

14TH SITTING OF THE 5TH SESSION
HELD ON 4TH APRIL '90 (WEDNESDAY)

PRESENT

Pu Hiphel, Speaker at the chair, 9 Ministers and 24 members were present.

QUESTIONS

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

PRESENTATION OF REPORT

3. Pu Malrinchhana to present the first Report of the Committee of Privileges of the Second Legislative Assembly.

MOTION

4. Dr. H.Thansanga to move motion in connection with the first Report of the Committee on Privileges.

LEGISLATIVE BUSINESS

Bills for consideration and passing

5. Pu C.L.Ruala to move that the Mizoram Forest (Amendment) Bill, 1990 be taken into consideration.

Also,
to move that the Bill be passed.

6. Dr. H.Thansanga to move that the Mizoram Prevention of Malpractices at Examinations Bills, 1990 be taken into consideration.

Also
to move that the Bill be passed.

7. (a) Pu S.Hiato to move that the Mizoram Nursing (Registration) Bills, 1990 be taken into consideration

Also
to move that the Bill be passed.

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

Also
to move that the Bill be passed.

S P E A K E R : " O give thanks to the Lord, for he is good; for his steadfast love endures for ever;"

Psalms : 107:1

Pu Aichhinga to ask starred question No.116

PU AICHHINGA : Pu Speaker I ask starred Question No.116

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

(a) Whether there is proposal for the reformation of the present Mizoram Administrative Unit.

PU LIANSUAMA : Pu Speaker, the answer to starred question No.116 is yes.

PU AICHHINGA : Pu Speaker, I would also like to ask whether there is any proposal for the division of Aizawl District, and If Yes, into how many district ?

PU LIANSUAMA : Pu Speaker, the question raised by the Hon'ble Member is under discussion, Therefore, I cannot give the specific answer to it.

S P E A K E R : Starred question No.117 by Dr.R. Lalthangliana.

Dr.R.LALTHANGLIANA: Pu Speaker, I ask starred question No.117.

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

Whether allotment of House site is made to the people of Pukpui Village in Lunglei District recently

S P E A K E R : Let us call upon the Revenue Minister to answer.

PU H.RAMMAWI : Pu Speaker, It is a must for the government to investigate this I have said this because the damaged report was received only from the congress people. And the Relief was given only to the same. So, action should be taken in this regard.

PU ZORAMSANGLIANA : Pu Speaker, supplementary question. The government notice that while some people had submitted their damaged report to the government, one prominent person had informed his party not to submit their damaged report as they would not get any help from the government.

PU J.THANGHUAMA : Pu Speaker, There was no cyclone hitting Mamit in 1988. This cyclone existed only for the Governor and the SDO Mamit. 10(ten) lakhs had been sanctioned for nothing. I do not blame this Ministry for this. But I demand that action should be taken(SPEAKER: the Hon'ble Agriculture Minister might have something to say)

PU SAIKAPTHIANGA : Thank you Pu Speaker.
MINISTER I think the people should know the truth in this regard. This cyclone really prevailed in Mamit at that time. I would also like to say that the V.C. at that time were M.N.F., V.C. and they would do as you tell them to do. Therefore, the Hon'ble member before me could get document from them. Also, the then SDO was regarded as an anti-MNF. So, early, the persons who submitted their damage report to the SDO were given relief.

S P E A K E R : Let us now go on to our next question to be asked by Dr.R. Lalthangliana.

Dr.R.LALTHANGLIANA : Pu Speaker, I ask starred question No.120

Will the Hon'ble Minister i/c PHE Department be pleased to state -

How far step have been taken regarding the Lunglei Greater Water Supply Scheme

S P E A K E R

: Let us call the Minister in-charge Public Health Engineering.

PU C.L.RUALA
MINISTER

: Pu Speaker, according to the Government's letter No. B.19012/4/88-PHE/17 of 25.3.89 the Greater Water Supply Scheme of Lunglei was given Administrative approval. Tender was called and after the contractor was selected, the machine and other necessary equipment were collected by the contractor.

The road is also under construction for truckable by the PHE Department.

The reservoir and the distribution system are also under preparation.

Dr.R.LALTHANGLIANA

: Pu Speaker, supplementary question. This project is designed to be completed within 3 years. Before we enjoy this water supply will it be possible for the people of Lunglei to get water supply from different means.

Secondly, the tender for this project was replied by seven people out of which four were dropped. The three firms like Western India Industry Limited, Subash Construction Company and the Mather Company were accepted. The only Mizo who replied the tender was dropped. I would like to know the reason for this.

Thirdly, out of the three firms, Western India Industries Limited tendered for 8.4 crores, which is the lowest. But, Subhas Construction Company which calls for 11.5.crore was taken. I would like the Hon'ble Minister in-charge to explain this.

PU C.L.RUALA
MINISTER

: Pu Speaker, regarding the Lunglei Emergency Water Supply. We have at present five trucks to supply water to the habitants of Lunglei town. The emergency Water Supply of Lunglei has not been neglected by the Government.

Regarding Greater Water Supply Scheme, the tender system had been done in two parts. One is the technical beat, the other being the Price beat. In the Price beat the three companies Subhas Project Limited Mather Company and Western India Industries Limited were selected. As the Hon'ble had stated Western India Industries Limited was the lowest tenderer. But after going through

the conditions and particulars of this company. It is found that many of the items and particulars were not replied by it. Therefore, the work Advisory Committee considered that the Machine which was to be supplied by the company was not suitable and rather difficult to maintain and most of all less economic. As a result the Western India Industries Limited was dropped and the Subhas Project which was in the next list was chosen.

S P E A K E R : Pu Zosiama Pachuau

PU ZOSIAMA PACHUAU : Pu Speaker, supplementary question. Is it a fact that one of the Tenderers chosen to supply machine for the Greater Water Supply Scheme of Luncheon replied the Tender for the amount of 1250 lakhs whereas the tender was called for 698 lakhs only ?

Also, Is it a fact that the company has already drawn out about 100 lakhs even before starting the work ?

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

PU ZORAMTHANGA : Pu Speaker, supplementary question. Is there not a specification for the machine to be supplied by the tenderer ? If possible, I would like to know how the machine was specified in the tender.

S P E A K E R : Let us now call upon Pu Lalthangliana

Dr.R.LALTHANGLIANA : Pu Speaker, It is often said that about 6 crore has been added to the Subhas Company besides the tender. I would like to know If It is a fact or not.

S P E A K E R : Let us call upon the Minister in-charge to explain them.

PU C.L.RUALA
MINISTER

: Pu Speaker, First of all I would like to explain the last question. The Subhas Project Marketing Limited was given an advance amount

This is because the High Pressure Pipe had to be ordered and Subhas Project needs an advance of about 100%.

Regarding the specification of the machine, It is difficult to say about the specification as I am not a technician. But, I am sure that some specification was there on the tender. In the tender, some machine which are acceptable are specified. In the case of the West India Industries, Limited. Its model machine used a pump of 2975 RTM - which was found very expensive. Therefore this company was dropped.

Regarding the estimate cost, the estimate amount of The Subhas Project goes to a little less than 13-crores while this contract carries an estimate amount of more than 14-crores,

S P E A K E R

: Since the question hour is over, let us call upon Pu Lalrinchhana to lay the Privilege Committee Report to the House.

PU LALRINCHHANA

: Pu Speaker, with your permission and in the names of the Privilege Committee and its Chairman, I hereby present "The First Report of the Committee of Privilege of the Second Legislative Assembly to this August House.

S P E A K E R

: Let us distribute the copy to all the Members.

PU P.C.ZORAMSANGLIANA:

Pu Speaker, we have taken only five questions today. I would like to know whether there is any department which refuse to answer the questions.

S P E A K E R

: That can be answered only after this session.

PU P.C.ZORAMSANGLIANA:

Pu Speaker, we, the members of the August House are interested in each and every question. So, I demand that all questions should be answered and explained.

S P E A K E R

: We generally accepted the Committee Reports. But in the case of today's Reports, there are some points to discuss. Let us now call upon

Dr H.Thansanga to ask permission of the August House for the discussion of the Committee Report.

Dr H.THANSANGA : Pu Speaker, I beg leave of the
MINISTER House to discuss the Privilege Report in this August House.

S P E A K E R : Let us start our discussion.

Dr H.THANSANGA : Pu Speaker, First, I would like
MINISTER to say that the Reports of the Privilege Committee is generally adopted by the House. But in the call of the present report, there are some points which need the full decision of the House. Therefore, we need to have a discussion.

As this is for the benefit of the people of Mizoram, I think it would be a good idea to explain the meaning of Privilege.

