

FOURTH SITTING ON MONDAY, THE 21ST JANUARY, 1991.

PRESENT

- PU VANLALINGENA, Deputy Speaker at the Chair, 10 (ten) Ministers and 22 (twenty two) Members were present.

QUESTIONS

1. Questions entered in separate lists to be asked and oral answer given.

PRESENTATION OF REPORTS

2. PU ZOSIAMA PACHUAU to present to the House the twelfth and thirteenth Report of the Committee on Public Accounts.

LEGISLATIVE BUSINESS

(Bills for consideration and passing)

3. PU VANLALINGHAKA to move that the Mizoram Water Tariff Bill, 1991 be taken into consideration.

also

to move that the Bill be passed.

4. PU LALHUTHANGA to move that the Mizoram (Village Councils) Amendment Bill, 1991 be taken into consideration.

also

to move that the Bill be passed.

5. Dr.H,THANSANGA to move that the Mizoram Salaries and Allowances of Government Chief Whip Bill 1991 be taken into consideration.

also

to move that the Bill be passed.

PU VANLALNGENA : There are six things which the Lord
DEPUTY SPEAKER hates, seven which are an abomination
to him; Haughty eyes, a lying
tongue, and hands that shed innocent blood, a heart that
devises weaked plan, feet that make haste to run to evil,
a false witness who breathes our lies, and a man who sows
discord among brothers.

PROVERBS 6:16-19

Its time for question and answer.
To start with, I invite Pu Lalrawnliana to ask question
No. 25.

PU LALRAWNLIANA : Pu Deputy Speaker, starred question
No. 25. Will the Hon'ble Minister
in-charge Education and Human
Resources Department be pleased to state -

- (a) In regard to private English School do the
government try to control over imposition
of school fees ?
- (b) Whether the teachers employed in the school
are qualified ?

PU VANLALNGENA : The Minister concern may reply the
DEPUTY SPEAKER question.

Dr.H.THANSANGA : Pu Deputy Speaker, in response to
MINISTER the first question (a) the Govern-
ment have no intension to control
at present. (b) According to the terms and consition of
Establishment of school only those qualified must be
employee.

PU LALRAWNLIANA : Pu Deputy Speaker supplimentary
question. If the government
approved Private English Medium
School would it not be favourable to divert our Government
school into English Medium. As we have knowr, most of the
well-to-do Children has been educated in English Medium
School. While the rest, mainly from poor families are
studying in government schools. Will it be progressive
forthe state to formulate our school into two classes ?
Will not this be the factor to keep the distanca between
the rich and the poor ?

PU P.C.ZORAMSANGLIANA: Pu Deputy Speaker, this question,
to be answered right awar. Most of
the English Medium Schoo,s are
Private properties and in fact it may not be wro:g to say
that their respective Schools are their financia source.
Whether the government have the right to prevail restriction
in Private business ?

PU RUALCHHINA : Pu Deputy Speaker, supplementary question permission is given to open private English Medium School. Provided terms and conditions are followed will it be attentive to include fixation of school fees in the given terms and conditions.?

Dr.H.THANSANGA : Pu Deputy Speaker, let me explain first the policy of government in the establishment of English Medium School. As we have seen today, English Medium School has been opened here and there. During 8th five years plan the main policy of the government is qualitative improvement. In pursuance of the policy the government have suggested the method of English Medium school some proprietors might have opened the school privately and on commercial ground. In management of running such schools, I have learned that some owners could not even afford to pay salary for their employees, and as a result the standard of the school degraded. Simultaneously educational quality of the concern student also is falling after examining the problem, the government decided to formulate terms and conditions for the concerns schools in order to upgrade their standard.

According to the terms and conditions any English Medium School can be recognised by the government if permission is applied and recognition shall be issued if permitted. Moreover, admission in such schools shall be conducted as done in other schools otherwise no permission shall be given.

At present, there are 56 English Medium Schools while 10 of its have acquired permission and 8 are applying.

In response to the question regarding the possibility of controlling proprietors of English Medium school there is no reason to do such thing even though it might have been opened with commercial minded. However, if admission is not applied for in such schools our problem would never be checked. If the problem is going on unchecked it is the people who will suffer the kick bank

In pursuance of the policy the Government is intending to see to its buildings, furnitures and moreover, harsh inspection shall be prevailed from now on.

Regarding the condition of fee it has been scrutinized by the Board with the abiding syllabus, curriculum and even students uniform. At present the syllabus used in Aizawl, Lunglei Champhai or Kolasib are all different and in fact the next step to be taken by school board is to appropriate the syllabus and their curriculum. After all such problem is solved it will no longer be necessary to send our children to other places like calcutta, Delhi, Shillong etc.

Regarding supplementary question raised by Pu Rawna I must say that all the good Schools in Mizoram has not been English Medium and rather as the Mizo Medium Schools can be selected to be the best. Meanwhile, I would like to state that the concept of uplevelling English Medium School over Mizo Medium is wholly wrong, as it is not a matter of the medium followed but it is the conduction and discipline that promote the standard of the School.

Thank you.

DEPUTY SPEAKER : Question No. 26 and Pu Rammawi to state.

PU H. RAMMAWI : Pu Deputy Speaker, starred question No 26. Will the Hon'ble Minister in-charge Excise and Taxation Department be pleased to state.

(a) What is the procedure for collecting professional Tax for the year 1989-90 ?

(b) Why the Mizoram sales Tax Act 1989 has not been utilised ?

PU C.L. RUALA : Pu Deputy Speaker, here is the answer.

Professional Tax has been imposed in accordance with the Mizo District Professions, Trades callings and Taxation regulation 1963.

PU H. RAMMAWI : Pu Deputy Speaker, Professional Tax of 1989-90 had been collected on enhance rate. What Rule had been followed by the Government in collecting Tax on enhance rate.

PU C.L. RUALA : Pu Deputy Speaker, this enhance Rate had been done following the enhancement.

PU H. RAMMAWI : Pu Deputy Speaker, this enhance rate i.e. 1900 and the procedure of the enhancement had been passed in the House on 28, March 1990. It is also passed that it shall come into force on the first day of April, 1990. I therefore am asking why the rule has been enhanced by the Government from the period 1989-90 while it was to start from the first of April 1990 ?

.../-

PU C.L.RUJALA : Pu Deputy Speaker, if the Hon'ble
MINISTER member reviewed the Rules, section
(5) he will see the process for
assessment of Tax. The rule under-
line that Tax shall be taken as assess from the income of
the previous year. In fact, nothing is wrong with collecting
Tax from the period 1989-90.

• PU H.RAMMAWI : Pu Deputy Speaker, I am not talking
about its assessment what I am ask-
ing is the rule applied in the a-
assessment. As we have known,
Article 266 of the Indian constitution had been amended in
accordance with the amendment Rule No.00. Likewise, we have
also amended the existing rule, the basis of the above
amendment rule on 28th and 30th March, it was to be enforced
from the first 1st March. This can be clearly seen in the
statement of our Finance Minister.

Moreover, we have seen in the Bud-
get Explanatory memorandum 1990-91. Page No. 5 that whether
it is a professional Tax, or trade or employment, it shall be
collected on the basis of the Rules given and even notified
in the budget estimate. In fact, it is against the constitu-
tion to collect Taxes of professional, trade, tailoring
or any other business with retrospective effect. Relating
to this, I am asking whether the Government should repay
those taxes that has been collected with retrospective effect.
We have the provision of repayment in our Regulation Section
19.

PU C.L.RUJALA : Pu Deputy Speaker, everything has
MINISTER been done in accordance with Rule,
and he just don't want to understand.
Any professional Taxes has been
evaluated from the amounts income of the person concerns in
previous year, and it has been done following the rules
given. Therefore, there is not any reason for the Government
to repay what had been collected.

• PU H.RAMMAWI : Pu Deputy Speaker, if the rule has
not been amended then the assess-
ment is correct. However, it is
amended and the Government have no right to prevail retro-
spective collection. What had been done by the Government
only degrade this august House. I therefore have to know
whether it shall be repaid or not.

PU C.L.RUJALA : Pu Deputy Speaker, the problem
MINISTER is that he just don't see to under-
stand. This amendment hence has
not been applied in the collection
of professional Taxes of 1990-90
but of 1990-91.

PU H. RAMMAWI : Pu Deputy Speaker, this is wrong information. Here, I have got the document to confirm my statement. I even tried to inform the matter in the court and notice has also been given to the Government. He should not have given such a wrong information here in the House. What he has just stated clashed with his previous statement. It is better for himself to commit immediately.

PU C.L. RUALA MINISTER : Pu Deputy Speaker, we should not have discussed this matter if it is informed in the court however, we have not heard of such thing. But case has been filed in regard to sales tax and as such we should not be discussing the problem related to court.

PU H. RAMMAWI : Pu Deputy Speaker, I don't say that case has been given in prior to informing the court and it has been done. Anyhow, the Government must repay what had been collected.

