

FIFTH SITTING ON WEDNESDAY, MARCH, 21, 1990.

PRESENT

Pu Hiphei, Speaker at the Chair, Chief Minister and 9 (nine) Ministers and 24 Members were present.

QUESTION

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

LEGISLATIVE BUSINESS

Consideration and Passing of Bills.

2. (i) Pu Zalawma to move that the Mizoram (Transfer of Land) (Amendment) Bill, 1990 be taken into consideration.

Also to move that the Bill be passed.

- (11) Pu Zalawma to move that the Mizoram (Village Council) (Amendment) Bill, 1990 be taken into consideration

Also

to move that the Bill be passed.

- (111) Pu Zalawma to move that the Mizoram Urban and Regional Development Bill, 1990 be taken into consideration.

Also

to move that the Bill be passed.

- (1V) Pu Lal Thanhawla, to move that the Mizoram Exhibition of Films on Television Screen Bill, 1990 be taken into consideration.

Also

to move that the Bill be passed.

- (V) Pu Vanlalnghaka to move that the Mizoram Soil and Water Conservation Bill, 1990 be taken into consideration.

Also

to move that the Bill be passed.

S P E A K E R : "Owe no on anything, except to love one another; for he who loves his neighbour has fulfilled the law"

Romans 8:13

We shall now call upon Pu Zosiama Pachuau to ask question No. 43.

PU ZOSIAMA PACHUAU : Pu Speaker,

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

(a) the total amount of revenue received by the Government from the BRTE since April, 1989.

(b) The total amount of revenue received by the Forest Department since April, 1988 as royalty.

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

PU C.L.RUALA MINISTER : Pu Speaker, the total amount of revenue received by the Government from the BRTE since April, 1989 is Rs. 4,49,333.00.

The total amount of revenue received by the Forest Department since April, 1988 as royalty is Rs. 34,21,162.85.

PU ZOSIAMA PACHUAU : Pu Speaker, I would like to ask whether the Forest Department made an assessment before receiving revenue from the BRTF.

My Second Question is how the government take steps for the increase of the revenue received by the Forest Department as royalty.

PU C.L.RUALA MINISTER : Pu Speaker, I shall answer the Second question first. As the communication system is unsatisfactory in Mizoram we donot received the royalty as accepted. For example, for the collection of Sand, good roads are necessary. Therefore, the construction of good road is to be taken as first priority.

Besides, as industry developed, Royalty is to be increased. Revenue will be increased according to development. In the new year, it is expected that, 90 lakhs would be received from the Plantation Trimming as revenue.

The royalty received from the BRTF is assessed according to their report. Also, the boulders used could be known from the work volume. Assessment is made from that. It may be said that it is too little. In some division the BRTF are due in paying the royalty for three or four years. After a lapse of every three months the assessment for the royalty is made. If the dues on royalty from the BRTF has been paid, the royalty received would be higher.

PU TAWNLUIA : Pu Speaker, Does the government issue a separate permit for the quarry? How many quarries does the BRTF have in Mizoram?

PU ZOSIAMA PACHUAU : Pu Speaker, besides the BRTF, there are some people who own private quarries. Does the government get royalty from these people as they recorded?

The total revenue is clearly specified in the speech of the Hon'ble Governor. What I would like to know is the royalty alone because I have a feeling that the rate of royalty paid by different parties is not similar.

Regarding Charcoal, I would like to know whether the makers of Charcoal have paid royalty to the Government.

FU C.L.RUALA MINISTER ; Pu Speaker, the BRTF are not given a quarries separately, Generally, the BRTF has quarries on the side of the roads they constructed, After they showed the volume of work, royalty is taken from them. Regarding the Private quarries assessment is made according to the materials taken from the quarries.

Regarding Charcoal a lot of difficulties are faced. Those who have no permits for Charcoal making are arrested. But after they paid royalty, they are given Transit Pass. If they have Permit or Transit Pass they don't have to pay nothing except royalty.

However, the Department has checked each and every corner for illegal practice. So, the revenue has also been increased. Although the revenue expected is Rs. 60 lakhs, the revenue collected upto the month of February goes to 62 lakhs.

S P E A K E R : Let us now call upon Pu Aichhinga to ask starred question No. 44.

PU AICHHINGA : Pu Speaker, I ask Starred Question No. 44.

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

Whether it is a fact that the workers in the Forest Department have damaged the land and forced the owners to vacate their places in Vairengte and in some other places.

S P E A K E R : Let the Minister of Environment and Forest answer the question-

PU C.L.RUALA MINISTER : Pu Speaker, the answer to question No. 44 is that the Department has got a complaint in this regard and the matter is under investigation.

PU AICHHINGA : Pu Speaker, there has been a report that the Forest Department workers have forced one person to vacate his residence. Is this a fact ?

I would also like to know if the Government could change the practice of making departmental reserves for private places/land.

PU F.C.ZORAMSANGLIANA: Pu Speaker, the people of Khanpui have cleared and cultivated Cabbage in their adjoining areas as this place is ideal for the cultivation of Cabbage. But the Forest Department has damaged their cultivation. So, the people face difficulties in their occupation. Has the government intended to clear this difficulty ?

PU TAWNLUIA : Pu Speaker, between Tuirial Bridge and Zemabawk, we have seen the Plantation area of Forest Teak. But, several houses have been found in this area since last January.

Is it a fact that the government has issued several land settlement certificate to private individuals in this area ?

PU LALRINCHHANA : Pu Speaker, In 1978-79 the then Lieutenant Governor had given land to some MNF returnees as compensation. The Forest Department has ceased their land settlement certificate recently. So, those MNF Returnees are facing difficulties. Therefore, Does this mean that the MNF Returnees are to be deprived of their lands which they got as a rehanilitation ?

PU C.L.RUALA MINISTER : Pu Speaker, regarding Tuirial, no Village has been found in this area, and is under reservation of forest. Since 1980 the Indian Forest Act is to be enforced in Mizoram, therefore, problems arose in this regard.

Regarding the question raised by Pu Tawnluia, I think the question is to be answered by the Revenue Department.

S P E A K E R : Pu Lalrinchhana to ask Starred Question No. 45.

PU LALRINCHHANA : Pu Speaker,
Will the Hon'ble Minister in-charge Health and Family Welfare Department be pleased to state-

- (a) the number of deceased due to Malaria during 1989-90-
- (b) the number of Malaria victims recorded.
- (c) Does the number of victims increased or decreased compared to the previous years?

S P E A K E R : Let us call upon the Minister in-charge, Health Department to answer the question.

PU S.HIATO
MINISTER OF STATE

: Pu Speaker, the answers to question No 45 are as follows :

- (a) During 1989-90, February, 17 persons have died of Malaria.
- (b) The Malaria Victims recorded is 18,517.
- (c) Compared to the previous years, the number of Malaria Victims is decreased at 9 percent.

PU LALRINCHHANA

: Pu Speaker, Does the Government made any proposal for the eradication of Malaria.