The Privilege is contained in Article 105 of our Constitution. According to this privilege the constitution protects the rights of the members of Parliament and the member of the Assembly of the State. The members of the House could perform efficiently and effectively in the House under the protection of the Privilege. Therefore, to safeguard this august House, the right, freedom and dignity of the members are important as a House is composed of members. This is what the Article 105 of our Constitution tries to protect. Based on that, the Privilege Committee is set up separately. And we are going to discuss the report of this Committee today.

The Privilege Committee has discussed and considered about the 30th March issue of "Sakeibaknei". In that issue the speech of one of the Hon'ble Members of this House, Pu Zoramsangliana was wrongly published. This has become Breach of Privilege. Therefore, the Privilege Committee considered the case as the news published in Sakeibaknei Bi-Weekly News Magazine has breached the privilege of the member as the speech is wrongly reported. The Editor and the Editor-in-Chief were called to stand before the Committee. The Editor was pardoned and the House decided that no action should be taken against him. In the case of the Editor-in-Chief, through he submitted his apology, he had written a like this, "He had written the speech of Pu Zoramsangliana for his leaders to know" which means he had something reserved in his mind. So, the Committee, on page 17 of its recommendation reads that after considering the case of the Editor-in-Chief, the Committee submitted its recommendation for the House to decide the final decision to be made against him. Here, the Committee wanted the House to make decision regarding the Editor-in-chief. Generally the House adopts the decision of the Privilege Committee. So, something has to be done by this House. In this regard, I would like to suggest that, the Editor-in-chief be summoned and state his apology to before the members of this House. Thank you.

PU ZOSIAMA PACHUAU : Pu Speaker, I would like to mention that the article published on Sakeibaknei news Magazine which the Hon'ble Parliamentary Affairs Minister has just read out was also published in other newspapers on the same day. The other two being "Mizo Arsi" daily paper and "Sofia" which is bi-weekly. No action has been taken so far on these two news papers but the Editor of Sakeibaknei was tried and condemned even after the apologised to the Committee. I think this House is full of partiality. It is a shame to have this kind of Ministry. Why can't we pardon him? What kind of privilege do we have today? Do you want to kill or else Pu Speaker? (Members: Enough, control yourself) (The members were murmuring) (SPEAKER: Let us all be quiet, Marshal, let the member be out of this House.

PU VANLALNGENA : Pu Speaker, I have never came
DY SPEAKER across this kind of person since Union Territory. He doesnot have any respect for the House. He had once broken government's property and now he tried to make trouble inside the House.

S P E A K E R : That M.L.A. is suspended for this session.

PU P.LALBIAKA : Pu Speaker, I think his action should be considered carefully. At least he should have waited for your answers.

S P E A K E R : Now, he is going out. He cannot sit in the House during this current Session. Please let us all be seated. The member is suspended.

PU P.LALBIAKA : Pu Speaker, I would like to say that I agree with your decision regarding the member.

PU H.RAMMAWI : Pu Speaker, in this august House you should be careful with your decision. Members are seldom suspended from this House. I would like to request you to review your decision.

(SPEAKER: He himself does not want to sit in the House. You too should be careful in your decision.

Dr.H.THANSANGA : Pu Speaker, as I Parliamentary
MINISTER Affairs Minister, I would like
to say something. In my opinion
the behaviour of the member was
unforgivable. I hope this kind of conduct never happen
again in future. As a speaker you should control this
sternly. You have now given your order and that should
be carried out.

S P E A K E R : Before you express your feelings
I would like to say something
about the Hon'ble Member.

(PI LIANSUAMA: not honorable) I understand his angriness,
but I have never heard of a member trying to man-handle
the speaker.(Pu ZOSIAMA : two Editors are asking for pardon,
but only one is being pardoned. There has never been like
this in India) If that is so, you should have moved your
motion to the House. (Pu ZOSIAMA : there was no time for
that. You can move your motion as soon as there is time.
As I have stated earlier, you are suspended for this
session.(PU C.L.RUALA : We should go on as your decision,
Pu Speaker). (PU ZOSIAMA : I will come back).

Dr.H.THANSANGA : Pu Speaker, I hope this kind of
MINISTER action should never happen again
in future.

S P E A K E R : Pu Saikapthianga

PU SAIKAPTHIANGA : Pu Speaker, first of all I
demand that the member should
be suspended as long as one
Rule permits us.

You have done the right thing in
deciding for the Privilege motion to be moved.

Regarding the news Magazine
"Sakeibaknei" the Hon'ble member who was just suspended
stated that two other newspapers had also published
the speech of Pu Zoramsangliana wrongly. But, I would
like to say that. It is not the duty of each M.L.A to
read every newspapers. A Privilege motion has come
against the first Editor who commit the Breach of privi-
lege. The member has accused us of being partial.

Regarding the Editor of Sakeibaknei
we have discussed his action the other day. He has no
respect for the House. Not only the Congress members
have criticised his news magazine, but also, the oppo-
sition members have also did the same.

PU ZALAWMA MINISTER : Pu Speaker, allotment of House site was being made for some persons. But as there is an objection coming up, the stay order is being issued.

Dr. R. LALTHANGLIANA: Pu Speaker, If I am not mistaken the L.S.C. was already issued at January last. If that is to be cancelled it would be very much appreciated. So, I would like to ask the Hon'ble Minister in-charge whether he can give assurance regarding the cancellation of the Land Settlement Certificate.

PU AICHHINA : Pu Speaker, I would like to ask about the allotment of house site at Rengte Kawn and whether the allotment is made with the agreement of the Government.

PU ZOSIAMA PACHUAU: The Minister has noticed that L.S.C. has been issued to certain persons on the site where house has already been constructed in Thenzawl.

PU ZALAWMA : Pu Speaker, Regarding the question of the allotment of house site at Pukpui I would like to state that, after the Assam Rifles had left the place many people have sent in their application for the allotment of house site. After careful consideration house site was allotted for certain persons. They were Pu C. Robuanga, Rodinga, Vanzama and Pi Biaksangi. But due to the rising of objection, stay order is issued.

Regarding the Pukpui area itself, I would also like to state that the armies used to occupy the area. After they left the place, many people have claimed ownership. Therefore, this area has been proclaimed as Restricted area.

Regarding allotment of house site of Rengte Kawn I would like to state that the government have no knowledge of the matter and no complaint has come -

Regarding the settlement of house site at Thenzawl, survey had been done at the town itself and after the completion of the classification of land and the notification in area wise, all the respected area would be settled.

PU ZOSIAMA PACHUAU: Pu Speaker, the Hon'ble Revenue Minister did not answer my question. My question is not regarding the classification of area but in regard to the issue of Land Settlement Certificate.

PU ZALAWMA MINISTER : Pu Speaker, the Government goes not get any report about the settlement of house site at Thenzawl.

PU AICHHINGA : Pu Speaker, I would like to ask one more question regarding the issue of L.S.C. at Rengtekawn. The Hon'ble Minister had stated that there was no complaint regarding this matter. Therefore, I would like to know whether the matter would be considered if a complaint is submitted now.

PU H.RAMMAWI : Pu Speaker, while being on tour to our respective constituencies, the members used to come across various problems faced by the people in those areas. Those problems were stated again in the House. It not that enough or has the government still ignoring those problems faced the people ?

S P E A K E R : You, the Hon'ble member may point out anything you feel like. But you also have to note that in some cases the Ministry cannot make decision at the House regarding your various subjects you have pointed out.

PU ZALAWMA MINISTER : Pu Speaker, regarding the question OF Rengtekawn, the matter would be checked and considered as seen as a complaint is submitted.

Regarding the various problems of the people which were stated in the House by the Hon'ble members. I would like to say that the matters would be noted and if there is specific report, action would be taken by the government.

S P E A K E R : Question No.118 to be ask by Pu Aichhinga.

PU AICHHINGA : Pu Speaker, I ask question No.118.

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

- (a) The total Megawatts of power got by Mizoram from outside.

How much we generate from the Diesel generators and what is the peak load requirement of our state at present.

- (b) The total number of villages already generated during the year 1989-90.

PU LIANSUAMA : Pu Speaker, Mizoram gets 11 M.W. of
MINISTER Power from Assam and NEEPCO. From Diesel generators, we generate about 20 MW of power. At present, the peak load requirement is 42 MW.

The answer to the second question is that during 1989-90 29 villages were generated.