PU C.L. RUALA MINISTER : Pu Deputy Speaker, it is only a matter of slight misunderstanding and nothing is done against the rule. I can't help it is he don't want to understand.

PU H. RAMMAWI : Pu Deputy Speaker, our Finance Minister too have been aware of the true fact as he had given the detailed budget speech. I therefore, request the Hon'ble Minister to admit what had been done. He himself is not clear with my statement.

PU C.L. RUALA : Pu Deputy Speaker, Amendment enhance rate has not been used for the period 1989-90 but for the year 1990-91. But it is necessary to collect on the basis of the previous income. It is easy enough for any one to understand the situation.

PU H. RAMMAWI : Pu Deputy Speaker, It is true that it has been collected and I dare to say that every business man in the market could procedure the receipt. Next, starred question No. 26 'B'

DEPUTY SPEAKER : Minister concerned by pleased to state.

PU CL. RUALA MINISTER : Pu Deputy Speaker, I think it is necessary to take the opinion of other members on whether to discuss the existing matter as it has been proceeded in the court (Deputy Speaker :- It will not be necessary as the House have no knowledge of the verdict.

DEPUTY SPEAKER : Question No. 27 and Pu R.Lalthangliana to state.

DR. R.LALTHANGLIANA : Pu Deputy Speaker, I am asking Question No.27. Will the Hon'ble Minister in-charge sports and Youth services Department be pleased to state.

House rent of District sport office at Lunglei has not been paid till today. What is the reason? Moreover, no officer has been posted to this office Why?

DEPUTY SPEAKER : Minister in-charge Pu Saikapthianga may answer.

PU SAIKAPTHIANGA : Deputy Speaker, in response to the first question Administrative approval (A.A.) is not issued as yet. Hence, House rent's payment is not possible at present.

In response to the second question, one Deputy Director has been posted in this office. However, he has been detailed to help the staff in the Directorate for the time being owing to the coming national level sports meet to be held here at Aizawl.

DR.R. LALTHANGLIANA : Mr Deputy Speaker Sir, Supplementary question. We were very happy when our Chief Minister come to Lunglei and inaugurated the District Sports office. However, the negligence of House rent payment is deeply regretted. Just now we have listened to the reason of the existing House rent problem and is complied. Regarding the allotment of the officer, one Dy. Director is no doubt posted. But no financial power is vested on him therefore I would like to request the Govt. to assure immediate implementation.

DEPUTY SPEAKER : Minister concerned by pleased to state.

PU C.L.RUALA
MINISTER : Pu Deputy Speaker, I think it it is necessary to take the opinion of other members on whether to discuss the existing matter as it has been proceeded in the court (Dy. Speaker) it will not be necessary as the House have no knowledge of the verdict

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DEPUTY SPEAKER : Minister in-charge Pu Saikapthianga may answer.

PU SAIKAPTHIANGA
MINISTER : Pu Deputy Speaker, in response to the first question Administrative Approveal (AA) is not issued as yet. Hence House rents payment is not possible at present.

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PU P.C.ZORAMSANGLIANA

: Pu Dy. Speaker, to be answered right a way. This office is already open back way in 1999 December bu A.A. has not been issued till today. I infact opine that the probelm deserve immediate consideration. More, I would like to know how far t this problem had been solved. It would be appriciated if a detail information is given.

PU SAIKAPTHIANGA
MINISTER

: Pu Dy. Speaker, the point stated by the Hon'ble Member who contri-
buted this question is very much appreciable. House had been made ready while the office was due to be poened. However, House rent problem began to evolve as soon as it was accupied as Government rate and private rate is not t e same consquently. Administrative approval is now again applied by the House owner and is expected to be settled soon.

In relation to this problem, I have to ~~state that~~ the problem of Lunglei District Court office also is heeded by the Government. However bifurca-
tion of the office always evolved some problems. And cannot be solved immediately anyhow, the Government is trying its best to furnish this new Department.

In response to the question raised by the Pu Zoramsangliana I would like to state that the Department of Sports has been functioning with appropriate plan Scheduled. We all know that our Sperts facilities are poor enough in compare with the assets of our neighbouring states. A part from the state Government the central too have taken into account of our backwardness and substancial support has been received from the Sports Authority of India. During the period mofe than 43 lakhs of rupees had been re-
ceived from .Central and the process. is continuing till today.

As we have known the Government is intending to build some substancial Indoor stadium and play field in a number of places. Meanwhile, some of them its have already been constructed. There are six Indoor stadiums which are due to be completed in few weeks. In this way, the Government is putting great effort in regard to Sports.

DR. R.LALTHANGLIANA

: Pu Deputy Speaker, my question has not been fully answered. My exact point is creating of the post of Officer that has not been finalised till today It is learned that is due to financial problem. If the statement is truth when will it be finalised ?

PU SAIKAPTHIANGA MINISTER : Pu Deputy Speaker, I regretted for the mistake. In response to the question, post creation has to be done first in order to enhance financial power and is expected soon.

DEPUTY SPEAKER : Starred question No.28 and Pu Zosiama to state.

PU ZOSIAMA PACHUAU : Pu Deputy Speaker, starred question No. 28. Will the Hon'ble Minister in-charge Environment and Forests Department be pleased to state.

(a) The total number of cubic metres of timber sawn in the state on payment of royalty since April 1990.

(b) The total Revenue received by the Forest Department since 1990.

(c) The Forest Division which received the largest amount of Revenue in Mizoram.

DEPUTY SPEAKER : Pu Zalawma, Minister in-charge may reply.

PU ZALAWMA : Pu Deputy Speaker, here is the answer.

(a) Total number of cubic metre of Timber sawn in the state of Mizoram on paument of royalty since April 1990 upto November 1990 was 16,723 cubic metres.

(b) The total Revenue received by the Forest Department since April 1990 upto end of November 1990 is Rs. 55,03,487/-

(c) Kolasib Forest Division received Rs. 22 lakhs which is the highest among the Forests Divisions upto Nov. 1990.

PU ZOSIAMA PACHUAU : Pu Deputy Speaker, supplimentary question please.

(a) I would like to know whether the sawn is dome by Mizoram Forest Department or by itself.

(b) Whether the Forests Department had already received the entire amount which is due to come.

(c) Kolasib Division has received higher amount of Revenue than all the nest why ?

PU ZALAWMA
MINISTER

: Pu Deputy Speaker, royalty is not collected from the trees planted by Forests Department. It is to be noted that the Department have made a reserved Area and is authorised to collect royalty from wild trees and Bamboos for the State Revenue.

In regard to the substantial amount of revenue received by Kalasib Division, the main source of this revenue comes from sand mahal and Bamboos mahal and Saihapui which is known to be the most abundant source in the state.

Moreover, the amount i.e. Rs. 55,03,487/- which has been collected so far is not our target. The target of the Department is 60 lakhs rupees and is nearly achieved. In relation to this, I am glad to inform you that the Department is now deciding to clear the area of Teak plantation which had been started 20 years ago. Quotation also has already been called. From this source atleast some amount is expected. It means that this expected amount will be the excess apart from the main target.

PU VAIVENGA

: Pu Deputy Speaker, supplementary question -

- (a) Whether those Timber are mean to be sold in the local or outside the state-
- (b) Whether the Government have any intention to appropriate our cubic system or timber and boulder which is less considerable.

PU ZOSIAMA PACHUAU

: Pu Deputy Speaker, the question raised by my predecessor happened to be the same with mine. As infact I request the concerned

Minister to put a detail answer.

In addition, I would like to know the exact number of log permit authorised by Forests Rule to be permitted to one person. Whether the Rules permitted more than 5 logs? Had any permission is given against the Rules?

In regard to Charcoal processing permission is given to some fellows in Champhai. But on the way to Aizawl for further marketing the owner of the Charcoal have to pay royalty fee at Khawzawl, Kawkulh and again at Seling. The rate to be raised so to recoup his expenditure. Do the Government aware of this fact?

Moreover, why the rate of Timber in the Ngopa range and Khawzawl Range are all different even though they are same quality. Whether any fake permission had been issued in this regard?

PU ZALAWMA
MINISTER

: Thank you Pu Deputy Speaker, I first of all have to state that the Government is not concentrating only on Revenue collection. This is evident from the fact that improvement of the local people is highly considered, and part of the product has been reserved for local consumption.

Moreover, the local processed Timber has never been exported in other states as alleged above. But Bamboo has been supplied to Cachar paper mills as mahal system agreement.

Regarding preservation of Forest the Government is paying much attention to it. However, it is necessary to cut down immature bamboos so as to increase its quantity, consequently, termination of mahal system also is not much suggestive as it also contribute the state revenue to some amounts.