PU RUALCHHINA

: Pu Speaker, How many Malaria P.F. Detection Centre does Mizoram has?

PU J.H.ROTHUAMA

: Pu Speaker, how far has the Government taken steps to stop the spread of Malaria and what more effective measure are expected to be taken ?

PU S.HIATO
MINISTER OF STATE

: Pu Speaker, with the increase of Malaria Victims in Mizoram we are facing difficulties. In this regard many meetings had

been called last year to consider and discuss the increase of Malaria Victims. Some of the points of difficulties founded from those meetings and seminars are the following :

The first is that the only means known to stop Malaria in Mizoram is D.D.T. Spray left many houses un-sprayed. The department also lack supervision. Last year instruction was given to the workers that the Health Workers will do the supervision. Besides, Press release are also been made and distributed it to the people. Steps have been taken in many ways. But another problem arose. is the shortage of fund. Being a State, we have got only 30 percent assistance from the Central, which is inadequate, the other 50 percent has to come from the State which cause problem for the State.

Regarding the Malaria Detection Centre, I am unable to state the exact member of Malaria Detection Centre we have. I can only say that in every Government Hospitals, IHC and SHC we have Malaria Detection with Microscope.

Out of the steps taken so far the only known effective way to stop Malaria is DDT spray and to keep cleanliness.

S P E A K E R : Fu Lalrinchhana to asked question No. 46

FU LALRINCHHANA : Fu Speaker, Starred Question No.46

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

- (a) What measures have been adopted for the safety of the people due to the movement of H.P.C.
- (b) Is it a fact that about 100 families of Suangpuilawn have migrated to another constituency on account of the movement of H.P.C.
- (c) Is it because that some of the Government employees from Suangpuilawn and Ratu are not safe enough from the threat of the H.P.C. that they migrated to another Constituency ?

S P E A K E R : Let the Minister in-charge reply the question.

P U C . L . R U A L A
M I N I S T E R : Pu Speaker, the answer to Starred Question 46 are as follows :-

- (a) Certain measures have been adopted for the safety of the people from the HFC movement. In the area of the HFC 5 Police Stations have been set up. Besides posting the M.P. in the Police Station, 10 Border Outposts and 3 Police Stations are set up for the safety of the people.
- (b) The Government have no knowledge about the Migration of people from Suangpuilawn to another Constituency.
- (c) The answer for the third question is no.

F U L A L R I N C H H A N A : Pu Speaker, It is heard that most of the Government employees posted in Suangpuilawn Constituency have left their villages on account of the movement of HFC. Except the Police Force most of them had left their places due to the failure of Security. The HFC movement made the people feel unsafe. Therefore, the Government should make immediate action in this regard and safer measures should be taken.

PU C.L.RUALA
MINISTER

: Pu Speaker, I shall answer the Supplementary Question raised by the Hon'ble Member. Regarding the people who migrated to Saitual.

The Hon'ble Member before me has said that these people migrated to Saitual for fear of the HFC. But, the fact is that these people migrated to Saitual as a Sugar Mill is to be set up in Saitual. So, to get employment they shifted to Saitual.

Regarding the Government employees who are being disturbed by the HFC, the government is taken up necessary measures to safeguard them and to give them security.

PU LAL THANHAWLA
CHIEF MINISTER

: Pu Speaker, the Government have no knowledge about the migration of people. But, if such things really happen, the government

should be immediately informed so that responsibility could be taken by the Government.

According to the Hon'ble Member of Saitual Constituency, certain people have settled in Saitual because of the Sugar Factory which is to be set up soon at Saitual. However, if the matter demand, this will be checked over again by the government.

To safeguard the security of the people in the HFC area, the Home Minister had recently called an all Party Meeting to discuss about it. The Hon'ble Leaders of the Parties have contributed their ideas in this regard.

The administration of the HFC Area have also been strengthened in order that the government employees could discharge their duties. However, we are short of Police Force and we do not get help from the neighbouring States of Manipur and Assam as expected. At present, there is proposal for the posting of an additional S.P. and two posts of S.D.O. rank. In this way, the government is taking steps for the security of the people.

As the State, did not get much help from the neighbouring States the Corp. Commander was invited to come to Mizoram and to discuss about our problems regarding the H.F.C. It is hoped that our problems could be solved soon.

S P E A K E R

: Starred Question No.47 to be asked by Pu K.Vanlalauva.

PU K.VANLALAUVA : Pu Speaker, I ask Starred Question No.47.

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

If there is proposal for the continuation of the Construction of P.W.D. Road at Bulfekzawl.

PU LAL THANHAWLA CHIEF MINISTER : Pu Speaker, the answer to question No.47 is that there is no proposal for the Construction of P.W.D. Road at Bulfekzawl.

PU K.VANLALAUVA : Pu Speaker, I would like to add a few points regarding the P.W.D. Road at Bulfekzawl.

First, I would like to ask whether the Bill for the Construction of 10-kms of Truck Road at Bulfekzawl has been paid to the Contractors.

Secondly, the road under discussion is very important for the people of that area. Many people we depended on this road for the transportation of their products. But, the Hon'ble House Leader had just said that the Construction of that road is not to be continued which is very unfortunate. It would be appreciated if the government could reconsider the matter.

PU LAL THANHAWLA CHIEF MINISTER : Pu Speaker, the road under discussion has been named as Champhai-Phaizau-Sazaipui Road Phase 11 80 percent of the foundation cutting has also been completed. But due to the shortage of fund the construction work cannot be continued. Anyway, the matter would be reconsidered.

S P E A K E R : Starred Question No. 48 by Pu Rualchhina and Pu Zoramthanga. Let us call upon Pu Rualchhina to ask his question.

PU RUALCHHINA : Pu Speaker, I ask Starred Question No. 48.

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

(a) the actual amount of overdraft the government of Mizoram had with the Reserve Bank of India.

- (b) As on 8th September, 1988, What is the actual overdraft of Mizoram with the Reserve Bank of India.

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

PU J.LALSANGZUALA MINISTER : Pu Speaker, the Financial year 1987-88 ended with a deficit of Rs. 53.41 crores as per the Reserve Bank of India and Rs.59.47 crores by the year ending 1988-89. The actual overdraft varies from day to day if the State remained in overdraft for more than 7 days, the payment of the State Government can be stopped by the Reserve Bank of India. Therefore, funds were released by Government of India in the beginning of 1988-89. So, at present the State Government has an overdraft of Rs. 65 crores.

The actual overdraft of the State Government as recorded on the 8th September, 1988 is also Rs. 65 crores.

PU ZORAMTHANGA : Pu Speaker, as stated by the Hon'ble Minister the actual overdraft of the State Government as on the 8th September '88 is Rs.65 crores. But, I had checked over the record of the Reserve Bank of India. According to the record as on the 8th of September, 1988, the overdraft was less than half a crore only. Therefore, I would like to know the reason for this difference in our information regarding the actual overdraft of the State Government.