S P E A K E R : Starred question No.119 by Pu J.Thanghuama

PU J.THANGHUAMA : Pu Speaker, I ask starred question No.119

will the Hon'ble Minister of Relief and Rehabilitation Department be pleased to state -

- (a) the total number of villages and families affected by cyclonic-storm during October, November and December 1988 in Zawinuaa (Bokicheria) Mamit and Kawthah constituency.
- (b) Name of Administrative Centres from which damaged reports were received by the Deputy Commissioner and the date/dates of receipt (on which the Reports were received by Deputy Commissioner, Aizawl).

S P E A K E R : Let us call upon the Minister in-charge, Pu P.Siamliana

PU P.SIAMLIANA : Pu Speaker , (a) 54 villages and
MINISTER 2305 families (b) from SDO Mamit on 9th Dec.1988.

PU J.THANGHUAMA : Pu Speaker, supplementary question. I would like to ask few things regarding the matter under discussion. As the matter we are discussing now happened during the Presidents' Rule the present Ministry may not be responsible. But I would like to say that that cyclone did not exist. I had personally collected certain documents from the A.O. and V.C. and also from the various political parties which tells me that cyclone did not happen at Mamit during that time. As we all know, more than 10(ten) lakhs have been sanctioned for relief. Therefore, the report received from the SDO Mamit was false. Will the government take action ?

PU F.MANGHNUNA : Pu Speaker, if it was not a serve cyclone, perhaps it was some strong winds blowing.

PU P.C.ZORAMSANGLIANA: Pu Speaker, It seems to me that the serve cyclone prevailed in the months of October and November, 1988 had also affected part of the constituencies of Mamit, Lawlnuam and Kawrthah.

PU P.SIAMLIANA : Pu Speaker, according to the report
MINISTER from the SDO Mamit, a serve cyclone hit the area.

The SDO, himself also told me personally that, he himself had visited the affected area and saw the damaged in his own eyes and the report itself was also made from it.

Since the subject under discussion happens before our Ministry I find it difficult to give answer to the questions raised by the hon'ble member of Lawngtlai and Pu P.C.ZORAMSANGLIANA.

PU H.RAMMAWI : Pu Speaker, my first question is whether the Ministry would like to accept the so called cyclone of the S.D.O. Mamit.

Secondly, I would like to suggest that it would be a good idea if the government could send some persons to have on the spot (SPEAKER: Regarding your first question the government have already accepted the report of the SDO Mamit. Therefore, more than 10 ten lakhs have been sanctioned). But, according to one of the hon'ble members, It seems that It was only a 'paper cyclone'. So, I would suggest for sending Senior Officers to the spot to have a clear investigation of the matter.

PU J. THANGHUAMA : Pu Speaker, I do not blame the present Ministry. Its action is based on the report of the SDO Mamit. I have contacted the A.O's and V.Cs of the Constituency I even have their report which says that the report made by the SDO, Mamit was false. Therefore, can the government take action against the SDO, Mamit.

S P E A K E R : I think It would not be possible for the Minister in-charge to make a decision.

PU P. SIAMLIANA : Pu Speaker, as I have stated before the subject under discussion occurred before this ministry. And the report made by the SDO Mamit was also accepted and so. More than 10 (ten) lakhs was sanctioned for the victims of the cyclone. It becomes difficult for us to verify the matter now since it happened before our Ministry was formed.

PU RUALCHHINA : Pu Speaker, the report submitted by the SDO, Mamit is doubtful. Even if the previous Ministry had accepted the report, I request this Ministry to cancel the acceptance and investigate the matter all over again.

PU P. SIAMLIANA : Pu Speaker, we should not make ourselves busy by worrying about the past.

PU J. THANGHUAMA : Pu Speaker, In my opinion, we should take action against wrong things. I have pointed out this matter several times.

PU P. SIAMLIANA : Pu Speaker, the amount sanction for the cyclone victim was made during the President's rules. That means the Report of the SDO was accepted by the Government at that time. Therefore, let me state once again that It is rather difficult for this ministry to take action

S P E A K E R

: Some of you thought that my decision against the member was made on the spur of the moment and without proper consideration.

When a member of the House interrupts the proceedings of the session, he should be sent out instead of breaking the sitting.

Let us now ask the Parliamentary Affairs Minister to sum up.

Dr.H.THANSANGA

: Pu Speaker, the Privilege handed over the matter to the House for its finalisation. If the committee was satisfied with the apology of the Editor-in-chief, it would report to the House and recommend that the apology may be accepted and the House would adopt it. But the committee left the decision making to the House, which means the Committee is not satisfied with the apology of the Editor-in-chief. Therefore care should be taken in making a decision regarding this.

The letter from the Editor-in-chief was not apologetic as stated by Pu Tawnluia. It seems that he does not admit his fault. If he admitted his fault and promise not to repeat the same in future. It would be different and the Committee as well as the House could easily make a decision and that is what the House also wanted.

Therefore, Pu Speaker, let us go in the direction. (SPEAKER: After you make as a Resolution the House will consider and adopt it).

Let us make it as, "The Decision of the House", "Notice has come to the House from the Hon'ble Member, Pu Liansuama regarding the 30th March issue of Saŋeibaknei Magazine in which the speech of Pu Zoramsangliana was wrongly published. After the Speaker read out the Notice to the House, the matter was referred to the Privilege Committee. As a result the Privilege Committee summoned the Editor and the Editor-in-chief before the Committee and two points of recommendations have come up. Firstly, the Committee regarded that it is not necessary to take actions against the Editor Pu Lalthanzama, which the House adopted.

Secondly, No specific decision have been made regarding the Editor-in-chief Pu J.Lalthangliana but recommended that the person concerned deserved action. The House may consider his case"

The House adopt the first recommendation of the Privilege Committee regarding Pu Lalthanzama.

Therefore, Though I have admired the employees of this News Magazine, I must say that the articles in the magazine needs slight changes. And I also demanded that the Editor must apologise before the House.

PU LIANSUAMA : Pu Speaker, I feel It is great shame that one of the members of this House acted like this. According to our Rule No.144 this member has breached your privilege. Therefore, action should be taken against him.

Before we take out our present issue I would like to request you to considered the action of the member.

S P E A K E R : I think taking out two issues at a time would be difficult. So, let us call upon Pu Tawnluia.

PU TAWNLUIA : Pu Speaker, we have had slight discussion on this issue the other day. As we know, the Privilege Committee has laid out its report to the House today.

First of all I would like to say something about the member who has just left the House. In my opinion his action should not be mentioned again for the time being, but rather concentrate on our business.

Regarding the Report of the Privilege Committee regarding the Sakeibaknei Magazine, the subject on show cause notice to Sakeibaknei submitted by the Editor-in-chief of Sakeibaknei was not quite clear. And I find it hard to form an idea. However, the Privilege Committee laid out the report to the House for its consideration. What I would like to say is that this kind of things should never happen again in future in order to protect the privilege of the members of this House.

Also, the apology of the Editor-in-Chief was not clear. It seems to me that this magazine does not admit its fault but only sent an apology as though there is no other choice. So, It would be easy to make a decision If the Editor-in-chief had admitted that he was wrong and breached the privilege of the member. But reading the letter of the Editor-in-chief the main idea is not clear, and does not seems an apology. It would be best to know If the Editor-in-chief has accepted his fault. If so, whether he ask for an apology or not. If one admits his fault and apologise to the Committee, the committee or the House may consider it. And I would also like to request the House to make sure about this. Thank you.

Regarding the Editor-in-chief, the House demanded that the person should stand before the House in person, and state before the House whether he's going to apologise or his publication regarding the speech of Pu Zoramsangliana was the truth. If he ask for pardon he would be pardoned in the House itself. Besides, he should also publish on the frontage of his magazine for three issues that he is sorry for his action and his apology and even the right speech of Pu Zoramsangliana. This is the decision of the House".

The above Resolution may be summarised by the speaker.

S P E A K E R : I have summarised the Resolution.

PU LIANSUAMA
MINISTER : Pu Speaker, as suggested by the Parliamentary Affairs Minister, I would also like to suggest that the Editor of Sakeibaknei News Magazine should admit his fault and apologise before the House. Even in his News Magazine his apology should be published.

PU C.L.RUALA
MINISTER : Pu Speaker, in that case, I would like to make a suggestion that his apology contained in his preview letter to the House should be published.

S P E A K E R : To conclude this case, we shall do it like this. As already permitted by the Privilege Committee this august House discussed and considered the case. And according to the Resolution of the Parliamentary Affairs Minister, "after the House discuss and consider the letter of Editor of Sakeibaknei, the House cannot accept the letter as an apology. Therefore, the person in this case should be summoned before the House" Do you all agree with this Resolution? Yes, since it is agreed, the House may fix the date of summon.

PU H.RAMMAWI : Pu Speaker, you the speaker of this House decide and fix the date.