Regarding the problem of stone and timber cubic some improvement has to be made. However, the problem evolved in this regard is that law and order cannot be maintained effectively is hesitate to as everyone report any illegal practice to the Government on the other hand the Department of Forest have no knowledge of the prevailing cubic system yet it is just one of the sources of its revenue income. Unless, the Department which concerns with maintenance of law and order paid due attention of this problem it may not be solved right away.

Meanwhile rate has been prepared in regard to the issue of permit and will soon be approved. permit in relation to the acquirement of some qualities of our timbers such as Ngiau, Thlanvawng and Char is given only to the local inhabitants.

Allegation regarding processing of Charcoal the Department have no knowledge of such mis-conductions. Necessary action shall be taken as soon as information is received. In response to Pu Vaivenga's question no timber is exported for outside consumption.

Regarding timber rates of Ngopa range, Khawzawl range or Saitual range the Department have no knowledge about it. If information is given to the Department, necessary arrangement will be made.

PU VAIVENGA : Pu Deputy Speaker, I am asking whether the Department of Forest have fixed the amount of Timber to be processed. Had the Government control over the rate of Timber ?

PU ZALAWMA
MINISTER

: Pu Deputy Speaker, Royalty has been collected in accordance with the rate given and the Government have no control over its subsequent selling.

DEPUTY SPEAKER

: Question No. 29 and Pu Aichhinga to state

PU AICHHINGA

: Pu Deputy Speaker starred question No. 29.

Will the Hon'ble Minister in-charge Environment and Forests Department be pleased to state -

1. Whether the site which has been now occupied by Military force (CIZW) at Vairengte is a private estate or the dept. of Forests. What is its actual area?
 - (a) Supposing this is a private estate, who is the owner? Who had given the pass/LSC and when?
 - (b) Whether rent had been paid or not? If yes, to whom? What is the term and condition for the occupation?

PU ZALAWMA

: Pu Deputy Speaker, here is the answer. This particular area falls within Inner Lines Forest reserve and has been under the maintenance of Forest Department. Its area is 80 acres.

Regarding question (a) many of the private owners had acquired pass/LSC within the area occupied by CIJW some LSC had been approved by the Government while others are also approved by concern V.C. Even though V.C. are not being authorised by the Rules to deal with allotment of land, they may be considered to do so as it has been a common practice since long time back. However, they have to apply the approval of the Department subsequently.

The following persons has claimed to be acquired pass/LSC on Government's approval -

Pu Bawzika, Pu J. Biakmawia, Pu Thangzuala, Pu G. Thanzanga and Pu Zairema. And, those who acquired from VC are as follows -

Pu Engthangkunga, E. Zoramsiama, V.L. Sawma, Pu Rosiama and Pu L. Thanzama. Moreover, Pu Zatlunga have claimed to be acquired temporary permit from V.C. Anyways all these areas has been maintained by Forest Department since its falls within the Inner Line Forest reserve.

Answer to (b) way back in 14th October 1873 this particular area had been declared by the Chief Commissioner of Assam as reserve area. Since then it has been under the maintenance of Forest Department.

In response to question

(c) The amount paid for the rent has been received by the department of Forests. It has been rented at the rate of Rs. 240/- per year i.e Rs. 5/- per acre. The total area that has been occupied is 80 acres and was put with effect from 1.1.1970.

Recently, fresh application for a wider area has been submitted and is yet to be examined. Regarding terms and condition for the lease, it has been allotted for 8 years and be renewed for every three years after the end of the given period.

PU RJALCHHINA : Pu Deputy Speaker, starred question No 30. Will the Hon'ble Minister in-charge land Revenue & Settlement Department be pleased to state.

Number of LSC issued by the Government within Aizawl Town Area during the year 1990 ? Moreover, number of LSC issued in other places.

PU ZALAWMA MINISTER : Pu Deputy Speaker, here is the answer. During the year 1990 the Government have issued 3534 LSC within Aizawl Town Area.

Number issued in other places :-

Lunglei - 1035

Kolasib - 106

Saitual - 39

Serchhip - 93

PU K.VANLALAUVA : Pu Deputy Speaker, starred question No. 31.

Will the Hon'ble Minister in-charge Sports and Youth services Department be pleased to state.

(a) What amount of money has already been spent in the construction of Kolasib Sports complex ?

(b) How far of the construction had been completed ?

PU SAIKAPTHIANGA MINISTER : Pu Deputy Speaker, answer to the above question -

(a) Rs. 17,20,015.00 has already been spent in the construction of mine Sports complex at Kolasib

(b) So far, its retaining wall of the eastern side is completed.

PU J.H.ROTHUAMA : Pu Deputy Speaker, starred question No.32 -

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

Has the machine works taken up by P.W.D yield to be more productive ?

PU LAL THANHAWLA CHIEF MINISTER : Pu Deputy Speaker, the answer is yes.

PU ZOSIAMA PACHUAU : Pu Deputy Speaker, question No 33.

Will the Hon'ble Minister in-charge Excise and Taxation Department be pleased to state

(a) The reasons why the Government has stopped collecting Sales Tax.

(b) The total amount of sale Taxes collected from the 1st April 1990 till collection was stopped.

PU C.L.RUALA : Answered to starred question No. 33.

(a) There are certain provisions in the Act concerning registration of dealers which require amendment.

The list of notified goods for the purpose of levying sales Tax requires some modification in the interest of common man.

(b) The total collection of Sales Tax for the return period from 1.4.90 to 30.9.90 during which the Tax was imposed it Rs. 45,61,246.00 (Rupees fouty five lakhs, sixty one thousand, two hundred fourty six) only.

PU J.H.ROTHUAMA : Pu Deputy Speaker, starred question No.34

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

Whether surprise checking prevail in the Government of Mizoram to different Departments has achieved the policy ? Has any action been taken against the accused employees ?

PU J. LALSANGZUALA
MINISTER

: Pu Deputy Speaker, here is the answer for the above question. It has been carried out successfully and action has also been taken against the accused person.

DEPUTY SPEAKER

: I shall now invite Pu Zosiama Pachuau Chairman of P.A.C. to present the Report.

PU ZOSIAMA PACHUAU

: Pu Deputy Speaker, I, Chairman of the P.A.C. having been authorised by the Committee to present the Report on its behalf. Present this TWELFTH AND THIRTEENTH REPORT on the Report of comptroller and auditor General of India 1984-85 relating to the Union Territory of Mizoram in respect of the Department of Animal Husbandry and Veterinary and Industries.

Thank you.

DEPUTY SPEAKER

: May copy of the Report be distributed to the members.

Now is the time for Pu Vanlalnghaka to present Mizoram water Tariff Bill 1991. But Education Minister have requested to take up his Bill first as he have an urgent duties. In relation, here is an announcement Pu J.H.Rothuama, Pu P.C.Zoramsangliana, Pu Rualchhina and Pu P.C.Bawitluanga are appointed as penal of Chairman for this session. Do we all agreed the request of Pu Nghaka ? If yes, Pu Nghaka's Bill be taken up after Pu Thansanga's Bill.

DR H. THANSANGA
MINISTER

: Pu Deputy Speaker, my Bill has been introduced first in the hope that it will cause of to be taken up first I made a request not by neglecting this sitting but due to unavoidable circumstances and it will be appreciated if my request is fulfilled.

DEPUTY SPEAKER

: If we have agreed ? shall now invite Pu Thansanga to beg of introduced the Mizoram salaries and allowances of Government Chief whip Bill 1991.

DR. H. THANSANGA
MINISTER

: Pu Deputy Speaker, with your permission I beg to introduce Mizoram salaries and Allowances of Government Chief whip Bill 1991 here in this House.

DEPUTY SPEAKER : It is now permitted and will be followed by the desission. We shall take up the principle first and then its clauses one by one 10 minutes shall be given in each speech.

To start with, I call upon Pu Rommawi to have his speech.

PU H.ROMMAWI : Thank you Pu Deputy Speaker. To start with I would like to speak regarding provision of Rental change. As we have seen Rs. 2500 is allotted in regard to rental change of the Chief whip. If we have to provide facility it should have been made atleast Rs. 3500 as the present allotment hardly afford the requirement. The matter therefore needed reconsideration. Besides, even though the supply of water and Electricity is under the provision it is strange to note that no provision of Telephone is to be seen. In connection with this, I request the concern. Minister to make clear of the statement local rate and Taxes, Pu Deputy Speaker it is wise not to pass the existing Bill unless Telephone facility is evolved. It is shamaful for the Government not to provide Telephone facility to the Chief whip while ordinary MLA's are entittled for the same.

We must therefore reconsider meagre allotment of Rental change and absence of Telephone in the provision of Chief whip facility.

Thank you.

DEPUTY SPEAKER : Next, Pu Zosiama Pachuau

PU ZOSIAMA PACHUAU : Thank you Pu Deputy Speaker, my precedessor have demanded to raise the amount allotted for our Chief Whip's Rental payment and I too have the same opinion on it. There is no rule to favour cur Chief Minister than these of ordinary members. In dealing with rental facility Pu Deputy Speaker, it is important to note that our Chief Whip also needs the same size of room and facility as acquired by other members yet discrimination should not be prevailed in dealinf of rental facilities. He must not be treated as just an ordinary L.D.C. or U.D. in the Office.