PU J.LALSANGZUALA : Pu Speaker, If an advance has not been taken from the Central Government the State Government would be in short of Rs. 65 crores.

This deficit has been going on since the MNF Ministry. According to my recent Speech, as per the Reserve Bank of India". This periods had been the MNF Ministry, "The problems continue in 1988-89 also at the end of which there was a deficit of Rs. 59.47 crores as per the Reserve Bank of India". Thank you.

S P E A K E R : As it seems that the matter cannot be cleared now, let us leave the matter for the Budget discussion.

In this Session we have presented eight Bills and two more Bills are to be presented. Today we shall have five Bills. Let us now call upon the Parliamentary Affairs Minister to move the Bill.

- Dr.H.THANSANGA : Pu Speaker, the Assembly is the maker of Law. The Bills which are in the hands of the Members. As we have ten Bills to discuss it seems that our list of business have also to be slightly changed. Since it is a Budget Session, I suggest the duration be extended.
- PU TAWNLUIA : Pu Speaker, I agree with the suggestion of the Law Minister, The Bills we are going to discuss are all important. In fact, we got the copy of the Bill during the last two or three days and have no time to study the Bill. So, I, too, suggested that the programme already chalked out be revised and extended.
- PU ROKAMLOVA MINISTER : Pu Speaker, It seems we all agree with the extension of the date of discussion. Is it possible for the B.A.C. to make a new programme.
- S.P.E.A.K.E.R : If the House could fix the date, we can finalise it without calling the meeting of the B.A.C.
- PU J.THANGHUAMA : Pu Speaker, I suppose to discuss five Bills today would be rather tiresome as our Bills are all important. Therefore, I suggest that the budgets which are to be passed within this month be passed today, but those which can be left till the month of April may be left till the meeting of the B.A.C.
- PU R.ROMAWIA : Pu Speaker, I think it will be appreciated if the copy of the Bill be made in a better way, as I like that of a Booklet.
- PU LAL THANHAWLA CHIEF MINISTER : Pu Speaker, If the House agrees with the extension of the Time Table, the Time Table may be extended without calling the meeting of the B.A.C.
- PU P.C.ZORAMSANGLIANA: Pu Speaker, I would like to suggest that the date for discussion be extended till the 2nd of April as some of the Bills like the Village Council Bill are only an Amendment. If the concerned Minister explain the nature of the Bill and give time to two or three members. It could be passed.

S P E A K E R : If the House does not fix the date and without the sitting of the B.A.C. the time table cannot be remade. So, we shall leave the matter to the B.A.C.

We shall now go on to the Legislative Business. Let us now call upon Pu Zalawma to ask the House for the presentation of the Mizoram Transfer of Land (Amendment) Bill, 1990.

PU ZALAWMA
MINISTER : Pu Speaker, I request this august House to give permission for the discussion of the Mizoram Transfer of Land (Amendment) Bill, 1990.

S P E A K E R : Are you all agree? If yes, we can start the discussion now, However, we don't have to state the Bill clause by clause. It would be appreciated each member could make it as short as possible and state only the relevant point.

PU ZALAWMA
MINISTER : Pu Speaker, the Bill I presented to the House is not a difficult one. As we all know the Rules under the District Council were adopted when Mizoram became a State with the permission of the Indian Constitution. Therefore, the Bill which we are going to discuss Transfer of Land (Amendment) seems to be an easy one as the Bill does not include the matters regarding to the Land Revenue Act, when LSC attachment Certificate is issued to a person, it means that the Incumbent Certificate and a right to property have also been issued. But, according to the present system, If that particular person has to get a loan from a Bank, the government issues another Certificate to him, which means double certificate has been issued to the person. Therefore, this has to be amended as many people have faced problems in this regard. To get another certificate from the government is not needed as an Incumbent certificate had already been issued before. So, it merely means that the Mizo District Transfer of Land, 1963 should be changed into The Mizoram Transfer of Land Act, 1990. If this Bill is amended, it will not affect much, but only to make the matter easier for the people or the LSC attachment certificate already issued to a person may be instantly accepted as mortgage. Therefore, to get the main idea of the Bill, these are the main objectives of the Bill to be discussed.

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

PU TAWNLUIA

: Pu Speaker, the Hon'ble Minister has moved the Mizc District Transfer of Land (Amendment) Bill, 1990. I think this Bill is not

as simple as he said. According to him, when a person has to mortgage his land, he needs not get the approval of the Government, but the Land Settlement Certificate already issued to him should be regarded as an approval of the Government. This might make it easier for the people as a principle. However we also have to think of the long run. The amendment being moved has been like this, "Notwithstanding anything contained in sub-section 1.No. permission will be necessary only for mortgage of land by a tribal to the government of the government owned or controlled financial institution and the Nationalise Bank in any of the following towns, namely, the town of Aizawl, Lunglei and Saiha and in any other town which the State Government may by notification in the Mizoram Gazette specify in this behalf to secure loan or other financial benefit from government or such financial institution or Bank as the case may be" According to our present system, whenever, a person is going to mortgage his land, he has to get the government approval. But the Hon'ble Minister moved his suggestion to the House for any person who is willing to mortgage his land need not get Government approval. In the definition, we do not know whether the term "Government" means Mizoram govt. Regarding financial institution and Nationalised Bank ownership of Nationalised Bank is owned by non-tribal and this can create some problems. In this connection, teak loan can be pointed out as an example though I do not know how the Government is taking up this. Regarding teak loan, proposal had been made that the teak trees should be mortgaged without the land where teaks are planted. Teak Planters Association is also taking steps for the success of this proposal. Here a problem can crop up if the loanee says that the loanee did not mortgage only the teak trees because as long as the teak trees are there, the land can not be freed. Therefore, this matter should be considered carefully. In Mizoram accord it is written that the rules made by the Mizoram Legislative Assembly regarding ownership and transfer of land can not be changed, and this safeguards us to some extent. But if we think carefully, it does not safeguard us in losing land in order to have financial benefits either from any financial institutions owned by the Government or Nationalised Banks. In Mizoram, as most of the people neglect to repay the loans, they have to lose either or both the land and teaks they had mortgaged. One question can arise- Do the Nationalised banks and other financial institutions owned/controlled by the Government accept certificates produced by the loanees for surety.

It is our responsibility to preserve our land otherwise we can block ourselves. Therefore, let us include sub-section 2 without including the following wording- 'No permission will be necessary for mortgage of Land because according to me, to get Government approval is the best thing to do. Even if we insist to include, I think it is good to change the wording. Though this seems to be small amendment, but it will be a disaster for our country as most of the financial institutions and Nationalised banks are organised by non-Mizos.