S P E A K E R : Well, I shall fix the date and inform you later

We shall now go on to the Legislative Business. Let Pu C.L.Ruala beg leave of the House to move The Mizoram Forest Amendment Bill, 1990.

PU C.L.RUALA : Pu Speaker, First of all I
MINISTER would like to say a few points concerning the Bill.

During the time of the previous Ministry in 1988 this Bill had been introduced by an Ordinance. The Bill was also introduced in order to have a fixed rate of the Forest products as we had no proper rate of our forest products. However, the ordinance was expired as it was not processed. Therefore, we need to consider this Bill again today.

And Pu Speaker, I beg leave of the House to introduce and consider this Bill in this House.

S P E A K E R : Have you anything to say regarding this Bill? Yes. Pu Tawnluia.

PU TAWNLUIA : Pu Speaker, I would like to request the Hon'ble Minister in-charge to clarify the third paragraph on the first page of the Amendment of Section No.2 in the Bill, which reads "Reserved Forest means any areas which is constituted as reserved Forest under the Assam Forest Regulation, 1891, or adapted." If the Hon'ble Forest Minister clarify the meaning to us it would be a lot easier to discuss and form an idea leading the Bill. Thank you.

PU H.RAMMAWI : Pu Speaker, I find the Bill good enough except that in the first paragraph. It has been written that the Bill has to come into force at once which I think it rather urgent. Therefore, I would like to request the Hon'ble Forest Minister to explain the reason why it becomes so urgent.

S P E A K E R : Pu J.Thanghuama

PU J.THANCHUAMA : Pu Speaker, as forest reservation is important, It deserves special consideration and discussion. In this connection, the Central Ministry proposed to call all the Chief Ministers of India to discuss the Forest Reservation within the tribal area.

The Royalty received from the forest products is one of our main sources of revenue regarding forest. In the meantime, there are some persons who need the forest products for their own consumption. So, it would be appreciated if the government could take this matter as priority.

Regarding the stone royalty received from the BRTF, I would also like to suggest if the BRTF could report their consumption of stones in a specified manner. So that there would be no practices of false means. If that is so, the Royalty can also be fixed.

S P E A K E R : We still have a few minutes left for discussion I shall ask the Minister to make a conclusion.

P U C . L . R U A L A : Pu Speaker, this Amendment Bill is not to come into force according to the Act. However, this Act would empower the Forest Department in controlling the Royalty of the Forest products. This Amendment tries to give the Forest Department the power to make a reasonable royalty for the forest products. The Department would fix the rate of the forest products reasonably in which the sellers have to follow. Therefore the words, "It shall come into force at once" has been included in the Bill.

Regarding the question of the third paragraph of Amendment of Section 2 - I would like to say that while Mizoram was under the District Council, being a part of Assam, we have adopted the Assam Regulation as Assam has no Act. Since, we have now gained the Statehood, that Regulation has to be altered slightly. Therefore, the sentence on the Sixth Schedule. Regarding 3, Sub-paragraph 2- of the Assam Forest Regulation which reads: "Reserved Forest means any area which is reserved Forest under Assam Forest Regulation Act, 1891 or under any other law for the time being in force in area in question;" has been altered into "The Reserved Forest means any area which is constituted as a reserved forest under the Assam Forest Regulation, 1891, as adopted".

Regarding the question of stone royalty raised by the Hon'ble Member of Aizawl West-1, after every three months the BRTF have submitted to us their required quantity for that period. After having verification royalty is made. So, I would like to say again that even the BRTF have started their work their requirements of stones for three months is reported to us and that is verified and royalty is made accordingly.

Pu Speaker, I beg leave of the House to pass the Forest Amendment Bill, 1990. Thank you.

S P E A K E R : Those who agree to pass clause 2-5 of the Bill may say "agree" (Agree). Those who agree to pass clause 1 and the enacting formula may say agree (Agree). And lastly you all agree to pass the entire Bill? Yes, you all agree.

Well, The Mizoram Forest Amendment Bill, 1990, is just passed by the members of this House. (Members clap their hands). We now shall have recess till 2 - P.M.

RECESS TILL 2 PM.

DY SPEAKER : Before we start our discussion, I would like to say a few things regarding the incident of this morning.

What I would like to say to the members is that a Parliamentary Democracy has been practised in this Hall for almost forty years. So far, we are proved of this.

As we all know, a very unfortunate incident had happened this morning. I would like to request each and every member to forget the incident of this morning and I also hope that it will never happen again in future.

Let us now call upon Dr.H.Thansanga to move his Bill to this august House.

Dr.H.THANSANGA : Pu Deputy Speaker, I had already introduced "The Mizoram Prevention of Mal-Practices Act Examinations Bill, 1990". I now ask the permission for the consideration of the same Bill.

DEPUTY SPEAKER : He has asked for consideration. Are we agree? Yes, any member who wants to stand may do so.

AICHHINGA : Pu Deputy Speaker, I am very glad that "The Mizoram Prevention of Mal-practices Act Examination Bill" has been moved to the House for discussion.

The Education standard of Mizoram has been going from bad to worse. It seems that the Bill has been introduced to remove the malpractices in the Examinations. However, I would like to say that some important points are not included in the contents of the Bill. The mal-practices which could occur inside the examination hall and even the case of cheating between the teachers and the examinee are not included. While reading the Bill, I have noticed that the penalty for the leak out of question papers and other matters are included which I find it insufficient considering the case in Mizoram.

Therefore, I would like the Minister in-charge to clarify this. Thank you.

S P E A K E R : Dr.Lalthanqliana

Dr.R.LALTHANGLIANA : Pu Deputy Speaker, as stated by the members before me the penalty for mal-practices or cheatings inside the examination hall is not written in the Bill clearly. I, therefore request the Minister in-charge to reconsider the matter.

I would also like to say few things in regard to this Bill. To maintain the educational quality, the evaluation and marking pattern of the examination papers are very important. But this case is also not appearing in the Bill.

Lastly, I would like to request the Hon'ble Minister to explain one thing. Besides, the University and Examination Board, "other Specify Authority" appears in the Bill. The meaning of "other Specify Authority" is not clear to me. I, also like to request the Minister to explain this.

DEPUTY SPEAKER : Pu H.Rammawi

PU H.RAMMAWI : Pu Deputy Speaker, Regarding this Bill, I would like to say that a slight change has to be made that in clause 1 - Sub-clause-2, It has been written as, "This Act may be called the Mizoram Prevention of Mal-practices at Examination Act, 1990". Again in clause 2-....."Provided the provision of this Bill" is found. Here in the second sentence, the word "Bill" should be altered as "Act". This is because after a bill is passed it becomes an Act. Therefore, It is not a Bill anymore, and the word "Bill" is to be changed as "Act".

I would like to add a few things in regard to the malpractices of invigilators and students inside the examination Hall. Malpractices and cheatings of invigilators and students could be found in many places. Therefore, a penalty for this should be included specifically in our Bill.

Lastly, I strongly recommend this Bill and would be appreciated if it can come into force as soon as possible.

PU J.THANGHUAMA : Pu Deputy Speaker, regarding the Education in Mizoram we have one problem. At present there are three Districts in Mizoram. The Education in Primary level is under the

authority of the district respectively. The State government has no authority over it. As this is so, the medium of instruction is different in each district in the case of the primary level. And at the Middle School, it becomes very difficult to change the medium of instruction instantly. So, the main problem here is that the medium of instruction or the language is different in each district. How can the Act extend to the whole of the State of Mizoram. If this is how the Education system is going? The three districts are within the same state. Therefore, something has to be done by the government. It would be good if the government could find a way of creating a uniform type of medium of instruction. Thank you.

PU RUALCHHINA : Pu Deputy Speaker, I would like to add one point regarding the Bill under discussion. The Bill is quite good for us and I thought that the Bill should be passed as quickly as possible.

In this Bill one thing which I find very important is not included. That is the penalty for the invigilators who practised faults means inside the examination hall. This kind of act is very much practised now-a days by many teachers inside the examination hall. The penalty for this is not written in the Bill. However, the penalty for teachers or invigilators who refuse to discharge any function assigned to him/her is found in the Bill. But the point I have pointed out is being omitted. Therefore, I would like to suggest the stated point to be included in the Bill.

PU LALRINCHHANA : Pu Deputy Speaker, I would like to mention one point to upgraded our education - at system this point is very important as a whole. In our country the use of fake certificate becomes popular day by day. If this is not properly checked the education system will surely suffer and our educational quality will also be degraded. Therefore, I suggest that this matter should also be included in the Bill. Thank you.