I it is highly convinience^{ly} not to provide telephone connection in our Chief Whip's Residence. The conduction of the concern Department is not just an ordinary mistake deliberately done. The Government must therefore take immediate action in this regard.

Speaking in relation to Telephone, its seen that there is not limitation of free call for our ministers Speaker and Deputy Speaker while restriction is made in regard to ordinary members. Even in Lok Sabha and Rasya Sabha limit of free calling for the members in Rs. 30,000 —60,000 he must therefore consider this matter.

Thank you.

DEPUTY SPEAKER : Any body else.

PU R.ROMMAWI : Thank you Pu Deputy Speaker, This Bill is agreed to be passed as proposed. As for me, I should not comply with the agreement as it is meaningless to pass the Bill of payment of local rate without any condition connection. In my opinion, discussion as well as correction be taken as necessary

DEPUTY SPEAKER : I'd rather call upon the concern Minister to make his speech.

DR H.THANSANGA
MINISTER : Pu Deputy Speaker, what my predecessors has stated are of very much important we have been discussing about the problem with Chief Whip and had been put in the main Act of the amendment which underlined that " In the principle Act after, section 13 the following section shall be inserted namely-
13(A) Residence conveyance, etc. of the Government Chief whip if he is not a member, A Minister shall, with effect from the date on which he may enter upon his Office subject to rule even in in this behalf. During the period of 15 days immediately thereafter. He shall be entitled to the use of (a) furnished residence in Aizawl without payment of rent and motor vehicle, without payment of higher as other charges. And is changes shall fall on him respect of the maintenance of such Residence or vehicle. And so long as such Residence is not provided, he shall be entitled to residence for which rental charges shall be at a flat rate of Rs.2500 per mensem." Here, no serious amendment is made except that of the number 13(A). Yet, slight amendment is made in regard to the amount allotted. Meanwhile, Pu H.Rammawi has demanded to raise this allotment to Rs.3500 and Pu Zosiana demanded Rs.5000 for the same.

In this regard, it is to be noted that Chief Whip is supposed to be there in the station only in the time of session and therefore provision of equal facilities to the Minister and ordinary M.L.A. has not been possible though they all are on Public service. This existing procedure have also been followed in other states and so we must also use for the time being. In case the process is found defective we still have a chance to reconsider the matter.

Speaking in relation to Telephone each of the member is facilitated and therefore Minister, Speaker and Chief Whip are entitled to utilisation of telephone as necessary.

PU H.RAMMAWI : Pu Deputy Speaker, what we have been discussing now is sub section-I of the first section. Here, we have seen that "This Act may be called the Mizoram salaries and allowance of Government Chief Whip Act 1991." This cannot be an amendment.

DR H.THANSANGA MINISTER : Pu Deputy Speaker, let me clarify this matter. In the previous Act of 1987 we have seen that "A member means member of the Assembly say as otherwise expressly provided in this Act does not include Allowances of Ministers Act 1987 (11). The Speaker and Deputy Speaker as defined in Mizoram salaries and allowances of the Speaker and Deputy Speaker Act 1987. But include the Chief Minister, the Speaker, The Minister, the Minister of State and the Deputy Speaker for the purposes of pension including Family pension only under section 14" since Chief Whip is not included here the rules has been amended in the previous year. The amendment section 2 (two) underlined that "In the Mizoram salaries Allowances and pension of members of the Legislative Assembly Act, 1987, section 2, in sub-clause (ii) of clause (g) for the words "But includes the Chief Minister, the Speaker, the Minister, the Minister of State and the Deputy Speaker for the purposes of pension including family pension only under section 14," the words "But includes the Chief Minister, the Speaker, the Minister of States and the Deputy Speaker for the purposes of pension under section 14 and of death gratuity under new section 14 A" shall be substituted.

On the other hand, the amendement also underlined concerning the Chief Whip that "Government Chief Whip means that of a member of the Mizoram Legislative Assembly who si Government Chief Whip for the time being in that Assembly of the party in Government having the largest numerical strength in that Assembly and (b) maintenance in relation to House includes the provision of Electricity and water. The Government Chief Whip shall be entittled one grade-IV staff at his residence.

Hence Telephone is attaching in the Residence it is not necessary to discuss the matter seperately.

PU ZOSIAMA PACHUAU : Pu Deputy Speaker, the salaries electricity and water supply of Chief Whip has been focussed in the amendment. Why Telephone has not been included ?

PU TAWNLUJA : Pu Deputy Speaker, as we have seen here our Chief Minister, Speaker and other Ministers are included in the matter of pension and Death Gratuity and it is strange to note that the Chief Whip had not been included.

PU H.RAMMAWI : Pu Deputy Speaker, it is stated that Telephone is included in the list of Residences facility. But as we have seen in the explanation on section 5 that "Residence" includes the staff Quarters and other buildings apartment there to and the gardner there of" Here telephones matter is not focussed

Moreover, Pu Deputy Speaker the present bill seems to be different from the one which had been presented in the House. Regarding the amendment on Village Council the statement proved to be true from the title given. But this existing bill seems to be the fresh one.

PU P.C.ZORAMSANGLIANA : Pu Deputy Speaker, as the present bill is of about the Chief Whip it is necessary to prevail impartial discussion. It is therefore wise for the Minister to withdraw the Bill to be discussed in the next Budget Session.

Dr.H.THANSANGA : Pu Deputy Speaker, there is a maximum for the supply of Electric and Water. However, being MINISTER the Chief Whip he shall be provided with furnished residence with any expense on water or Electric be financed by the government. As stated by Pu R.Romawia, any local taxes emanated from the allotted residence shall be freed since it is furnished. In this regard, it is to be noted that Telephone is included in the residence.

PU P.C.ZORAMSANGLIANA : Pu Deputy Speaker, a Chief Whip may be hailed from wheather Aizawl, Lunglei or Chhimituipui District. In this regard it is not fair to favour a particular member while some others were neglected withdrawal of this bill is therefore much suggestive with no hesitation. The Bill must therefore be passed reasonably otherwise reputation of this august house shall be degraded.

PU H.RAMMAWI : Pu Deputy Speaker it is wise for us to take positive approach in regard to this bill. I therefore request any members to turn their speech in negative approach.

The opening chapter of this bill underlined that "this Act may be called the Mizoram Salaries & Allowances of Government Chief Whip Act, 1991" It cannot be called an amendment as its clashes our point of discussion. This act is rather a newly enacted.

DR H. THANSANGA
MINISTER

: Pu Deputy Speaker, this Bill is not an amendment but separately prepared on the basis of various Rules. However, as I have already mentioned it has been misinterpreted from the previous Rules. Anyway, Telephone could also be included if the House field it has necessary.

DEPUTY SPEAKER

: In my opinion, the state of the members are much agreeable. I therefore may suggest supplementation of the above cited facility.

PU ZOSIAMA PACHUAU

: Pu Deputy Speaker, the problem is how supplementation will be made. The concerns Minister have to prepare reasonable procedure in prior to this as it would be a difficult to understand the whole concept.

DEPUTY SPEAKER

: What will not be the problem if the Bill is once passed.

PU ZOSIAMA PACHUAU

: Pu Deputy Speaker, the amount allotted for the house Rent too is meagre I therefore demanded the amount be raised along with this Bill.

PU TAWNLUJA

: Pu Deputy Speaker, it is more preferable to withdraw this Bill and be discussed in the next session as it will bring long term effect if it is passed unreasonable.

DEPUTY SPEAKER

: As our House leader is absent I have to take the opinion of Pu J. Lalsangzuala his representative on. Whether the Bill is to be withdrawn or not.

PU VAIVENGA

: Pu Deputy Speaker, as this Bill contains financial matter withdrawal is not suggestive. We must at least refer to be discussed in the next session.

DEPUTY SPEAKER

: Shall we postpone discussion ?

PU H. RAMMAWI : Pu Deputy Speaker, will hbt the bill be expired if it is delayed for the next session ? It is necessary to take up perusal of the rules in prior to making any decision. It would not be wrong to postpone consideration as it could still be settled before the next sitting.

DR H. THANSANGA : Pu Deputy Speaker, in accordance with the amendment section 13 'A' furnished residence has been provided in favour of the Chief Whip not only this this, the matter regarding "Motor vehicle without payment of hire or other charges" also has been done likewise, House maintenance, supply of electric and water Grade-IV staff also had been provided. However, fresh Bill has been published in order to strengthen up the above stated replacement. The publishing Department have claimed that the Bill has prepared following the previous system. It is therefore necessary to scrutisized the whole procedure so as to make specifically. It is infact not the intention of the Government to exclude Chief Whip from enjoying Telephone.