Some members may not know about Central Act which appears in the explanation as follows - 'for the purposes of slight out mortgage the principle of provision of section 58 (f) of the Transfer of property Act, 1882 Central Act will be followed'. Therefore, let us study this Bill more carefully. I think it is good to refer the Bill we are going to discuss in the House first to various House Committee but I do not know which will be more appropriated, so that it will be easier to discuss in the House and I also would like to suggest that more time should be allotted in the House if there is any Bill. Even some Bills which we are going to discuss are new for us, so we need more time to study them. It is pleasing that the Government is introducing 10 Bills in the present session. Being a new State, we have to adapt some of the rules while we were in District Council and U.T. But these rules and regulations are not sufficient now. So it is our responsibility to make rules and regulations carefully. Therefore, Pu Speaker, I would like to suggest more carefully scrutiny and revise for the Transfer of Land (Amendment) Bill which we are discussing.

Thank you.

PU J. THANGHUAMA : Pu Speaker, in the Transfer of Land (Amendment) Bill moved by the Hon'ble Minister in-charge Revenue, the Hon'ble Minister said that there will be no difficulties. If we all agree, it is not difficult to pass the Bill. But if we pass this Bill as it is, we will lose half of Mizoram.

Regarding amendment of this Bill, it seems steps had been taken for want of teak loan. Loan is good to some extent for rural areas. Some loans like House Building loan and an industrial loan are taken in Mizoram and even if we lose our mortgage, it is the Mizoram Government to claim whatsoever be the mortgage, so we can say it is better to some extent. But in the Bill, Nationalised Bank had been mentioned. The only Bank owned by Mizoram Government is Apex Bank. Other banks like State Bank, Vijaya Bank and Canara Bank, the ownership of these financial institutions are in the hands of non-Mizos. In the Bill, it is written that- 'loans can be taken in any of the following towns namely the town of Aizawl, Lunglei and Saiha' but the following sentence is very dangerous, which reads- 'and in any other town which the State Government may by notification in the Mizoram Gazette'. It is our wish that all teak planters get loan but as mentioned by the Hon'ble Member not at the cost of Mizoram. But the problem is- if one teak planter is going to take loan and mortgage the teak without the land, and if the loanee refused to take the teak for a long time, the loanee can not do anything with his land because as long as the teak remains standing, the loanee can claim even the land. But it will be good if some conditions can be added. But Pu Speaker, it is dangerous to pass this Amendment Bill, It is written as follows in provision of section 58(f) of the Transfer of Property Act 1882 (Central Act)- "Mortgage by deposit of titles deeds

(a) for a person in any of the following towns namely, the town of Calcutta, Madras and Bombay and in any other town in which the States Government concern made by notification in the Official Gazette specify in this behalf deliver to editor or his agent, document of the title to immovable property with intend to create executive thereon, the charge at them is called a mortgage by deposit of title deeds', So I would like to suggest not to pass the Bill as the proposed amendment.

Thank you.

FU AICHHINGA : Pu Speaker, this Bill regarding Transfer of Land is to be considered carefully. In my opinion it is better to omit 'No' and write as 'Permission will be necessary' because I feel it is important to get Governments approval and in the meantime, Government should also be strict in giving permission/ approval. That's all what I would like to say.

Thank you.

FU R.ROMAWIA : Pu Speaker, as some of us do not understand English properly, I think it will be good if there can be a Mizp version specially while considering Bill, Rules etc. In our Rules it is written - 'Notwithstanding anything contained in sub-section (1)' and I would like to read our sub-section (1) which goes as follows - 'No land in Mizoram shall be stored, mortgage, leave, but existed or otherwise transfer by a Tribal to another Tribal except to the previous permission of the administrator of the Government'. According to this, prohibition of leave and transfer of land is no more existing. So I feel it is important to give careful consideration to this Bill. Even the word 'Government' is not clear and it seems we have to follow the principle of provisions as in Calcutta and Bombay. So it is better not to pass this Bill now.

Thank you.

FU ZOSIAMA PACHUAU : Pu Speaker, though the Bill is short, but it has a far reaching effect. To some extent, it is right to say that many people will get financial benefit but it should be borne in mind that money can really pull down our moral. I therefore, like request the Hon'ble Minister withdraw this Bill.

Thank you.

PU SIANSUAMA : Pu Speaker, the opinion of the
MINISTER OF STATE : Opposition members was my previous
opinion too but when the matter
had been explained to me, I could
accept it. It is clear that permission will not required
only for mortgage of land by the loanees. If the loanees
do not repay the loan, they will forfeit their mortgage.
It is the intention of the Government to enforce this Bill
first in the towns of Aizawl, Lunglei and Saiha and other
towns will be notified in the Mizoram Gazette gradually.
Though this Bill had been criticised by opposition members,
it had been passed while they were ruling members, so there
is nothing to be criticised.

In regard to the explanation of
mortgage, the Hon'ble Member from Vanva constituency had
said that the principle of provisions of Transfer of pro-
perty Act 1882 will be followed. For this purpose, there
is land valuation, according to this land valuation, land
value is higher in core areas. But we should remember
that this will be followed only in spirit. So, Pu Speaker,
as I had mentioned earlier, this Bill is not a new one, its
been passed in the MNF Ministry and I would like to support
to pass this (Amendment) Bill.

P. C. BAWITLUANGA : Pu Speaker, it is unfortunate that
some members do not want to pass
this Amendment Bill which is
meant for the benefit of the poor.
It is written in the Bill that- 'only for mortgage of land
by a Tribal to the Government' from this line also it is
clear that this is quite safe for us. So it is good to
pass this Bill. I hope even my Constituency will soon be
included in 'any other town' we are eagerly waiting for the
implementation of this Bill.

Thank you.

S P E A K E R : Our morning session is over
now, and we shall have rest.
We'll resume our meeting at
2:00 P.M.

Recess till 2:00 P.M.

S P E A K E R : We shall continue our discussion.
I shall call upon Pu Andrew Lal-
herliana.

PU ANDREW LALHERLIANA: Pu Speaker, Thank you for giving
me time to speak. I am glad
that The Mizoram District Transfer
of Land (Amendment) Bill 1990 had

been moved in this Assembly. Proposal for this had been made in the previous Ministry. The then Hon'ble Member Pu R. Lalawia had moved a resolution for this and the House passed the resolution in 1988. But no steps had been taken. Now it is pleasing that the Government is moving this Bill, knowing how it will benefit the public. Though the present opposition members oppose this bill now, they were the ones who first made the proposal. In 1988 the Hon'ble Minister Pu Ngurchhina and myself had met the Chairman of NABERT and we discussed about the mortgage and loan with many other this. The Chairman of NABERT explained everything to us and told us that even this Bill is not dangerous.

In our Constitution Article 371 (d), special provision for Mizoram is made as follows - 'Notwithstanding any thing in this Constitution No Act of Parliament in respect of religion or social practice of the Mizo, Mizo Customary Law and procedure, administration of Civil and Criminal Justice involving decision according to Mizo Customary Law, ownership and transfer of land shall applied to the State of Mizoram unless the Legislature Assembly, of the State of Mizoram by a resolution so decide !