DEPUTY SPEAKER : Let us now call upon the Minister in-charge to beg the House to pass his Bill.

Dr.H.THANSANGA : Pu Deputy Speaker, I am glad that the Hon'ble Members had stated their view points which shows that each had studied the Bill thoroughly. I am also happy to note that we are all agree to the idea that the Bill is necessary for Mizoram.

The point mentioned by Pu Rualchhina is very important I think you have seen the corrigendum distributed to you.

On Section 8 - of the corrigendum, you can find that "Any person who being entrusted with the conduct, supervision, evaluation of answer papers, tabulation as a paper setter, moderator, center Superintendent, invigilator, Examiner and or Tabulator or publication of Results of any examination or any other works connected with the examination or publication of its results". After this sentence the words "fails to discharge the duties assigned to him/her honestly" have to be added.

Regarding the evaluation of answer papers, I would like to state that evaluation has been done carefully and strictly so far. The Roll numbers do not appear on the answer papers. Only the code-number appear on the paper. Therefore, the examiners have no means of cheatings regarding the marks. According to the present system there is no way of knowing the Roll number of a particular student by the examiners.

Although the question of the medium of Instruction raised by Pu J.Thanghuama was not relevant to our subject. I shall try to explain it. The Hon'ble Member Pu J.Thanghuama had stated that the Chakmas have used Bengali Medium which I will explain. The Chakmas have no alpha-bet of their own. So, Bengali is used as their common language as well as for their medium of instruction. It may not be for the best to impose Mizo Medium in the Chakma area as Bengali is not a foreign language. Also, according to the 8th Schedule of our Constitution, Bengali is a recognised language. Therefore, It becomes complicated. However, this problem may be solved gradually.

Regarding the false certificate, the Education department has been working on this issue and try every possible means to stop and check the prevalent of false certificate. (Pu J.Thanghuama : as a point of information, some government employees were being suspended by the government on grounds of using false certificate. Is there any intention to take actions against those people)?

Pu Speaker, this subject has been considered for a long time. The department has been doing exercise on this regard for the government to take action.

Regarding the examination and results of Matriculation, I would like to inform you that a Review Committee consisting of three members have been established to enquire the reasons for the bad results of Matriculation. This Committee is expected to submit its report to the Department concern within two months. The Department has taken steps in this way.

I do hope my explanations have satisfy you and If there are some points which are not clear to you It would be explained later. Now, I request that The Mizoram Prevention of Mal-practices at examinations Bill, 1990 be passed. Thank you.

S P E A K E R : The Mizoram Prevention of Mal-practices at Examination, Bill, 1990, has been already discussed. Those who agreed to pass clause (2) to clause (12) may say "Agree", (Members:Agree) Do you agree to pass clause (1) and the enacting formula? (Members:Agree) Those who agreed to pass.

The Mizoram Prevention of Mal-practices at Examination, Bill, 1990 as a whole may state "agree" (Members: Agree) Is there anyone who disagree? Well, we are all agree to pass this Bill. The Mizoram Prevention of Malpractices at Examination, Bill, 1990 is passed.

Dr.H.Thansanga, Minister in-charge Parliamentary Affairs begs the permission of the House to make a statement on the un-receiving behaviour of Pu Zosiama Pachuau as follows :

"Dr.H.Thansanga, Minister in-charge Parliamentary Affairs notice subject statement on the ruling behaviour of Pu Zosiama Pachuau in the forenoon sitting of 4th April, 1990 which amount to Breach of Privilege of Speaker of the House and of Members under rule 58-of Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly. I beg to forward herewith the copy of statement which I intend to make in the afternoon sitting of 4th April, 1990. I would be very glad if you could allow me to make the statement under Provision of rule 58".

Let us now call upon him to make statement.

Dr.H.THANSANGA : Pu Deputy Speaker, first of all I MINISTER would like to give my gratitude for allowing me to give statement. I beg to make this statement hoping that this kind of behaviour would never occur in future.

In this session the Hon'ble Member of Ngopa has broken the microphone. As a Parliamentary Affairs Minister, I thought that something has to be done at the end of the session. Not only this, he acted unrutely against the Speaker. This kind of behaviour could be avoided. We have adopted a Democratic principle for discussing our misunderstandings.

On today's incident, there are two things that matters. One is to challenge the Speaker which becomes a breach of privilege and the second one is the Mace, which is the British tradition we adopted. This mace had casts a lot. The Mace is the sacred property of the House and should not be handled wrongly. Therefore, the member concern has breaches the privilege on this account. Besides, he also has put a treat on the life of the Speaker which was surely a breach of privilege of the Speaker.

However, to make action on all these may not be the best for all of us. The Speaker has a ruling and he may make a decision in this matter.

In future we may not tolerate this things, I also hope that the Member could contest himself in future we must always remember that we represent the people of this country.

In conclusion, I have given my statement as a Parliamentary Affairs Minister. I request that my statement be accepted by all the Members. Thank you.

S P E A K E R : Pu J.Lalthangliana, Editor-in-Chief of Sakeibaknei Bi-Weekly News Magazine was summoned to stand before the House at 3: PM He has just arrived. Shall we call him in? Pu J.Lalthangliana.

'A privilege motion has come to the House against you as you published the speech of Pu Zoramsangliana wrongly. After the House considered the matter, it was handed over to the Privilege Committee. After the Committee carefully considered and discussed the matter as well as your apologise. It has come to the conclusion that, your apology was not satisfactory. Therefore, the decision making is again handed over to the House.

PU J.LALTHANGLIANA:
EDITOR-IN-CHIEF
SAKEIBAKNEI. Pu Speaker and respected members, I am very sorry that the article published in my magazine on the 30th of March, 1990 has come to a disgrace the name of Pu Zoramsangliana, a member of this august house. I would like to apologise for that.

S P E A K E R : Any one who would like to raise questions may do so now.

PU VAIVENGA : Pu Speaker, the same article was first published in Mizo Arsi. I would like to ask why the same was again published in Sakeibaknei.

S P E A K E R : You are expected to answer all the questions.

PU J.LALTHANGLIANA:
EDITOR-IN-CHIEF
SAKEIBAKNEI Pu Speaker, I would like to say that Sakeibaknei Magazine is the Publication of Mizo Arsi. Therefore, without knowing that the article

would disgrace the name of the hon'ble member. It was published in Sakeibaknei, we had no intention of disgracing anyone. So, I would like to apologise today.

PU LIANSUAMA
MINISTER

:

Pu Speaker my first question is whether the Editor-in-chief of Sakeibaknei Bi-weekly, Pu J.Lalthangliana was present at

the Press Gallery when the subject under discussion was discussed earlier in the House?

My second question

Does the Editor know Sapremthanga personally ?

The article was sent to the Editor of the Magazine for publication by a person named Sapremthanga. I would like to ask if the Editor confirmed if the contents of the article was facts.

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI

:

Pu Speaker, The answer for the first question is that as I was busy in other business, I was not present at the Press Gallery.

Regarding the confirmation of the contents of the article sent by Sapremthanga, I would like to say that, I have not read it till now as I left it to the responsibility of my staff.

I would also like to say that I know Sapremthanga personally, and I also asked him whether the article was mis-quoted or not. But, he had informed me that it was not mis-quoted.

S P E A K E R

:

Before the Privilege Committee you mentioned that you were responsible for it.

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI

:

Pu Speaker, yes I am responsible for all the article published in my magazine.

S P E A K E R

:

But, you have just said that you handed over the responsibility to your staff.

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI

:

Pu Speaker, although I am responsible for all the publication in my magazine, that particular article was published by my staff. Therefore, I am here today.

PU C.L.RUALA
MINISTER

; Pu Speaker, It would be appreciated if the Editor could assure us that this kind of thing would never happen again in future.

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI

: Pu Speaker, I can certainly make an assurance. I even wrote to the Privilege Committee that I would never let it happen again in future.

PU SAIKAPTHIANGA
MINISTER

: Pu Speaker, I would like to ask one question. The original copy of the article by Sapremthanga and the copy published in the magazine are different. Can the Editor explain this ?

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI.

: Pu Speaker, I would like to apologise for that.

PU VANLALNGENA
DY SPEAKER

: Pu Speaker, one question please. Can the Editor Publish in his papers Mizo Arsi and Sakeibaknei for three consecutive days that he had published the speech of the hon'ble Member wrongly and feel regret and also apologise for it ?

PU J.LALTHANGLIANA
EDITOR-IN-CHIEF
SAKEIBAKNEI

: Pu Speaker, I will do it as demanded.