PU ZOSIAMA PACHUAU : Pu Deputy Speaker, the names of Ministers are not necessary to be shown in the list. As they are supposed to enjoy already. Likewise, our Chief Whip must also be favoured the same maintenance if we have to put him at the level of other Ministers. Why some of the members have often claimed our Chief Whip's name as being included in the list ?

PU VANLALNGHAKA : Pu Deputy Speaker, instead of leaving this problem for the next session, it is preferable to proceed according to the rules No 222 and postpone consideration to be discussed by a selected committee.

PU H. RAMMAWI : Pu Deputy Speaker, we must also consider financial problem faced by the Chief Whip. Therefore meaningful conduction must be prevailed in this regard.

PU P. C. BAWITLUANGA : Pu Deputy Speaker, as the present problem is an urgent matter, it will not be right to hand it over to the select committee which is yet to be formed.

DR. H. THANSANGA
MINISTER

: Pu Deputy Speaker, let me read out this statement so as to clear up confusion "Residence of Ministers, each Minister shall be en-

titled without any payment to the use and maintenance of a furnished residence through out his term of Office and for a period of 15 days immediately. Thereafter, and so long as such residence is not provided, he shall be entitled a residence for which rental charges shall not be more than Rs.6000/- per mensem ?

Here the amount allotted is reduced to Rs. 5000/-.

EXPLANATION : For the purposes of this section - (a) 'residence' includes the staff quarters and other buildings appertenant thereto and the garden there of. (b) 'Maintenance' in relation to a residence includes.

(1) Provision of Electricity and water to the extent one thousand rupees mensem.

(2) Payment of local rates and taxes. If this rule has to be amended it will be necessary to alter the whole text.

PU TAWNLUIA

: Pu Deputy Speaker if the rule is not clear enough amendment must be made compulsory. It is therefore favourable to delay the discussion for the next session.

DR. H. THANSANGA
MINISTER

: Pu Deputy Speaker, I am afraid that we would not go any further if the members paid no account of my suggestion moreover, it is wrong to

accept only the current rules ignoring the former. It could be granted only if the whole content has to be amended. It would be wrong to delay this Bill only because telephone Bill is not focussed.

PU SAIKAPTHIANGA
MINISTER

: Pu Deputy Speaker, it is first necessary to understand to which point the Minister, Minister of State and Chief Whip are incorporated otherwise we could never attain our main target.

DEPUTY SPEAKER

: Pu Deputy Speaker, Telephone Bill has not been clearly focussed even in favour of Ministers, Speaker or

Deputy Speaker as it is supposed to be given compulsorily. The Hon'ble Minister had rightly pointed out that Chief Whip shall be given equal facilities with that of other Ministers, Speaker, and Deputy Speaker. There is no particular arrangement the limit of expense for Ministers, Speaker or Deputy Speaker.

PU H. RAMMAWI : Pu Deputy Speaker, they are Executive body and are completely different from the Legislature. The Minister being apart of an executive body he is entitled to enjoy Telephone like Chief Secretary and other secretaries. It is the responsibility of the executive to consider the needs of the above designated persons.

PU P.C. ZORAM SANGLIANA : Pu Deputy Speaker, as the Minister are provided with furnished Bangalow Telephone is being made compulsory for them. Yet the rules may not concern if he prefer to occupy his own Residence. It is therefore suggestive to alter on the basis of the Rules No. 220. I may now, read it out with your permission. "At the appointed hour, in accordance with the allocation of a particular stage of a bill, the Speaker shall put forth with every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill."

DEPUTY SPEAKER : Let's hear the opinion of the House Leader.

PU J. LALSANGZUALA : In viewing the observation taken by various members I opined postponement of the discussion is more preferable Pu Deputy Speaker.

DEPUTY SPEAKER : If that's so, when shall it be discussed whether in this session or later in the Budget Session?

DR. H. THANSANGA : Pu Speaker, is this meant my suggestion have to be ignored? It is unfair not to pass this Bill just because Telephone Bill is not included. As the present Bill had been prepared from Law Department and therefore it should not be ignored.

PU R. ROMA WIA : Pu Speaker as we all have known, the position of the Speaker or the Minister are stable at all terms of any Ministry and their respective Office also is permanent. Moreover, other facilities such as Motor vehicle, Telephone, Electric or water connection also are readymade. But what we have been discussing at present (i.e. regarding Chief Whip) is of an important matter as it is a fresh item and therefore it has to be considered seriously.

PU TAWNLUJA : Pu Deputy Speaker, the point stated by the Hon'ble Minister is to some extent compliable. However I believe the problem will not be solved unless the Government Chief Whip is given equal facilities with that of other Ministers. I therefore opined the proposal made by House Deputy Leader is quite agreeable.

DEPUTY SPEAKER : Shall we put off the discussion for the next sitting? If yes, it will be necessary to collect and prepare all the requirement during this session.

PU ZORAMTHANGA : Pu Deputy Speaker, as you have mentioned, re-edition will be necessary in order to smoothen up our Rules. In this regard, all the necessity items must be carefully studied so as to achieve an ideal Rules.

PU VAIVENGA : Pu Deputy Speaker, the Rules No.77 underlines that "whether the list introduce on some subsequent occasion, the member in-charge may make one of the following motions in regard to the Bill, namely (a) That it be taken into consideration by the Assembly either at once or at some future day other than mention. (b) That it be referred to a select committee compose of seven members, of the House and with the instruction to report on or before such date as may be specified in the motion.

Pu Deputy Speaker it is clear from the above statement that the existing matter can be discussaed whether in the session or later in Budget session. On the other hand, it can also be refered to the select committee Anyway, our main intention is to point out the position of the House Chief Whip clearly in the Rules. Therefore, it will not be wrong to give more times in order to attain ideal Rules.

DR H.THANSANGA : Pu Deputy Speaker, speaking in regard to the difficulty that could possibly evolve in preparation of the amendment, there is no reason why it should not be carried out. However, it is regretted as some members had tried to allege the Rules as being prepared without specific basis. I therefore must clarify that there is nothing wrong with the present Rules.

Moreover it is also alleged that the Rule does not focuss the actual condition on which the House Chief Whip is placed and whether he and other Ministers are placed at the same level. In response to this, confusion,

it is to be noted that this problem will be appropriated by the amendment which shall be carried out soon. The Amendment Section II underlined that " Member means a member of the Assembly say as otherwise expressedly provided in this Act but does not include a Minister, Speaker and Deputy Speaker. Here Government Chief Whip shall be included in Rules No. 4 where Leader of the opposition is placed.

I infact, find no serious problem not as to pass this bill today. It can be taken for granted if something wrong is evolved in the technical process but fortunately no such error is found. Therefore it should not be delayed just becouse telephone Bill is not clearly focussed.

PU H.RAMMAWI : Pu Deputy Speaker, something wrong is undoubtedly evolved in this regard. As the Hon'ble Minister ~~have~~ stated that the former Rules has to be repealed but no such point is seen here.

DR.H.THANSANGA MINISTER : Being the owner of this Bill I have to make proposal Pu DY. Speaker. Rules of allowances and pension Act is scheduled to be discussed by day after tomorrow, and thereby it will be convenient to take final passing of the existing Bill.

DEPUTY SPEAKER : Do we all comply with the Ministers proposal ? If yes, it shall be discussed day after tomorrow.

PU ZORAMTHANGA : Pu Deputy Speaker, I too have to make proposal that in order to clear out any confusion it is necessary to create a select committee to check any crucial points.

DEPUTY SPEAKER : His suggestion is very much appreciable we shall now switch over to our next item. I call a upon to Pu Vanlalnghaka to bag permission of the House to submit Mizoram Water Tariff Bill.

PJ VANLALNGHAKA
MINISTER

: Pu Deputy Speaker, with your permission I beg to move this August House to consider Mizoram water Tariff Bill 1991.

Thank you.

DEPUTY SPEAKER

: He have just now begged the permission of the House and is permitted. He may now move the Bill.

PJ VANLALNGHAKA
MINISTER

: Pu Deputy Speaker, the present Bill being administrative's ordinance it is supposed to be considered in the first day of the House session. Anyway I am pleased to have a chance to discuss it now.

I hope we are clear with the main objective of this Bill. The majority of water supplies consumers assumed that the Bill will be made free. In determining high expenses on implimentation of water supply we have come to the conclusion that atleast a small amount of tax be charged. But Pu Deputy Speaker, enforced from 11th Q September 1991 various Nwes Papers had even published about it when it was first carried out. In this regard some of our collegues even opined that the decision would not yield positive result.

Firstly, since 1975 Rs.30 was collected on water pipe connection but on negligible ground. However proposal had been made to raise the bill but with consideration of prevailing inflation to acquire connection prior application is necessitated and the Department have to ensue the work as necessary.

