those
Health Workers who do not pass Matriculation will have to
retire from the date of enforcement of this Bill. Therefore,
it is good to make security for them as there is no security
mentioned for them.

In clause 4, names of the Council
to be formed are listed, Here I am confused about the period.
I will be glad if it can be explained. I am confused because
it is written - in page No. 5, clause 5, sub-clause 3 -
'The term of the President and Vice-President shall be two
years. The same person shall not be eligible to hold the
office of the President for more than two consecutive terms'

And in clause 6 sub-clause (1) it is written - 'Subject to the provisions of selection 7 & 8 and any rule made in this Act, the term of the nominated member shall be three years'. Here it means the term of the nominated member will be longer than the term of the President. Besides this, the proposed Council does not have life time except the President and Vice-President. Since now is the initial stage only it is good to make a life time for the council.

If we look at page no 4, clause 5, sub-clause 1, the President and Vice-President will be elected among the members. In clause 4, sub-clause 1(h) it is written - 'Director of Higher and Technical Education or his nominee' and in (i) 'Secretary, Mizoram Board of School Education or his nominee'. Here it is not clear whether they are going to nominate a particular person or those who ever is available. I, therefore would like to request the Hon'ble Minister to clear this point.

In page no 10 clause 19(c) it is written - 'That there are defects in his character which in the opinion of the council would render the entry or retention of his name on the register undesirable'. Here the meaning of defects is not clear enough. Therefore, it is good to amend the wording more clearly.

Regarding rules to be made by the Government, in clause 32 sub-clause 2(a) it is written - 'Members of the Council may hold office under section 6...' prescription of the period of less than 3 years'. Here also prescription of the period is not clear by saying only less than 3 years, it can be 6 months or 1 year and so on. Therefore, this should be made clear.

If we look at page No. 18, clause 34, it is written that legal proceedings and suites can not be instituted for anything done or intended to be done in good faith. In this regard what I would like to say is the term good faith is dangerous for Departments in Administration because we are facing problems for doing things out of good faith. Again what I would like to point out is I feel that the proposed councils are a bit selfish, and I am afraid too much power will be given to the council. Therefore, I would like to request the Minister in-charge to explain what I had pointed out.

Thank you.

PU R.ROMAWIA : Thank you, Pu Speaker, for giving me time. In my opinion, it will be better if the department take back this Bill and study it more carefully as there are many mistakes in it. If we have a detail look at it, we can see that there are many mistakes. In the preface also it is written He/She/Her/His/Himself/Herself. This makes the Bill untidy from the first page itself. It is enough to write He/She.

I wonder why the Government changes names so often. In the Bill, Civil Surgeon is still there. But there is no more Civil Surgeon, instead we have District Chief Medical and Health Officer. I also would like to have a say in regard to the composition of Mizoram Nursing Council. In the correction they made, there are Principal, Medical

Officer of Health Worker from Male School. So, there are 17 members. Out of these 17 members, 7 of them will be appointed by virtue of their office and 10 will be nominated. As already pointed out by the Hon'ble Member before me, term of the President and Vice-President is 2 years while the term of the nominated members is 3 years. This shows how complicated it is.

Again in page 7, section 12, the Council is to appoint its Registrar. In section 12 sub-section 3, it is written - 'The Registrar shall act as Treasurer to the Council'. It means the Registrar is to act as Treasurer to the council, but he is not a member nor is he not in a member quota. So, the position of the Registrar should be made clear. If we look at the appendix, registrar will be employed in a fixed salary basis. It is also written Registrar cum-Secretary one post. This means the Registrar has vast power in his hand still he is not a member of the Council. His position is very complicated, therefore, it should be made clear.

Regarding its membership, it is written in section 4(d) - 'One Nurse member nominated by the Presbyterian Church, Synod Mizoram'. I am afraid there may arise some feelings for the villagers and for the minor denomination Churches. Even Baptist has its Hospital with training facilities but it is not mentioned in the Bill. (Members said its mentioned). Where? (Members: Its in (e) Private Nursing Institution as nominated by the Government). Yes, I see.

S P E A K E R : There is a slight mistake in the copy of the Bill. That is in page No. 3. "The Constitution and composition" which read as clause 3 should be corrected as clause 4.

Dr.H.THANSANGA : Pu Speaker, I would like to make a suggestion. As we are to pass a Bill, we should do it in a correct manner. As we know, there are many error and mistakes in the copy. Therefore, I would like to suggest that the Department concern should prepare the copy of the Bill all over again and correct all those mistakes and errors. Then it could be passed easily.

PU H.RAMMAWI : Pu Speaker, according to our Rules No. 95 of page 41, you can make an adjournment. As this Bill has to be passed not later than this coming Wednesday, the concerned department could have time to sit and correct all those errors.

PU LAL THANHAWLA : Pu Speaker, I too, support the suggestions of the members stood before we.

PU VANLALNGHAKA : Pu Speaker, I would like to state that the best thing would be to go on as suggested by the House Leader.

PU LALRINCHHANA : Pu Speaker, I would like to state a few points. According to the Bill, we have Nurses Training School and Health Workers Training School, But no ANM Training Schools. And it seems the main function of the ANM is the same as that of the Health Workers. So, what is the benefit of having ANM if their work is the same with that of the Health Workers. Also the Health Visitors and the Health Workers are stated separately but their function, too, is the same. Therefore, these things should be cited clearly.

S P E A K E R : It is the second time for introduction and adjournment of this Bill. has been adjourned. I would like to remind the Hon'ble Health Minister to see that the concerned Department has done its task thoroughly.

PU P.C.BAWITLUANGA : Pu Speaker, I would like to request you to adjourn the House before we finalize this business.

S P E A K E R . As we have no more business to be discussed today, our meeting will be adjourned and will resume it on the 4th of April, at 10:30 A.M.

Meeting adjourned at 12:50 P.M.