S P E A K E R

: If there is no more question to ask, I would like to raise a question to the Editor were you present at the Press

Gallery when the Mizo Arsi Magazine against a Privilege motion was laid in the House ? (PU J.LALTHANGLIANA : I was present on that day). You were present at the Press Gallery when the Privilege Motion against Mizo Arsi was presented at the House. But you had again published at the Sakeibaknei Magazine. Is Sakeibaknei your publication too ? (PU J.LALTHANGLIANA : Yes, Pu Speaker)

Are we all satisfied ? (Member:

Yes.)

We have listened to all his answers and explanation. We can now form a decision. Anyone who would like to stand may do so .

PU VAIVENGA : Pu Speaker, as recommended by the Privilege Committee we have discussed and considered the matter I think there is not much left to do now. We have summoned him at the House and he answered all the questions satisfactorily. Therefore, I would like to suggest that he would be granted pardon as he requested.

PU AICHHINGA : Pu Speaker, we have heard about the answers of Pu J.Lalthangliana regarding the Privilege Motion. And I do opined that he should be pardoned this time.

S P E A K E R : Well, we have heard his apology and the House also accepted his apology. So, I would like to ask you whether you are all agree to pardone? (Members: Agree)

I now declare that Pu J.Lalthangliana Editor-in-chief of Sakeibaknei Bi-Weekly Magazine has been pardoned.

We shall now go on to our next item. Pu S.Hiato has a bill to present at the House. As he is absent today, his bill, The Mizoram Nursing(Registration) Bill, 1990, be presented at the House by Pu Vanlalngkhaka for consideration.

PU VANLALNGHAKA : Pu Speaker, I beg leave of the House to introduce "the Mizoram Nursing(Registration) Bill" for consideration.
MINISTER

S P E A K E R : First I would like to remind you that this Bill is in the Concurrent List. Hence, the state have no full authority over it.

Let us now call upon Pu Tawnluia.

PU TAWNLUIA : Pu Speaker, as we all know, the Bill we are going to discuss today is "The Mizoram Nursing(Registration) Bill.

The same bill had already been introduced and slightly discussed in the House two days back. However, it was found that the Bill was not detail enough. Hence, the Minister-in-charge had asked for the withdrawal of the Bill for mending. But, we have no time to study each and every part of the Bill as it was only here in the House this morning at 10:30. Therefore, according to our Rules, No.95 of the 41 page, I would like to move "the adjournment of debate on an withdrawal of Bills." Also in the Rules, we find that, "At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be move with the consent of the Speaker.

I would once again like to move the adjournment motion regarding this Bill.

PU H. RAMMAWI : Pu Speaker, as this Bill is on the Concurrent List, It demands careful study and consideration. It is even very difficult to discuss without careful studying. As mentioned by the hon'ble member of K_hawzawl, each of the member must have time to study before discussing it in the House. Therefore, Pu Speaker, I suggest that this Bill be adjourned for the time being.

S P E A K E R : There are something to clarify in this matter. The reason for the withdrawal and postponement of this Bill in the first place was that the cover was unsatisfactory and also that in some of the copy clause 4- was missing. If the members have no specific point to mend, It may not be the best to adjourn the motion (Pu H. RAMMAWI : It was not only the cover and clause 4- which are to be mended) If you know that It was not only the cover that has to be mended, It means that you have time to study the contents of the Bill. (PU H. RAMMAWI : Yes I have studied the Bill and found that It needs amendment).

Regarding this Bill, nothing has been changed except the cover and that of clause 4. So, It's still the same Bill that you have already studied two days backs. Therefore, you may now stand and state your opinion regarding this Bill.

PU TAWNLUIA : Pu Speaker, that is what we demanded today.

PU ZORAMTHANGA : Pu Speaker, as I don't read the copy this time I have no knowledge of the change made in it. Of course, I have gone through with the previous copy. However, as we have no time to read the new copy this time, the members of the opposition have a nation that. It is not right to pass a bill by the legislature without studying it. That is why we requested you to give us more time to study the bill.

PU J.THANGHUAMA : Pu Speaker, I want you to understand that we, the members of the opposition are not reluctant to pass the Medical Bill itself, but this bill is also under the concern of the central. Therefore, I would like to say that you are requested to give us more time to study the bill as requested by Pu Zoramthanga.

S P E A K E R : This bill had been moved to the House earlier and the copy is circulated to each of the members. And each member had gone through with the copy and study the contents. But It was found that the cover of the copy was not satisfactory and also, clause 4- was missing in some of the copies. Therefore, the bill was withdrawn. And now, the cover was mended and clause 4- was also added in some of the copies. Those two were the only change in the bill, otherwise, no change has been made in the bill, It is still the bill that you all have gone through with. What we have to do now is to discuss the bill and point out the points which we find unsatisfactory. You do not need time to study it all over again.

PU TAWNLUJA : Pu Speaker, Even the Chief Minister and the Law Minister had said that the bill is not fit and worthy for passing.

PU H.RAMMAWI : Pu Speaker, you have just said that the content are not altered. But, here in clause 1- sub-clause -3, there are some changes. You, too, are not clear in the bill. So, Pu Speaker, I would like to request you once again to withdraw this bill, for the time being.

S P E A K E R : The Hon'ble Chief Minister and the Law Minister have said that the bill was not fit for passing as there are so many correction steps.

PU VAIVENGA : Pu Speaker, I understand the feelings of the members of the opposition. However, today is the last day of the Session. That makes our time limited. Therefore, It would be the best thing If we could find a way to settle this argument.

Dr.H.THANSANGA : Pu Speaker, I would like to make a suggestion. Since this bill is the subject of the Concurrent List. It requires more time for discussion. Therefore, I suggest that this bill be discussed tomorrow.

PU LIANSUAMA : Pu Speaker, I, too, would like to make a suggestion. If the Speaker permits, let us have a recess for about one hour, during that time we shall go through the bill. And the bill could be passed today.

PU J.THANGHUAMA : Pu Speaker, I would, again like to make a suggestion on behalf of the opposition Pu Liansuama just suggested that within one hour recess the bill could be studied. In my opinion that is not possible. Therefore, Let us postpone this discussion for tomorrow. Besides, many of the members and some of the Ministers are absent.

S P E A K E R : Does that mean you don't find it inconvenient to discuss the bill today ?
Let us call upon the member in-charge of the Bill.

PU VANLALNGHAKA : Pu Speaker, first, I would like to apologise for the typing mistakes and other inconveniences coming up. However, I would like to request you all to understand it.

I have also thought of lecturing clause by clause. That will take only about half an hour. After lecturing, the members who would like to criticise any particular point may do so. Some of the part like "The Pharmacy Act" are also very easy to learn. Therefore, It does not becomes very difficult to go through with it.

If we have one hour recess, each member could study the bill, and it would be quite enough to mark the points we would like to criticize. I do suggest that as an in-charge of the bill.

S P E A K E R : The time for discussion does not matter as that could be fixed later. What I meant was that whether the bill the could be passed today or at some other time. (PU VANLALNGHAKA : I request the House to pass the bill today) Today or at some other day could be discussed later. Do you want to pass the bill now? (PU Speaker, I thought today and the present time is the same) I asked you whether we are to pass the bill nor, or not. (PU Speaker; once again I would like to request the opposition members to understand me and agree to pass the bill now) Let us do so.

PU J. THANGHUAMA : Pu Speaker, being the representatives and the law-makers of a State. It is not right to pass a bill without reading it. We cannot pass a bill which we donot know the contents. Therefore, Pu Speaker, we request only one night to study the bill.

PU ZALAWMA MINISTER : Pu Speaker, in making a government bill the most important is its object and reason. Also, we must not forget that a bill passed by the legislature is flexible and is liable to be amended. Therefore, Let us first read its reasons, objects and purpose. That will make the task easier. Within an hour, we could finish studying the objects and reasons of the bill and could be discussed after that without postponing the time of discussion. And as I have said before, If we are not satisfied with the bill, it can be amended later on.

PU P.C.ZORAMSANGLIANA: Pu Speaker, I would like to make a suggestion. This is the fourth time the same bill has been introduced to the House. That alone cause confusion among the members. We had criticised some of the points of the bill earlier. And now, we have no time to review those points.

I agree with the suggestion of some of the members and I support their views. So, Pu Speaker, give us time to study the bill and we could discuss and pass the bill tomorrow.

BU ANDREW LALHERLIANA: Pu Speaker, I support the suggestion of the members. I would also like to suggest that whenever a bill is to be passed by the House the copy should be circulated to the members in advance. And this kind of things should never happen in future.

PU R. TLANGHMINGTHANGA : Pu Speaker, I would like to state only one point. If we pass this Bill which we, ourselves are not clear with it, the people we represent will have no confidence in us. So, Pu Speaker, let us all consider this matter again.