Moreover, I would like to involve the problem regarding connection of pipe line so as to take precaution from some confusions. The problem is that some thrifting families prefer inferior quality of pipe to superior ones while the main intention of the Government is to use the later to operate the connection orderly. As intructed by the planning commission a copy of Government order had been distributed to each consumer to inform the new rate i.e. Rs.500.

Meanwhile we are deeply regretted for the unfair intention to collect the bill from non existing pipe line in the previous years. We have even learned that some amounts had already been collected from many places and this may be made to adjust with rental charge of the concerned families.

Without much explanation the importance of water is known to all of us. Infact the Government have intended to levy tax from water connection so that the people could count its importance and above all feel the necessity of its conservation. It would be much pleasing if this bill be passed. Without much discussion.

Thank you.

DEPUTY SPEAKER : Can we pass it without discussion ?
If not, discussion shall be carried
out right away. 10 minutes shall
be given to each members. To start with I call upon Pu
R.Romawia to have his speech.

PJ R.ROMAWIA : Thank you Pu Deputy Speaker, as
we have known raising of charge
on water supply from Rs. 30 to
Rs. 75 is the most controversial issue now adays. To same
extent it could be taken for granted due to the fact that
majority think that tax on water supply to be unnecessary
In my opinion, this rapid raising of water charge is the main
reason for the publics contention. I believe the problem
will not arise if the amount is raised gradually and the
people too will takes the burden of tax more lightly This
sudden increase displease ordinary people.

Speaking in relation to technical
matter, it is strange to note that here in our Bill the
items in section 4 has been placed at section 6 and I sus-
pect some sorts of trick is done here.

Not only this, according to the
ordinance each concerns family whether existing or those
who acquired their own pipes have to pay Rs.500. But it
is strange to note that the matters of existing has not
been focussed at the present copy even though no prior ac-
knowledgement of connection of the ordinance is made. In
fact, I wonder which part is meant to repeal the ordinance.
Is there any rules to alter the ordinance in such manners.
Therefore, ordinance amendment should be made available be-
fore we go any further.

Regarding the correction made by
the concerned Minister on miscollection of waters Bill,
he himself stated that the demand i.e. Rs. 500 concerned
only for fresh connection but the ordinance does not men-
tion about it. This matter should also be included here
in the bill. The Minister is therefore requested to please
clarify the whole truth about it.

Moreover, I would like to evolve re-
garding water metre. The Government is now intending to fit
metre in every connection and in relation to this. It is
suggestive to set the metre box so that it could function
according to the quantity of consumption. If the Bill is
appropriated and be given regularly I dare to say that no
controversial issue will arise against it.

Meanwhile I would like to suggest
creation of penalty to those families who waste the water
extravagently while some other families who could not
effort connection and unable to get enough water.

Moreover, I would also like to point out the problem which may be faced by the consumers particularly in rural areas in connection with payment of Bill. As we have known one has to cover a long distance in order to pay the Electric Bill at the Office.

Speaking in regard to water problem in my constituency particularly in Hualingo, Sialsuk and Aibawk connection of Pipe is somehow achieved but it is regretted to learn that regular water is not supplied. However, such connections are recorded by the Department as being supplied regularly. I therefore have to request the Government to appropriate the situation if Rs. 5 to each consumer be necessitated.

Regarding the proposal to increase connection charge from Rs. 30 to 75 I am afraid grievance of the people will be doubled. It could be taken for granted if it is increased by 50 percent and not 100 percent.

Thank you.

DEPUTY SPEAKER : We have already listened enough speeches from various members. By now I shall call upon Pu Vanlalngchaka, Minister to beg permission to pass the Bill.

PU VANLALNGHAKA MINISTER : Pu Deputy Speaker, I first of all have to extend my gratitude to each member for making valuable suggestion in regard to water Tariff Bill 1991.

Once a Bill is passed it will become an Act and shall be exercised according to the rules. Therefore, all the suggestion made by various members also be examined and compared with the Rules given.

Regarding the ordinance many questions had been raised as to why no amendment is seen **though** it is called existing ordinance and I am also complying with their motives. In the ordinance Rs. 500/- is to be **collected** only to those pipe connection holder. Likewise the same amount will be charged to every fresh connection.

Pu Deputy Speaker, let me read out the ordinance/rules in order to clarify this arbitrary issue. "Whenever a Bill seeking to replace an ordinance with or without modification is introduced in the House there shall be placed before the House along with the Bill a statement explaining the circumstances which had necessitated immediate legislation by ordinance". This statement had been notified in the last part of our Bill just before Financial Memorandum is taken placed.

The statement even mentioned that the Bill had been prepared according to the rules given by the Government. Moreover, it is even mentioned that the present Bill aims at replacing the said ordinance by way of an act. I infact opined the present Bill is free from any accusation.

Speaking in regard to water problem in our state there will never be enough time to point out everything in detail. I therefore have to make as brief as possible.

Firstly, as we have seen in the definition any sub-town in rural areas are referred to as semi-urban. In determining various speeches, we all seems to comply with the proposal yet felt hesitant to come into conclusion as it will mean more burden to our people particularly in rural areas. However, spending of this Bill because of its result may not be best.

Moreover, various members have pointed out their disapproval of raising of monthly charge from Rs.30/- to Rs.75/-. In this regard, it is to be noted that even if the Department follows "No lose no gain" policy. On private connection Rs.101/- each must be charged to each connection I, infact have to request each member to undersand the problem behind the connection.

Regarding pipe line connection to be done from ground floor, we have seen in the definition that ground floor means Road level from the definition I hope we all could make out which road is meant by the Department.

As mentioned by a member from opposition party, a multi-storeyed building occupied by a number of families will not be covered by the rules. Hence, amendment will be necessary in this case.

Regarding the question of collection of tax from pump tube well there is a proposal to deal with the water on the basis of water's card, and the majority even opined the proposal is attentive. Moreover as the water from hand pump tube has the smell of silver, it is believed not favourable for drinking on learning the situation its dealer i.e. UNICEF had given us 100 filter plates to deodorise the water which is less than half of the requirement. In fact, we are much regretted to learn the prevailing waters problem which is known mainly because of the shortage of filtration plate.

In connection with this, we have learned that some follows are too selfish for water and so equal distribution cannot be carried out. Therefore suggestion made by a member of Vanva constituency regarding distribution rule is quite considerable.

Regarding opposition of water Tax it is regretted to learn that some people still believes to be unnecessary I too have had the same conception in the past. But on determining all the troubles taken by the Government to aleviate water problem I become convinced with its necessity. I, therefore request every members to help me convinced the ignorant publis particularly of rural areas.

In regard to water problem of Ngopa constituency mentioned by their representative enquiry shall be prevailed immediately.

Moreover, water problem in Vainvakawn area stated by a representative of Vanva constituency we assumed that enough water is being supplied in this area. It will be much appreciated if any concern family informed the Department about their own problem and shall be consider right away.

Regarding allotment of Rs. 30/- each to the MLAs for waters Bill I must say that it is not our Department concerns and therefore it be considered by us all. Moreover, regarding water supply of Chhingchhip Village it shall also be considered as soon as information is given to the Office.

Regarding the question of whether P.H.E. Department comply with the decision of Revenue Department regarding proclamation of sub-town as semi-urban area, since such proclamation is under the responsibility of Revenue Department we have no reason to go against any decision they have made.

Lastly, in response to the question of disconnection of power stated by a member of Lawngtlai constituency, it is favourable not to exercise Law and Order as strick as given. In addition, I beg this august House to pass the present Mizoram water Tariff Bill 1991.

Thank you

DEPUTY SPEAKER : The Minister have now, begged the permission to pass Mizoram water Tariff Bill 1991. Members in favour of passing way say "Yes (Members - yes). It is passed.

PU LALHUTHANGA MINISTER : Pu Deputy Speaker, with your permission, I beg to move the Mizoram Village Council (amendment) Bill to be discussed here in this House.

DEPUTY SPEAKER : Members in favour may say 'Yes) (Members - yes) It is permitted.

PU LALHUTHANGA MINISTER : Pu Deputy Speaker, as the Mizoram Village Council (Amendment) Bill, 1991 has already been discussed once I hope we will not take long discussion to make conclusion Yet some explanation may be necessary in order to understand the problem.

The Mizoram Village Council Act was first introduced at the time of District Council back in 1953. But with various stages of Development faced by the state and its people some Acts needed amendment. Likewise the present amendment Bill also is directed to improve the status of V.C. membership by nominating $\frac{1}{4}$ of its member for the time being.

Secondly, since the universal age voter in the election of MLA and MP has been reduced from 21 to 18 years of age there is a proposal to follow the same process in the election of Village Council member. The above process had even once being applied in the last V.C. election and in fact I have the reason to beg permission of the House to pass the present Bill.

DEPUTY SPEAKER : We shall now take up our discussion 10 minutes shall be given to each member.