According to this, when if we mortgage our land or loan and can not repay the loan, the NABERT can not have the land we mortgage because transfer of land to non-Mizo is not possible unless the Legislature, Assembly of the State of Mizoram decides by a resolution. So, it is not possible to transfer ownership of land because of the Mizo District Transfer of land Bill and there is no reason to oppose this Bill. Therefore, as this Bill is for the development of rural areas, Pu Speaker, I would like to suggest to support this Bill.

Thank you.

FU SAIKAPTHIANGA : Pu Speaker, the Hon'ble Member
MINISTER OF STATE who spoke just before me had clearly explained about this Bill. It is regretted that the most important part of the peace accord is being connived.

I am glad that this Bill is being introduced which is good specially for rural areas. But it seems the opposition members are not interested in this Amendment Bill. Anyway, I hope that this programme introduced by the Government will benefit the poorer section.

Mention had been made regarding NABERT but it has nothing to do with this Amendment Bill.

As pointed out by the Hon'ble Member from Saitual Constituency, we all know that transfer of land to non-Mizos is not possible. While many rich

people in Aizawl are taking loans, it is regretting to oppose this Amendment Bill which is going to enable the poorer section in rural areas to take loans from the banks. I, therefore, would like to request the opposition members to reconsider this Bill so that we can pass it unanimously.

Thank you.

PU C.L.RUALA
MINISTER : Pu Speaker, the Hon'ble Member from Aizawl West I Constituency had pointed out that Teak can be sold only after 50 years of its plantation. But I would like to inform the House that Teak are sold even after 7 of 8 years and most of the Teak sold by the Mizoram Government in these days are 13 or 14 years old.

S P E A K E R : Now I shall call upon the Minister in-charge to wind up our discussion and also to ask for passing it.

PU ZALAWMA
MINISTER : Pu Speaker, we have had enough discussion for the Amendment Bill, I am happy because members showed their interest in the Bill. Though it is good to be careful while considering Bills, it is not best to be careful in all respects.

As I had mentioned earlier, according to the Mizo District Transfer of Land Act, 1963, no person can store mortgage or transfer his land without the permission of the Government, this creates problem for the poor in regard to mortgage of land for loans. Therefore, this Bill is meant to help the poorer section and rural people.

A corrigendum is made in the title- The Mizo District Transfer of Land Act, 'The Mizo District (Transfer of Land) (Amendment) Bill, 1990 is to be read as 'the Mizoram (Transfer of Land) (Amendment) Bill 1990' some members had comments in this Bill. The Hon'ble Member from Khawzawl Constituency had pointed out that the meaning of 'Government' is not clear. In this regard I would like to point out that the term 'Government' means Mizoram Government.

Land Reform Bill is also relevant regarding Land Transfer. I would like to inform the House that the matter is being considered by the sub-committee and its been prepared to be sent to Law Department, It should also be borne in mind that this Amendment Bill does not include transfer of Land either to tribal or non-tribal by tribal or non-tribal to non-tribals.

The Hon'ble Member Pu J.Thanghuama had pointed out about the operation area. This Bill is meant for the towns and notified areas as shown in sub-section 3 of the Amendment. The Government is intending to increase the operation areas but Saiha will not be included in the operation areas as it is Autonomous District Council.

The Hon'ble Member Pu Aichhinga had suggested to step the permission given by the Government for mortgage so that people in Mizoram will learn to protect our own land. The present Amendment Bill is prepared for this purpose and to develop the people.

One of the explanations had been read out by the Hon'ble Member Pu R.Romawia. I also have explanations. This explanation is made in accordance with other States that people who live within the notified areas can mortgage their properties. In regard to section 58(g) of Transfer of Property Act 1882 the interest of the public as it is seen in the peace accord. So, as this Amendment Bill is meant to safeguard the people and to request this August House to pass it.

Thank you.

PU J.THANGHUAMA : Pu Speaker, it is not the intention of the opposition party to oppose every motion moved by the Government. Now also we are only pointing out our opinion. Some of the reasons why we do not want to pass the present Amendment bill are : We want to give loans to all Villages in Mizoram but according to the present Amendment Bill, only the selected towns can take loans.

Secondly we do not want to lose our land to not clear enough in its meaning, it should be written as least as Mizoram Government. Fourthly, there is no fix term in mortgage term and its condition. Fifthly, it will intervene the Indian Constitution, Article 371, which is a special provision for Mizoram. Sixthly, the Mizo District Transfer of Land Act 1963, Section 3 is still good.

So these are some of the points for which we can not pass this Amendment Bill. Its not that the Bill itself is not good but there are various things to be considered if we are going to pass the Bill.

Thank you.

S P E A K E R : There is a provision that all the Villages will take loan. The Minister has winded up the discussion.

The Bill is to be passed thrice. In clause 2, Saiha is to be omitted. So, those who agree to pass clause 2 may say so (Members agreed to pass). Secondly, those who agree to pass clause 1 with the enacting formula may say so (Members agreed to pass) Lastly, those who agree to pass "THE MIZORAM (TRANSFER OF LAND) (AMENDMENT) BILL, 1990" as a whole may say so again (Members agreed).

Now I declare THE MIZORAM (TRANSFER OF LAND) (AMENDMENT) BILL, 1990 is passed.

We shall take up another Bill and I shall call upon the Hon'ble Minister Pu Zalawma to ask permission of the House to consider THE MIZORAM (VILLAGE COUNCILS) (AMENDMENT) BILL, 1990.

PU ZALAWMA : Pu Speaker, with your permission
MINISTER I beg to move that THE MIZORAM
(VILLAGE COUNCILS) (AMENDMENT)
BILL, 1990 may be taken up by
the House for consideration.

S P E A K E R : Do we all agree ? We have 4 more
Bills to pass and our time is very
limited but we have to finish our
business today. So as the House
permitted, I members both from the ruling and an opposition
party will be given 10 minutes but the Minister in-charge
will be given more than 10 minutes. So, we shall start our
discussion and I shall call upon Pu Aichhinga to start.

PU AICHHINGA : Pu Speaker, there is nothing much
to say in the Village Council
Amendment Bill as it is good in
general. But there are some delet-
tions are not necessary. There are some terms which are
not applicable in the present days.

I would like to support one point
in the Bill, that is, non-Mizos who have not stayed at
least 30 years in Mizoram should not be entered in the Elec-
toral Roll.

In the Amendment, Section 25 which
reads as- 'The executive Committee may by public notification
order the dissolution of a Village Council if it in the opi-
nion the Village Council is too inefficient or if not able
carry on the Village administration or in acting in the
manner of pre-judicial to the interest of the state' is
acceptable. But I would like to delete the next passage

from -'for any other reasons consider sufficient for such desolution' up to 'and issue order for hilding a fresh election order of the Vollage Council'. That's all what I can say.

Thank you.

PU H.RAMMAWI : Pu Speaker, our Bill is good in general it should have been done in the past. I think it is time to put it in the name of Mizoram as it is written in the Bill as The Lushai District (Village Council) (Amendment) Bill, 1990. We had already made a decision to delete section 25 while in our Ministry. But we had no time to formalise it. It is quite sufficient by deleting 'for any other reasons consider sufficient for such desolution' and by joining from 'and issue order....' Therefore, I think it is good to consider this matter carefully.