PU VANLALANGENA : Pu Speaker, I support Pu Liansuama as I too, opined that it would be the best if the Bill is passed today. Give us one hour time to study the bill, then we could finish our business today.

PU AICHHINGA : I would like to make a suggestion. Since, we are hesitated to extend the session, is it possible to leave the bill for the next session?

PU H. RAMMAWI : Pu Speaker, If we are to pass a bill, we should study it thoroughly. Therefore, we request to give us enough time to study the bill thoroughly. Let me state once again that we demand that the bill be passed tomorrow.

PU P. C. BAWITLUANGA : Pu Speaker, we have taken so much time for argument. If we have done it as suggested by Pu Vanlalangena, we should have finished it by now. However, there is still time. If necessary we must sit here till midnight. Therefore, Pu Speaker, Let us have a recess now, and within that time each member will study the bill.

PU TAWNLUIA : Pu Speaker, I would like to request you, not to ignore our suggestion. As we all know the people do not elect us to pass a bill like this. Let us try to do things for the goodwill of everyone. So, Pu Speaker, Let us continue our discussion tomorrow.

PU SAIKAPTHIANGA
MINISTER : Pu Speaker, as the bill under discussion is very important, It has to be passed today. You as a Speaker should make the decision.

Dr.H.THANSANGA : Pu Speaker, It seems that none of
MINISTER us is disagree with the passing
of the bill itself. But, I
opined that we should take the
opinion of the House regarding the time for the passing
of the Bill. Therefore, will it be better if the bill is
pass tomorrow ?

S P E A K E R : You have raised various ideas
and opinion, I don't know how
to handle the situation. Anyway,
we shall now have a recess till
4:30 PM. After that I will expect a better suggestion.
Let us call upon Pu C.L.Ruala.

PU C.L.RUALA : Pu Speaker, At first I agree with
MINISTER the suggestion of Pu Aichhinga
that the bill be discussed in the
next session. But, I have now,
change my mind as the Bill is urgently needed by the nurses
Therefore, this bill should be discussed and passed today.
However, you have already prepared the Farewell dinner
today.

S P E A K E R : Do you agree ?

PU C.L.RUALA : Pu Speaker, what I meant was that
MINISTER If the members insist, a recess
of one hour for reading the Bill
will do.

S P E A K E R : Pu J.Thanghuama.

PU J.THANGHUAMA : Pu Speaker, you have completely
ignored our request regarding
the extension of this session.
That means that our presence is not
necessary in this House. So the members of the opposi-
tion will leave this House. But, it does not mean that
we have no respect for the House or the Chair.

PU C.L.RUALA : Pu Speaker, I think It is not
MINISTER necessary for them to leave the
House. And I would like to
say that any Bill passed in the
Legislature is flexible and is likely to be amended any-
time. Therefore, If we are not satisfied with the bill,
It can be amended any time in future. So, I would like
to request the members of the opposition to remain in
the House.

Regarding the dinner to be hosted by the hon'ble Speaker I would like to add that, It is the tradition of every state to have dinner at the end of every session. So, I would also like to request them not to boycott the dinner, as it will disgrace the honour of the House.

PU ZORAMTHANGA : Pu Speaker, as the members before me have said before, we would like to read and study the bill genuinely. It may not be the best to order us to go our for an hour and read the bill. As a matter of fact, we all should try to do thing for the dignity of this august House. Therefore, Let us try to avoid this kind of act.

PU SAIKAPTHIANGA : Pu Speaker, we merely wasted
MINISTER valuable time without coming to specific decision. They have already made their decision. So, it would be better to carry on accordingly. I think we may have to have a ruling now regarding the bill.

PU VAIVENGA : Pu Speaker, I support the suggestion of Pu C.L.RUALA. So, Let us all try to accept his suggestion.

Dr. R. LALTHANGLIANA : Pu Speaker, I would like to state one point. As we have gone this for regarding the bill, we would like to do it perfectly. So, there is not much difference between today and tomorrow. Let us not rush things like this.

PU LIANSUAMA : Pu Speaker, Let me extend the
MINISTER points of the hon'ble Home Minister.

The Bill had been discussed for some time last year. Even the Nurses' Association and the Director of Health Department have gone to contact the Central Ministry for many times to discuss this Bill. And here in Mizoram the Ministry has also been once treated by the Nurses' Association as they are very keen in getting this bill passed. Therefore, let us not delay the bill anymore, even if it is only one night. However, I do understand what the opposition must feel. But, I would like to request them to agree with my suggestion.

PU K.VANLALAUVA : Pu Speaker, for the last time I again would like to request you to extend the session as it would be for the benefit of all. We shall study the bill tonight and tomorrow it can be passed easily.

PU LALRAWNLIANA : Hei Pu Speaker, I have first arrived from my trip to Delhi and feel rather blind in your argument regarding the bill. I also would like to participate in the discussion, but as I have just got here, I have lost time to study the bill. Therefore, I want to suggest that the bill be discussed and passed tomorrow. Thank you.

PU VANLALNGENA : Pu Speaker, as we all know, the bill was earlier introduced in the House. However, there were some minor errors found in the copy. So, the bill was temporarily cancelled for the correction. And now the opposition members demanded to discuss the bill tomorrow saying that they want to study the bill. But, Pu Speaker, I must say that they do not want to study the bill, they just do not want to pass the bill. Even if you have given time to study for 4 or 5 hours today, they would not accept it. That is because they do not want to pass it today. Therefore, as a speaker, just make the decision because, if we carry on our argument, it would not get us anywhere.

PU LALRINCHHANA : Pu Speaker, if the Bill is passed in this manner, it is possible that the dignity of this august House could be lost. I would also like to assure that this Bill would be passed in any way, but let us not rush things like this. However, the Minister in-charge has just arrived from Delhi. So, if we postpone the time of discussion for tomorrow, the bill could be discussed and passed with the presence of the Minister in-charge himself. Therefore, I would like to request the Ruling party to accept my suggestion.

PU C.L.RUALA : Pu Speaker, please allow me to point out a few things.

MINISTER
If the opposition has considered this decision, I would like to request them to reconsider their decision.

Regarding the Bill, we were once again the copy but as many errors and mistakes were found in the copy. It was suggested that after mending those mistakes the Bill would be discussed. As a result this Bill has not been passed today. However, those errors and mistakes were mended now and we have all studied the

the bill earlier. That has to make it easier for us regarding the discussion. But here some of us make things difficult as though we have not studied the Bill yet. It is quite clear that the bill is not now to us. Therefore, let us pass this bill today. Thank you.

PU SAIKAPTHIANGA : Pu Speaker, as we live in a
MINISTER Democratic country, you have to
enforce the democratic law. So,
you just make the decision. If
not this would not get us anywhere.

PU H.RAMMAWI : Pu Speaker, as stated by the
Hon'ble Agriculture Minister, the
best thing is for you to make the
decision.

But I would like to state what we, the members of the opposition dislike. First is that the copy of the Bill was circulated to us at the last minute which is the fault of the concerned department. The second thing is that we have no time to study the Bill.

S P E A K E R : As suggested I shall make the
decision. And I would like to
remind you all that Speaker's
Dinners will be had as soon as
we finish the sitting.

We shall now take our notes regarding the time for the passing of the bill. Those who would like to discuss the Bill tomorrow may raise your hands. Those who would like to discuss the bill today may raise your hands. Yes, now we know that the decision goes for today. Do you feel it is necessary to have a study break? Well, If not, we shall go on to have the discussion.

PU P.C.BAWITLUANGA : Pu Speaker, I would like to
request you to explain clause
No.34, that is "Protections
of persons acting on good faith
under the Acts/Rules or By laws". Also in no.4, we
find, "No suit or other legal proceedings shall be
instituted against any persons for anything done or
intended to be done in good faith under this Act/Rules
or Bye laws made there under", which I want it to
explain. Thank you.

PU VAIVENGA : Pu Speaker, I am glad that the
Nursing Registration Bill, 1990
is being presented in the House
as this will results in the
establishment of the Nursing Council of Mizoram which is
muchly needed.

Regarding the Bill itself, we find the rules for electing the President of the Council and its members. Also, the Bill shows that the Registrar would automatically be the Treasurer. And again in the Financial Memorandum, the Registrar would also act as a Secretary as well. Therefore, I must say that, It is doubtful that this Nurses' Council will do its task as expected. Anyway, It is pleasing that the Nurse's Council is to be established in Mizoram. I also hope that the people of Mizoram particularly the employees under the Health Department would surely benefit from this Council. Thank you.