PU J.H.ROTHUAMA : Pu Deputy Speaker, as the present Bill concern with the people in urban areas as well as ignorant Villagers in the remotest areas it is necessary to consider seriously.

Explanations.. which has been given are as a whole favourable yet I, would like to make few suggestion. The first page, item (a) stated that the area constituted of 100 households could afford to have their own Village Council while during District Council the number is 30 households. The required .. number of household .. in fact seems to be entirely depending on the judgement made by the Government and moreover no specific foundation is found. In this regard, I have to request the concerns Minister to explain the whole system.

The number given in page No.2 (i.e.2100) denoted the required number of household. If so, Champhai and Kolasib are known to be qualified to have their own Village Council. In this regard whether separate election has be conducted. The concern Minister may be pleased to state.

We have seen in page 3, No.3 that 'The Government may obliah a Village Council if in its opinion the number of the Household of the Village has been too small to have a Village Council'. Here it is suggestive to reduce the power of the Government as .. the ruling party .. could .. use .. as a mean of reprisal against the opposition party. It is therefore necessary to seek the method to change the above statement

Thank you.

PU AICHHINGA : Thank you Pu Speaker, I first of all would like to request the Government to print more copy of Village Council Rules.

It is also necessary to discuss about the existing Villages Council Acts which is not known specifically. In order to attain an ideal one it may be suggestive to rewrite the whole context.

Besides, in examining the method of Village Council Election it is learned that some Villages do not attain the required number of household and this will surely be much defective to the administration. In this regard the concern Department may be pleased to clarify the whole system of its re-arrangement.

Regarding reduction of universal age of voter it has already been passed in the previous session. In my opinion re-insertion of this item is no longer necessary.

Thank you.

DEPUTY SPEAKER : Time is over shall we continue our discussion ?

PU J. LALSANGZUALA : Pu Deputy Speaker, It will be better to resume our discussion tomorrow.

DEPUTY SPEAKER : Alright, the discussion shall be resumed tomorrow at 10:30 A.M.

House adjourned at 4:00 P.M.

Regarding collection of Rs. 5 to each family as a charge of water pumping I opined it is not suggestive at present as regularisation of the supply is unpredictable. On the other hand, the family who depend on this source have to put hard effort on pumping and in fact it is wise not to collect the above charge in condition now.

Thank you.

DEPUTY SPEAKER : We shall now have a recess till 2.00 P.M. and I request every members to come back at the right time

Recess till 2 P.M.

DEPUTY SPEAKER : We shall now resume our meeting to start with I call upon Pu Vaivenga to deliver his speech.

PU VAIVENGA : Thank you Pu Deputy Speaker, I first of all have to point out regarding the necessity to determine the problem which is likely to evolve with the public if the present bill is passed. Particularly ignorance people in the Villages have their conception that since water is a gift of nature it has to be supplied freely. Due to the fact that collection of Rs.5 per family not be much attentive. It is therefore important to convince the public in prior to making any decision.

Secondly, speaking in regard to the Government or any other Officers authorised for the connection the former may be suitable for those who lives within Aizawl Town. However, some difficulties is evident for those who lives in the remote areas. Since the main objective of the Government is to relief the problem of the common people it will be favourable not to authorise the Government for the connection. I opined the Department could effort the work smoothly.

Regarding 5(c) payment of simple interest at the rate of 18 present by those who fail to make regular payment, I opined we much aware of the condition of the concerned family before imposing payment or simple interest. It may not be burden some for those well to do families within Aizawl or other major towns but poor families in the remotes areas, the payment is obviously of great problem. Moreover, they certainly would have to make some explanation for the failure of payment.

Regarding no 6(A) " Anew connection fee of Rs. 500/- for each new pipe water connection" I must say that the statement is to some extent arbitrary. Anyawy it should be made more specifically.

Moreover, in regard to the collection of lump sum rate I opined explanation of its bojective is first necessary as it is not fair for the collectors as well as the payees to observe the authority blindly. In fact some explanation must be made in this regard.

Not only this, collection of tax from fire wood also is evident since no alternative source of revenue is available. Therefore it is wise for the concerned Department to inform the publics particularly the Villages before any decision is made.

DEPUTY SPEAKER : Pu Zosiama Pachuau

PU ZOSIAMA PACHUAU : Thank you Pu Deputy Speaker, what we have been discussing now is of much important matter. In my opinion, there is no reason to ignore fee of water supply since Electric and Telephone also is taken. It is time for us to understand what we have been given awy for the supply is for our commor good. I, infact am very glad to is now intending to charge the above fee. Keeping in wild the welfare of the people.

However, water Tariff Bill which have been introduced now is excluded since the ordinance is expiring yet we are exocting it back here in the present sitting. But it is regretted to learn the ordinance being altered and replaced. For instance, Rs.500/- which has been demanded for all connection is now meant only for fresh connection. It could somehow be taken for greated if the alteration is amended by the ordinance. Anyway, the concern Minister will make some explanation but I believe it would not be much helpful in voting against the existing Bill.

Regarding water consumption charge whather from public points or hand pump tube the amount charge in urban and semi-urban are Rs. 5 month to each family. Relating to this, I would like to point out that in some places particularly in Ngopa various water points had been laid but the problem is that no water is coming till today. Will the same amount of charge be prevailed to those concerned families ? As a rule, no family is to be concmpted from paying the fee and in fact I am afraid this problem may not be solved right away.

On the other hand, it is strange to note that there Electric Veng could manage their needs without benefitting public point as Government vehicles are used to carry water from the outskirts of town. Not only this, tthere are various Officers who does not even suffer the problem of water though connection is not acquired. Will the fees be concerned in regard to those families who does not depaend on the water from public points ? In this regard, it is important for the Department to prevail surveyance to check the number of families who depends on public points. In order to rule out this problem it is first necessary to make proper arrangement.

I have to state that regarding shortage of labourer in P.H.E. Department. In my opinion termination of muster Roll Jobs by the Government is main factor for the drawback of the Department. Frankly speaking it is rather some Officers who deserved termination as they are not attending to their works. It is necessary to understand to condition of muster Rolls employees as they have no alternative source of income. It is the duty of the Government to help them earn their livelihood in any possible ways.

Moreover, there is a provision that any employees on muster Roll who continuously at least in 18 offices should not be terminated. In fact, the Government should create new post in favour of those terminated workers if they have had more than 10 years of services. They may not acquire the ideal year of service the ideal year of service as stated above yet it is our duty as a Christian to show our concern and help them earn their livelihood. If Primary teacher could attain the chance of permanency after five year services there is no reason for those muster Roll employees to attain the same privilege. I therefore have to evolve this problem since it is relevant with our present items.

In regard to payment of fee, it is necessary to consider whether the Government could effort to supply water regularly if the fee is paid by the consumers as demanded. At present, irregularity of electric supply is a common excuse for the failure of water supply, some improvement is therefore needed in this regard so as to drive away such baseless excuses. On the other hand, it is time for us to determine the best use of any financial improvements likewise, if the amount to be received from the consumers is not utilised deally I am afraid enmity is created between the Government and the public.

Lastly, regarding the attachment of MLA as water Bill, the demand to increase this meagre such is often been raised its impossibility since law Department of Parliamentary affairs paid no account of it. Anyway, the Government should vige the central to fulfill the demand of the MLA.

Thank you.

PU RJALCHHINA : Thank you Pu Deputy Speaker, some of my presedesors has already mentioned about water Bills in negative as well as possitive approach. As far as my concern I have to mention that it is too soon to carry out this Bill.

If this has to be existed it will be necessary to pay the fee even by the consumers of tube well and public points. As the problem faced in various towns and sub-towns are not the same dissatisfaction will certainly arise since equal judgement could not be carried out. It is therefore wise for the Government to exempt tube well consumers from paying to fee since this source can be assumed is naturally supplied. Moreover, in some towns for example Chhingchhip sufficient water can be acquired as

its geographical location is quite convenient for water supply. Therefore the people in such towns would certainly feel hesitate to pay any fees for such sources. It is in fact suggestive to exclude such towns from imposing water Bill as in the condition now.

Regarding Rs.500/- for fresh connection, I also have complied with the proposal but increasing of water consumption charge from Rs. 30 to 75 is not much suggestive. It is favourable if the problem be considered once again in the discussion of water Tariff Bill.

Moreover, as already mentioned by precedesors we must be careful not to impose any fees on those who do not have connection. In order to avoid such kind of mistakes it is necessary to keep regular of public points consumers as well as pumped tube well.

In the meantime it will also be important to determine how action be taken in regard to those fail to pay the family is depends on private connection, disconnection or other equivalent penalty could be prevailed on failure of payment. But the problem is that such kind of penalty is not applicable in regard to public point or pumped tube well consumers and as such some sorts of guard may be suggestive to prevent illicit use of water from public points. Moreover in order to prevail an ideal conduction imposing any fees clear demarcation of whether town or sub-town area also be necessary. In this way, I believed accurate charging of fees could be made.