Thank you.

PU P.C.ZORAMSANGLIANA: Pu Speaker, I am glad that the Village Council Amendment Bill 1990 had been moved for consideration. We all know the works and importance of Village Council. I am also glad that the

Hon'ble Member from Kolasib constituency had suggested that only those non-Mizos who have stayed at least 30 years in Mizoram will have the Right of Voting.

I am also glad that this Bill had been moved in accordance with the lowering of age for voting.

We all know the importance of Village Council. Therefore, I think it is good to give more powers to the Village Councils to maintain law and order in their respective Villages.

I had asked in the previous Ministry that the Salaries of the V.C.P., V.C. Secretary and Village Council Members should be raised and. I was told that the salaries of the Village Council Members will be raised but no efforts had been taken. Therefore, I would like to request the Government to revise their salaries and their powers. So for the last I would like to support this Bill to pass. Thank you.

S P E A K E R : No. I shall call upon the Minister in-charge to wind up and beg the House to pass the Bill.

PU ZALAWMA : Pu Speaker, a corrigendum had been
MINISTER made in the title Lushai Hills in the present amendment as the Mizoram Village Council Amendment Bill. This Bill had been moved to change some terms like District, Administrator, Government, Governor etc. as well as to pass the Bill for qualifying age of voters.

So Pu Speaker, I would like to request the House to pass this Bill.

S P E A K E R : Those who agree to pass The Mizoram (Village Council) (Amendment) Bill, 1990 from clause 2 to clause 8 may say so. (Members agreed).

Then those who agree to pass clause 1 and the enacting formula may say so (Member agreed). Again those who agree to pass The Mizoram (Village Council) (Amendment) Bill, 1990 as a whole may say so (Members agreed). So, I declare The Mizoram (Village Council) (Amendment) Bill, 1990 has been passed unanimously.

Now, I shall call again Pu Zalawma to ask permission of the House to consider The Mizoram Urban and Regional Development Bill, 1990.

PU ZALAWMA : Pu Speaker, with your permission,
MINISTER I beg to move that The Mizoram Urban and Regional Development Bill, 1990 be taken up by the House for consideration.

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

PU R.ROMAWIA : Pu Speaker, I am glad that this Bill had been moved in the House. I would like to request the Hon'ble Minister to withdraw this Bill as most of the members do not have time to study the Bill because we have to concentrate more on the budget and leave it for some other times/Session.

Pu Speaker, it is a new thing for our country and I think it is a favourable step to be taken for development even while there is no proper mapping or scheming. I think this will be effective even for Land Use Policy. But I regretted that we have no time to study in detail.

The Bill itself is quite long but what I would like to point out is Chapter 4, page 26, Article 6, Sub-Section 4 for requirement of land, according to Land Act 1984 Section 17 meant for emergency which reads as-'for any function of the department under D.C. Act is urgently required in public interest by the Department'. But I think there will be no urgent requirement for Urban and Regional Development and in my opinion it is not best to practise Central Land Acquisition Act in our State, Therefore, I think it is better not to mention 'urgently require' in the Land Acquisition Act' otherwise all will be considered as urgent.

In page No. 62 it is written that - 'Approval of building design estimate and other procedure as laid down in the Meghalaya delegation of financial power Rules, 1981'. I think it is not best to use Meghalaya Delegation of Financial Power Rules 1981 in Mizoram and I think it is not necessary to mention this.

In page No. 70, it is written that those police officers who are not lower than Sub-Inspector can arrest the offenders even without taking warrant from Magistrate. It seems CrPc (Criminal Procedure Code) Section 41 is based on this. But in my opinion in the case of Urban and Regional Development, there may not be such offenders, therefore, it is not necessary to include this portion. That's all what I can say.

Thank you.

PU H.RAMMAWI : Pu Speaker, the origin of this Bill is quite good. But as already pointed out by one of the Hon'ble Members in the short title and commencement, it is written -'it shall extend to the whole of Mizoram' and in page No. 10 it is written -'the State Government by notification declare any area for regional in the State to be planned area or planning region for the purpose of this act'. This opposes 6th Schedule para 3 of the Indian Constitution.

In page No. 33 Chapter 7 it is written- 'the overall control of development and contrast the use of lands'. This also will clash the constitution because we have District Councils which have autonomous body. Therefore, this needs reconsideration though the mode of the Bill and its origin is good.

Thank you.

PU J.THANGHUAMA : Pu Speaker, I am glad that this Bill had been moved. But as there are many Bills and Budget, I have no time to study it carefully. In regard to appointment of officer for designing buildings, I wonder who will be having sole authority.

As pointed out by one of the Hon'ble Members, it seems we are going to use Meghalaya rules for building design, according to me since we are using other State's building design. Bangalore is the best in India. I would like to request the Government to take steps by exploiting this Rule. In these days there can be no reservation of road used to plant posts for their building. Therefore, if this Bill is passed, I think such things can be controlled, so it is good to pass this Bill and in the meantime, we need a person who has courage to execute this Bill,

Thank you.

S P E A K E R : Now I shall call upon the Minister in-charge to wind up our discussion and also to ask the House to pass the Bill.

PU ZALAWMA : Pu Speaker, thank you for giving me time to explain. The Mizoram Urban and Regional Development Bill, 1990. Since it is a new rule, there may be some notifications to be made. Anyway, let me say something about the introduction.

The Urban Development Ministry Department at the Central looks after urban planning and development for various states and U.T. and also fund for town and development regarding town and country planning. The Central Town and Country planning Ministry. Urban Development Government of India demands all state and U.T. Governments to make this kind of Rules in order to utilise funds sanctioned to develop towns and regions. Therefore, this Bill has been drafted according to the guidelines made by the Central Government.

Mizoram is facing problems now because almost all the lands are owned by the rich. Besides having done proper planning and cadaster survey by Revenue Department. This Bill has been introduced to have proper identification and proper development for town and country planning. Necessary steps are being taken under this plan to develop small towns, medium towns and sub-town. If there is no proper planning, all lands will be owned by rich people and there will be no land for the Government. So this Bill has been moved by the Government to acquire land for Government. As some members had pointed out in regard to land acquisition in section 6, we are practising the Central Land Acquisition Act 1984. Regarding the point raised by some Hon'ble Members like B R. Romawia and Pu H. Ramawia, for urgent acquisition of land, the intention of the Government while preparing this Bill is that it will enable the Government to acquire land

easily if it needs more land for a particular plant or scheme. Therefore, there is nothing wrong in framing the skeleton of the Bill.

Regarding delegation of financial power 1981 for Meghalaya which is seen in page No. 62, there is a rule for which the concerned officers can execute this power. This had been included in the Bill to execute work for town planning and regional development in Mizoram, it is also written in the Bill that if this is not good enough, Central code can also be used. Anyway, I would like to point out that the Meghalaya Delegation of Financial Power Rules 1981 is included in the Bill to be able to start our work.