S P E A K E R : I shall now call upon the concerned Minister to take stand.

PU ZALAWMA MINISTER : Pu Speaker, I would like to state a few points. In the Financial Memorandum of the Bill, it reads that during an infant stage the Council may not have any contribution. However, the provisions for the current year is year-marked with a sum of Rs.25,000 while the expenditure for the Council comes to Rs.71,300. Therefore, to meet this expenditure the Council should better make certain revenue even as an autonomous body.

S P E A K E R : Minister-in-charge.

PU VANLALNGHAKA MINISTER : Pu Speaker, as mentioned by some of the members, this Bill has been provisioned since the Ministry of the MNF. However, being a Concurrent list, the consent of the Indian Nursing Council as well as the Central Health Ministry is needed. For this many a time, Messengers have been sent to New Delhi to contact the Central personed.

Even the Department concern have gone through a lot of hardships in order to accomplish the task of making this Bill, we know that there are some technical errors and typing mistakes in the Bill itself. These errors and mistakes could not be corrected by the department alone, and it has to seek the help of the Law Department. So, it takes a lot of time for that. And as soon as the Bill is ready it was circulated to the members.

Before I give answers to the questions of the members, I would like to extend a few points on the Nursing Council. As we have no Nursing Council here in Mizoram, the Health Department particularly the Nurses have met various difficulties. As it is so, we are under the Assam Rules. So, whenever, the Nurses who do not speak English had to appear in the exam, the questions which were made in English were translated into Mizo and they answered the questions in Mizo and again those were translated in English. Not only in regard to the examination but also in regard to Revenue, they have met lot of difficulties. At present, one of the greatest problems faced

by the Nurses is that, the Nursing school of Serkawn is not recognised by the Assam Nursing Council. However, if this Bill is passed all these problems could be removed. The question papers of the Nurse's Examination which we used to get from Dispur would be prepared here in Aizawl. So, with the enforcement of the Bill, many of our problems would be solved.

Regarding the question of Section 34 of the Bill raised by Pu P.C. Bawthanga, as it is an Indian pattern, we cannot change the words at our own will. With the assistance of the Law Department we have a review on this matter for several times. There are some points on which we have no authority to change.

On clause 18- of Para '2' we find some pattern errors. It should be corrected as "Provided that notwithstanding any rule made under sub-section 1 of section 32.

As pointed out by the hon'ble member of Kawnpui, the executive members nominated for the Nursing Council were persons who hold high officer and would be rather busy in their own works. Also, as we find in the Financial Memorandum the post of Registrar and the Council Secretary would be held by the same person. However, as this is not found in the main Act, it is liable to be amended anytime in future.

Regarding the qualification for the Nurse's Training, it should be matriculation or equivalent. However, many of the employed nurses are under matricula. But these were registered under the Assam Medical Nursing Council and the qualification fixed is not relevant for them.

And now I beg leave of the House to pass the Mizoram Nursing Registration Bill, 1990. Thank you.

S P E A K E R : There are some minor errors to be classified. Clause No. 19- has sub-clause 1, which has paragraph A and B.

Those who agree to pass clause-II to clause-136 may say "Agree" (Members: Agree). Those who disagree may say "Disagree" Yes, clause-II to 136 of the Mizoram Nursing Registration Bill 1990, is declared pass.

Do you agree to pass clause-I to the Enacting Formula? (Agree). Those who agree to pass the Mizoram Nursing Registration Bill, 1990 may say "agree" and those who disagree may say "disagree" (Members: Agree) Yes, the Bill has just been passed by this House.

We still have one more bill, to present in the House. Let us now call upon the Minister in-charge.

PU VANLALNGHAKA
MINISTER

: Pu Speaker, with your permission I beg the House to present "The Pharmacy Extension to Mizoram Bill, 1990, Again, with your permission, as this Bill is only an extension and no discussion seems necessary, I would like to beg the House to pass the Bill now.

S P E A K E R

: Is there any one who would like to stand. If there is no one, he ask for the passing of the Bill.

PU LIANSUAMA
MINISTER

: Pu Speaker, Let me request the Minister in-charge to clarify a few point on the Bill. I would like to know that the benefit from this and also the detailed aims and objectives.

PU VANLALNGHAKA
MINISTER

: Pu Speaker, first of all, I would like to apologise that the copy of the principal Act is not distributed to the members -

As the Bill is not enforced in Mizoram our Pharmacists have faced various problems. When this Indian Pharmacy Council Act is adopted in Mizoram in 1972, It is not possible to enforce the whole Act. As a result, we have no Mizoram Pharmacy Council. If this extension Bill is passed, Chapter 3,4 and 5 of the Bill are applicable to us. With the enforcement of this extension Bill, our Pharmacists would be entitled to register themselves into the Pharmacy Council.

Earlier our Pharmacists were not registered to the Pharmacy Council. In this connection they have faced so many problems as without the registration of the Pharmacy Council they cannot be employed in Government services. Therefore, this Pharmacy Extension Bill is necessary for us.

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Regarding the Drug Licence issued to the owners of drug stores, the government when issuing drug licence, prescribes certain drugs and medicines to be marketed. These persons who own the drug stores were ordered to sell only a particular drug. To check their Drug licence and also to check whether the licence is correctly used only the registered pharmacists are entitled. That is why, registered pharmacists are greatly needed here in our state.

Lastly, as stated before, this subjects is the concurrent list, and the central government have already given its consent for the passing of the Bill. Therefore, I beg to move The Pharmacy Extension to Mizoram Bill, 1990 for passing in the House. Thank you.

S P E A K E R : Here is the question that The Pharmacy Extension to Mizoram Bill, 1990 be passed.

Anyone who agree to pass clause 2 and 3 ? (Members: Agree) Anyone who disagree? (Members: kept silence) The Bill is now passed. Again anyone who agree to pass clause 1 and the Enacting Formula ? (Members: Agree) Anyone who disagree ? (No one) Do you agree to pass the Pharmacy Extension to Mizoram Bill, 1990? (Members: Agree). Anyone who disagree (Members: kept silence) Since there is no one who disagree, the Bill is now passed.

This Session has lasted for 14-days During that period, there are 779 visitors. 5-private resolutions have been moved, out of which 5-were admitted and the two were rejected. However, no resolution have been passed, out of the 137 starred questions, 10 were rejected, 127 admitted. And of these, 120 answers have been received. 11-questions were entered from the Education Department and all given answers and 15-from PWD all given answers, 4 questions from PHE, all given answers. 7-from LAD, all given answers. 1 - question from Parliamentary Affairs Departments 10 - from Power Department and 9 from Revenue Department and all given answers. Out of the 5 questions from the Finance Department one left without question. All the questions entered from the Departments of Sports and Youth Services, Food and Civil Supplies and the Rural Development were answered. 8 questions from GAD and 3 answered. The 2 - questions from Forest Department, 1- from Cooperation, 1 - from the Taxation were given answers. The question from Law & Judicial, Home Department and the Trade and Commerce were all answered. 3 out of the 4 - questions from the Relief and Rehabilitation were given answers. The questions from the Departments of Social Welfare, Information and Public Relation and Transports were all answered. No question from the Political and cabinet Department. 8 questions from Health & Family welfare, 2 from Sericulture, and 2 question from S.A. D. all given answered Altogether we have 127 starred question, and 120 were answered and 7 left.

PU VANLALNGENA : Pu Speaker, I would like to know
DY.SPEAKER why these 7 questions were left un-
answered.

PU P.SIAMLIANA : Pu Speaker, you have pointed out
MINISTER that one question was left unanswe-
red from the recruitment Rules.
I think you have made a Mistake.

S P E A K E R : According to the records, out of the
3 starred questions 1 question was
left unanswered from the Department
Relief and Rehabilitation. Anyway, the copy of the questions
which were left unanswered will be given to you and you will
check it by yourselves.

PU LIANSUAMA
MINISTER : Pu Speaker, I would like to say that starred questions are very important. The Assembly Secretariat has given the various questions to the department concerned. But I am afraid that some questions do not come to the notice of the concerned Minister. Therefore, I would like to make a request that the copy of the starred questions should reach the concerned minister besides the department concerned.

PU VAIVENGA : Pu Speaker, there is one thing which we used to practise in the past. That is the question which were left unanswered should be answered by the concerned department and the copy should be circulated to each of the members.

S P E A K E R : It is possible that there are some mistakes from the side of the Assembly Secretariat. However, those will be checked.

Well, we have finished our session and the meeting is adjourned. Sine die.

The House is adjourned, Sine die.
at 6:17 P.M.

J. K. KHENG LAWT
Secretary