Lastly, I would like to suggest to the Government not to impose any fees for the consumption of water of public points and hand pump tube well at prevent. If exclusion of the said source consumers found defective, the provision could still be amended as necessary after a couple of years or more. Anyway, it is wise for the Government not to include the above stated consumers as yet since favourable result may not be brought.

Thank you.

PJ AICHHINGA : Thank you Pu Dy. Speaker, I first of all have to speak regarding the necessity to clarify the statement in clause No. 8 "No water shall be used except for the purpose for which water supply is provided". In this regard it is first necessary to clarify for which water is provided since the supply shall be disconnected if water is used against the provision.

Moreover, the Rule has provided that connection shall be made only in the ground floor of any buildings. Due to the fact that water tank is located over the hill top of Laipuitlang it may not be necessary to place connection on ground floor to those people in Chandmary. The rule is therefore not applicable in every connection and so it shall be amendable.

Regarding exemption of water Bill it is necessary for the Government to clarify on what condition this exemption is prevailed. This should not be made on the ground of understanding between the department and the concern family yet there are various furnished who could not even afford to pay the charge. In fact, exemption is rather favourable to those families.

Moreover, the government introduced fixed rate of extra charge concerning the family whose consumption not less than 3000 gallons permonth. Since the quantity received in various places i.e. Aizawl and Kolasib are not the name I opined the rate introduced by the Government is not applicable for all concerns. Infact some sort of clarification is needed in regard to those consumers who do not receive the allotted quality. In fact the above rate seems to concern only for those who recieved in excess and is difficult to determine the amount to be paid by those who received less. Therefore, this matter is highly considerable accurate imposition of tax depends on it.

Regarding water from public point we are now going to pass the Bill which shall be put into force right away. But it may not be suggestive to put the Bill into effect at present as the department is not ready yet to take up such crucial task. In fact it could only mean Just to show the inefficiency of the Department. Moreover proper allotment is yet to be made in regard to collection of tax. By now it is confusing for the consumers to whom fees should be submitted.

As already mentioned by the member from Kawnpui constituency collection of tax on water consumption is against the conception of the majority, particularly in villages. Infact, in prior to passing the existing Bill it is first important to instill the necessity of tax in the minds of ignorant people. It is therefore wise for the Government to live the Bill as it is and be applied later on. In this way I believe the problem could be handled effectively.

Thank you.

DEPUTY SPEAKER : Pu F.Manghnuna.

PU F.MANGHNUNA : Pu Deputy Speaker, as already demanded I also feel the necessity of clarification with the present Bill. As we have seen in the definition (B) (FandG) "Semi urban area means the area declared as sub-town by the state revenue of Mizoram and settlement Department". Does the above stated sub-town refer to the Autonomous District Council area ? If nor, it is to be noted that the Department of P.H.E. have its Divisional Office at Lawngtlai and Saiha and therefore, the above statement need clarification Moreover, from the view point of planning Department those areas where division Offices are located cannot be referred as sub-town.

Secondly, we have seen in sub-section No.2 regarding power of Executive Engineer to cut off or town of supply of water to land and building. And in section No 3 about the expense of cutting the connection or turning of the water and or restoring the same as referred to in sub-section 1 which shall be paid by the owner or occupier of the premises. These two statements also is arbitrary. If consumer have to suffer disconnection of water pipe the power is meant to be exercised by the executive Engineer. The above rule is therefore set against consumers right.

Moreover, we have now been enacted replacement Act to the ordinance regarding the amount fixed for waters tax which is at present Rs.30 and be raised to Rs.75. According to taxation law, only one-fourth of debt can be raised from the existing rate at a time. Proposal of Rs.75 is in fact against the law. The matter therefore needs clarification.

Thank you.

PU LALRINCHHANA

: Thank you Pu Deputy Speaker, My predecessors have already pointed out many important things yet I would like to make a brief speech.

In determining those speeches, imposition is highly attentive yet we have to consider what we could effort. In my opinion, sub-town is not exclusive now as regular supply of water is not certain. If the supply has not been made possible to those towns any consumer have to pay Rs. 5 in vain. If adequate supply of water is reserved I believe the consumer will not hesitate to pay the tax also. It is therefore wise for the Department to consider the matter carefully so as to avoid mis-collection of taxes.

In reagrd to increase of water connection charge from Rs. 30 to Rs.75 for a single connection I opined the matter should be re-considered. As mentioned by my presedesors the burden will certainly be beyond the publics could effort, not only this it is against the permission of the law.

Lastly, I also feel the necessity of clarification in regard to the statement, "no water shall be used except for the purpose for which water supply is provided". Moreover, I would like to suggest exemption of water Tax in regard to sub-town where requair supply is hopeless at present

Thank you.

DEPUTY SPEAKER

: Pu Zoramthanga

PU ZORAMTHANGA

: Thank you Pu Speaker, I first of all have to state regarding water connection on ground floor. In my opinion, the matter is unyielding as some stranged building are occupied by more than one family. It is therefore wise for the Department to authorised the connection to be done as convinience the building concerns.

Secondly, regarding collection of Rs. 5 to each consumers of water from hand pump on tube well, I opined it is not fair as water supplied regularly in some points. whether the concern family used water from the points or not he have to pay Rs. 60 the end of year. The proposal is not therefore suggestive.

Moreover, due to the fact that substancial misappropriation is known in Electricity Department in connection with Tax collection, it is also necessary for the Department of P.H.E. to take precautionary measures to put financial position in order. In order to carry out such measures it is necessary to prevail the existing water supply, issue only in District Headquarter where reliable Bank is located by doing this, it will also be necessary to fixed the period the Department or Bank could keep such finance and by the end of the period it be transfered to another authorised place. Otherwise, this is evidence that such huge amount of money could be invested for personal benefit. If the process is properly checked huge amount of income will be received by the Government from the interest of the amount deposited

Thank you

DEPUTY SPEAKER : Now, I call upon Pu Bawitluanga to deliver his speech.

PU P.C.BAWITLJANGA : As already mentioned by various members, it is much hesitative to pay water tax since tube well or hand pump points hardly supplied water as requirement. It is further learn that some points does not function properly till today.

Moreover, regarding 'wastage' in section 9(2) the penalty to be imposed on illicit consumer of water of public points is 6 months imprisonment. In connection with the above penalty I would like to state that if any connection holder could spend the water as much as wanted, it may not be fair to put the bar against public points consumer from washing cloths as there is no alternative. Therefore, what is more important for the Government is to determine and compare wasted water of connection hoelder with that of public points consumer and there by make restriction as necessary.

In fact, in the case of an order made with reference to sub-reactions (1) and (2) of section 9 and sub-sections (1), (2) and (3) of section 10 to punishment with imprisonment for a term which may extend upto six months and shall also liable to fine not exceeding one thousand rupees I opined it may not be suggestive as yet.

Moreover, regarding section 15 that focus exemption of power i.e. any person or institution or Government body or Organisation from payment of any Tariff I would like to propose to include some Villages in the above reference.

Moreover regarding water supply in Rural areas we have to consider that a single point cannot be shared by the whole families and in fact accurate collection will not be possible. It is therefore important for the Department the problem of consumers by making proper arrangement.

Thank you.

DEPUTY SPEAKER : Pu Tawnluia.

PU TAWNLUIA : Thank you Pu Deputy Speaker, Regarding Mizoram water Tariff Bill, 1991 the Government also may deemed the discussion to be necessary. But in prior to making conclusion I would like to make a suggestion firstly in connection with the rate of water Bill from Rs. 30 to Rs. 75, I am asking to reduce 2 1/2 paise to 2 paise per gallon of water as abrupt increasing of Bill seems to be of great burden for the public.

Moreover, regarding imposition of Rs. 5 on each tube well consumer I opined consumers of public point are not conclusive as yet and payment by connection holder also be reduced to Rs. 60 per month. Regarding Rs. 500/- for existing connection the ordinance is made to be effective from September 1990 and is now being applied. By now, we have passed Rs. 500/- only for fresh connection. However, it is learnt that the amount allotted is being collection from each consumer I therefore request the concerned Minister to clarify the situation and its motives.

Thank you.

PU LALRAWNLIANA : Pu Deputy Speaker, I also have to make a brief speech in regard to the existing water Tariff Bill. In determining the ordinance, suggestion made by various members are as a whole much appreciable but as far as my opinion that is concern it is necessary to apply as soon as possible.

However, I opine that collection of Rs. 5 each to each family sub-town is not suggestive as yet. Since their financial connection as a whole is low, the concern Minister to clarify the situation and its motives.

Thank you.

PU LALRAWNLIANA : Pu Deputy Speaker I also have to make a brief speech in regards to the existing water tariff Bill. In determining the ordinance, suggestion made by various members are as a whole much appreciable but as far as my opinion is concern immediate application is suggestive.