It is written in Page 33 that the Government will issue notification or rules for its approval in regard to overall control of this Bill. Town and Country planning will be taken up by L.A.D.

Regarding powers given to Police Officers like Sub-Inspectors to arrest offenders under C.R.P.C. Section 41, it is meant to have proper planning even in Sub-Towns. So, it is included in this Bill that the Government can take steps in this matter,

So, Pu Speaker, with your permission, I ask the House to pass the Mizoram Urban and Regional Development Bill 1990.

Thank you.

S P E A K E R : Those who agree to pass The Mizoram Urban and Regional Bill, 1990, clause 2-81 may say so. (Members agreed).

Secondly, those who agree to pass clause 2 and the Enacting formula may say again. (members agreed). Then those who agree to pass The Mizoram Urban and Regional Development Bill, 1990 as a whole may say again. (Members agreed). Now I declare that The Mizoram Urban and Regional Development Bill 1990.

Now I shall call upon Pu Lal - Thanhawla, Chief Minister to ask the permission of the House to consider The Mizoram Exhibition of films on Television Screen Bill 1990.

PU LAL THANHAWLA : Pu Speaker, with your kind permis-
CHIEF MINISTER sion I beg to ask the August House
to consider 'The Mizoram Exhibiti-
on of films on Television Screen
Bill, 1990'.

S P E A K E R : Now we shall start our discussion
for this Bill and I shall call
upon two members from the ruling
and an opposition parties, then
Chief Minister will wind up the discussion. Let me call
upon Pu J. Thanghuama to speak first.

PU J. THANGHUAMA : Pu Speaker, there is nothing much
to say in this Bill. I am glad
that his Bill had been moved and I
also do hope that we will pass
unanimously.

As supply of electric power and
other equipments are improving in Mizoram, there are Tele-
visions and Videos even in many Villages.

Some time back, I asked permission
for exhibition of films on Television Screen for two persons
from D.C. so they were given the permissions. and it seems
they gained lots of money from their shows. But it was re-
ported that in many places they used to exhibit censored
films and even minor Children view such films. I feel that
if there is rules and regulations for exhibition of films
both the viewers and showmen can become more careful in se-
lecting films. It has also been reported that while there
are many who have permission from D.C. to exhibit films
for Commercial purpose there are some people who used to
exhibit films without having permission.

I was told by church leaders, social
leaders and School teachers that even minor children and
school children used to view films and I has already reported
the matter to D.C. and I am glad that even the D.C. gives
importance to it even some police officers known about
this but it seems they do not stop it. Now the Government
has made this Bill and I am sure well pass it. As this is
the case, I think it is good for the Government to send
notification to all A.O.'s and Police Stations. Though it
is good to exhibit video films with permission, it can effect
our social life in a bad way. Since this Bill has been in-
troduced it will be good to send circular to all V.C.s,
B.D.O.s, S.D.O.s and A.O.s to cancel the permit which had
already been issued and issue new permit. And while issuing
permits, I think it will be good to have recommendations
from social leaders, V.D.P., Y.M.A., Church leaders and
school teachers.

Thank you.

PU H. RAMMAWI : Pu Speaker, objects and reasons of the Bill are clearly written in his forwarding, so it is not necessary to say much. The increase in the number of TVs and Videos shows the development of our country. And it is important for the Government to be able to catch up with the development. Therefore, it is time to enforce this Bill in our State. The police and magistrates are very busy to check those who used to show without D.C.s permission. Therefore, in my opinion, it is better to legalise this.

In the present Bill, a control of scheme is included as the scheme is very important. We used to say that Mizoram is a Christian area being shown in a Christian State. So, it is our responsibility to show our dislikes. In order to regulate and keep watch on such undesirable exhibition of films, it is necessary to have our own Rules and Regulations. But if we used on the other side, there can be some problems to be faced. Even other states are facing such problems. Therefore, we have to be very careful while considering the Rules and Regulations. In the present Bill also, it is written in page No.2 para 5 (a) and (b) that 'the names of the applicant place at which the exhibition is to be given or the Video Library is to be kept'.

And in my opinion, it is good to add in page no. 3 para 3 that Video Hall should be at least 50 or 60 metres from School, Church and Government Office building. This will solve many problems which may arise later. That's all I can say.

Thank you.

PU PC. ZORAM SANGLIANA: Pu Speaker, I am glad that the Mizoram Exhibition of films on Television Screen Bill, 1990 has been moved. Its objects and Reasons are very clear. Even the biggest church in Mizoram i.e. Presbyterian Church is very concerned about this. I am glad that the Government is taking steps to prohibit such undesirable exhibition of films and I think even church leaders will also be glad.

In the present generation, Video Cassettes have become very important instruments for learning various things specially for the youths. It can be said that this is a great improvement. On the other hand while there is good improvement, there can also be bad improvements which can lead to moral destruction and can also affect the social life in a bad way. I am glad that this Bill has been moved to regulate and keep watch of such undesirable effects, and I would like to point out that I am supporting this Bill to be passed.

Thank you.

DR.R.LALIHANGLIANA : Pu Speaker, I want to say few things. There are some hidden things in the Bill, and I would like to say these as information and advise. Nothing has been written about censorship of the films which is very important. Secondly, I think it is good to have Censor Board for local films which are produced in Mizoram.

Thank you.

S P E A K E R : Now I shall call upon the Hon'ble Chief Minister to wind up the discussion and to ask the House to pass it.

PU LAL THANHAWLA
CHIEF MINISTER : Pu Speaker, the re-actions of the Hon'ble Members regarding this Bill made me very happy. I am also very glad because they expressed their true feelings and give suggestions to the Government. Let me read out the objects and reasons : It is well known fact that exhibition of films on Television Screen through Video Cassettes player has become very popular since recently either for private or commercial purposes. It has also been reported that in some places some porno films are exhibited publicly and even minor children view such films. Video Cassette Libraries also scatter here and there. Some of these Libraries are reported to be keeping uncensored film Cassettes and lending out to any body irrespective of the age of the borrower. Viewing of porno/uncensored film can lead to moral destruction and can also effect the social life in a bad way. In order to regulate and keep watch on such undesirable exhibition of films, it is felt necessary to have our own Rules and Regulations for exhibition of films on Television Screen and hence, the Draft Mizoram Exhibition of films on Television Screen Bill, 1990.

Some points pointed out by the Hon'ble Members like Pu J.Thanghuama and Pu H.Rammawi are being taken care of by the provisions of the Bill. Regarding the location, the interest of the public generally should be taken into consideration. Even in regard to the applicant, the Status, antecedents and previous experience of the applicant will be considered. And for that purpose of this clause, the expression "antecedents" means the conduct of the applicant in relation to the payment of any tax or dues payable by him to the Government. Beyond this, Rules will also be framed in the Rules, the necessary points like the Cinematography Act. The distance of the location from Schools, public place and church should be included. If there is a Rule, the reaction can be more effective because there can be legal backing.

In the objects and reasons as pointed out by the Hon'ble Member Dr. R. Lalthangliana, uncensored films/pornc films are being kept in some of the Video cassette Libraries. Viewing of these films had already been prohibited. This will be taken care of by Act Provision and Rules. So, I would like to assure the Members that when this Bill becomes an Act and the Rules are framed, the Government will consider carefully all the suggestions given by the Hon'ble Members.

So, Pu Speaker, I would like to request the House to pass the Mizoram Exhibition of Films on Television Screen Bill, 1990.

Thank you.

S P E A K E R : Well, now those who agree to pass the Mizoram Exhibition of Films on Television Screen Bill, 1990 from clause 2 - 22 may say so, (Members agreed). Those who agree to pass clause 1 and the enacting formula may say again, (Members agreed). Then those who agree to pass the whole Mizoram Exhibition of Films on Television Screen Bill, 1990 may say again (Members agreed). So, I declare The Mizoram Exhibition of Films on Television Screen Bill, 1990 is passed unanimously.

Now I shall call upon the Hon'ble Minister Pu Vanlalngbaka to ask permission of the House to consider The Mizoram Soil and Water Conservation Bill, 1990.

PU VANLALNGHAKA : Pu Speaker, with your kind PERMISSION, I beg to move that The Mizoram Soil and Water Conservation Bill, 1990 may be taken up by the House for consideration and passing.

S P E A K E R : Is there anyone to say about this?

PU R. ROMAWIA : Pu Speaker, I am glad that we are going to have an important Board to control erosion which is very much needed by our country. But I feel the formation of the Board is too official. In our state, there are many prominent citizens like ex-MPs, ex-MLAs and others who have experience in soil and forest. If we read Section 3, sub section 14 of chapter 2, the Government had nominated only 2 MLAs. Therefore in my opinion it will be good if the prominent citizens are included in the Board so that they can contribute their ideas too. I would like to request the Minister to explain why Director had been kept as Member Secretary of the Board instead of the Secretary of the Department in-charge ?

In regard to selection of Board Members, in sub-section 9 of section 5, Executive Members Autonomous District Council are also included. As there are MLAs from Chhimguipui District and Lunglei District, I think it will be good if the MLAs from these two districts are included in the board member.

In page no. 5 section 7 it is written that the Seniormost Officer of the Divisional Soil and Water Conservation of a particular District will be appointed by the Government as Soil and Water Conservation Officer. I do not find the need to write down this in the rules.

Lastly, I am glad that steps are being taken to utilise our natural forests and its products.

Thank you.

PU J. THANGHUAMA : Pu Speaker, I am glad to have this Bill which we never had before. I am also glad that protection of soil erosion had been included in this Bill and want to start this work as soon as possible.

In regard to formation of the Committee, I feel it is too official. I think it will be good if more MLAs are included in the Committee because for the official, it is their duty even if they are not in the Committee, therefore, it will be good if the formation of the Committee can be changed.

Anyway, I do support this Bill and I hope we will pass it unanimously.

Thank you.

PU NIRUPAM CHKMA : Pu Speaker, just one point. MINISTER Regarding the Constitution of the Board, what I have seen here is that Agriculture Department, Animal Husbandry and Soil Conservation, the representatives are included. But what I feel is that Sericulture must also be the concern Department. So the representatives of the Sericulture Department should be listed here.

Thank you.

S P E A K E R : Now I shall call upon Minister in-charge Soil Conservation.

PU VANLALNGHAKA MINISTER : Pu Speaker, though we do not know about the Bill in detail, it seems we feel it is good. This Bill had been drafted in the M.N.F. Ministry and when we take up the Ministry, we tried to present it in the last Budget Session. But we can not do this according to our wish and as the Central made Model Bill, we have to follow this and as there were some amendments to be made, it was not presented in the Budget Session.

So it was presented in last year's Winter Session. But we could not take it up as No-Confidence Motion was moved. As pointed out by the Hon'ble Members, this Bill had been made in 1959 by Government of India to conserve soil erosion and to preserve fertile soil. In 1967 and 1974 conference had been held in Delhi. Even the Central Government could not have proper decision. And in September 1985, a Seminar was held with Prime Minister, so they ordered that all States and U.T.s should have Soil and Water Conservation Act. The Central Government made a Model Bill for this. In regard to formation of Board, 2 MLAs are not mentioned in the Model Bill. In order to be able to have the Bill made by Law Department, we have to follow the Model Bill made by Central Government. I, myself also feel that formation of the Board is too official but we have to follow the Model Bill. Therefore, I would like to request the Hon'ble Members to understand this. We had even tried to include prominent citizens as suggested by some of the Hon'ble Members but as I had already said, there is a Model Bill which we have to follow.

It may be difficult to understand that there is District Soil and Water Conservation Officer after Soil and Water Conservation Officer. But I think we did not read the Bill properly. If we read it out carefully, we will see that the power given by State Board to District Board is judicial and legal. In order to take up this, there is a District Collector and there is an Assistant to help the District Collector. Besides these, a specific name has been given for Soil and Water Conservation. They are given nearly Magisterial Power.

So there will be Soil and Water Conservation after District Soil and Water Conservation which is to be an Officer's post. Therefore, in each District, the Seniormost in the District Soil and Water Conservation will be the Secretary. But all of them will not have Magisterial Power, a particular member will be appointed by the Board to have such power.

As we all know, we are very much interested in development. The salient features of this Bill which goes hand in hand with Government's policy is Land Use Policy. I, therefore would like to request all the members to know that if we are lazy and negligent, while steps are being taken for development, we will turn our country into a desert.

I also would like to say few things about soil erosion. We must know that some projects like Bairabi Hydrel Project and Taisumpui Project can get spoiled because of too many siltation.

One more point I would like to point out is about Temporary Position of Land. According to this, there is no point to reject acquisition of land by the Government for a period of 5 years, which is called Betterment Contribution. After 5 years, the land will be given back to the owner. This betterment contribution is something like a revenue. Therefore, it is good to know that this does not mean development alone but it also means revenue.

So, Pu Speaker, I beg the House to pass The Mizoram Soil and Water Conservation Bill, 1991.

Thank you.

S P E A K E R : Those who agree to pass The Mizoram Soil and Water Conservation Bill, 1990 clause 2 & 3 and First Scheduled and Second Scheduled may say so. (Members agreed). Then those who agree to pass clause 1 and the Enacting Formula may say so, (Members agreed). Again those who agree to pass The Mizoram Soil and Water Conservation Bill, 1990 as a whole may say again, (Members agreed). So I declare The Mizoram Soil and Water Conservation Bill, 1990 is passed unanimously.

As it is necessary to revise our calendar, all B.A.C. Members are informed that B.A.C. sitting will be held at 1 P.M. tomorrow in my Office. Our sitting for today is adjourned now and we shall resume our sitting tomorrow at 10:30 A.M.

Meeting adjourned at 4:20 P.M.