

**SEVENTH LEGISLATIVE ASSEMBLY OF MIZORAM  
( FOURTH SESSION )**

**LIST OF BUSINESS**

FOR THIRD SITTING ON THURSDAY, THE 13<sup>th</sup> NOVEMBER, 2014  
( Time 10:30 A.M. to 1:00 P.M. and 2:00 P.M. to 4:00 P.M. )

**QUESTIONS**

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

**LAYING OF PAPERS**

2. **Pu LALSAWTA**, Minister to lay on the Table of the House a copy each of the following: -
  - i) The Mizoram (Anand Marriages registration) Rules, 2012.
  - ii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2012-2013 (October, 2012 to March, 2013.)
  - iii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2013-2014 (April, 2013 to September, 2013.)
2. **Pu LALRINMAWIA RALTE**, Minister to lay on the Table of the House "The Mizoram Co-Operative Societies Rules, 2012 and (Amendment) Rules, 2014".

**OFFICIAL RESOLUTION**

3. **Pu LALSAWTA**, Minister to move on an Official Resolution in the following form: -

“That this House ratifies the amendments to the Constitution of India falling within the purview of the clause (b) of the proviso to clause (2) of Article 368, proposed to be made by the Constitution (One Hundred Twenty-First Amendment) Bill, 2014 as passed by both the Houses of the Parliament”.

**LEGISLATIVE BUSINESS**

8. **Pu LALSAWTA**, Minister to beg leave of the House to introduce “The Mizoram Lok Ayukta Bill, 2014.”

**ALSO**  
**to introduce the Bill**  
**to move that the Bill be taken into consideration**  
**AND**  
**to move that the Bill be passed.**

5. **Pu P.C. LALTHANLIANA**, Minister to beg leave of the House to introduce “The Mizoram Animal (Control & Taxation) Bill, 2014”

**ALSO**  
**to introduce the Bill**  
**to move that the Bill be taken into consideration**  
**AND**  
**to move that the Bill be passed.**

NGURTHANZUALA  
Secretary

....

**SPEAKER** : It is a land the LORD your God cares for; the eyes of the LORD your God are continually on it from the beginning of the year to its end.

Deuteronomy 11:12

To start question hour, may I call upon Pu Nihar Kanti Chakma.

**PU NIHAR KANTI CHAKMA:** Pu Speaker, my question is for the concerned Minister of Education Department: -

- a) How many UPS teachers are there under SSA?
- b) How many teachers are there in West Tuipui (Hmundo/Bandisora) of constituency? Who are they?

**SPEAKER** : The concerned Minister Pu H. Rohluna to answer the question.

**PU H. ROHLUNA, MINISTER:** Pu Speaker, the answer is: -

- a) There are 1643 Nos. of UPS teachers under SSA with Teacher : Pupil ratio 3.
- b) There is only one teacher in West Tuipui Hmundo/Bandiasora; his name is Mr. Anthony M.S. Dawngkima but was terminated from his post due to incompetent service.

**SPEAKER** : Pu S. Laldingliana will ask supplementary question.

**PU S. LALDINGLIANA** : Pu Speaker, is there a proposal for posting of teacher in rural areas where intensive problem of insufficiency of teachers is being suffered?

**SPEAKER** : Pu Lalruatkima to ask his supplementary question.

**PU LALRUATKIMA** : Pu Speaker, how many of UPS and SSA teachers who are not staying in their post?

**PU H. ROHLUNA, MINISTER:** Pu Speaker, the answer is: - We are trying our best to fill up different posts in different rural areas to resolve the problem but cannot be achieved as yet due to insufficiency of funds. I am unable to furnish answer to the question of Pu Lalruatkima as yet for I am not prepared for this particular topic.

**SPEAKER** : To move on to Question No. 22, Pu Lalruatkima may ask his question.

**PU LALRUATKIMA** : Pu Speaker, I have shared this question with Dr. K Beichhua which is for the concerned Minister of Law & Judicial Department: -

- a) How many persons are being employed under Mizoram State Legal Service Authority?

- b) How many are regular posts under MSLSA?
- c) How many are co-terminus employees?
- d) What is the amount of monthly salary of co-terminus employee?
- e) From which source fund for recruitment of Co-terminus employees comes?

**SPEAKER** : The concerned minister to answer the question.

**PU LALSAWTA, MINISTER** : Pu Speaker, the answer is: –

a)	i) Regular	-	13 Nos.
	ii) Muster Roll	-	4 Nos.
	iii) Co-terminus	-	38 Nos.
	<b>Total</b>	-	<b>55 Nos.</b>

b)	i) Member Secretary	-	1 No.
	ii) Superintendent	-	1 No.
	iii) Assistant	-	1 No.
	iv) Steno II	-	1 No.
	v) UDC	-	1 No.
	vi) LDC	-	5 Nos.
	vii) Driver	-	1 No.
	viii) Peon	-	2 Nos.
	<b>Total</b>	-	<b>13 Nos.</b>

c)	i) Aizawl District (ADR) Centre	-	14 Nos.
	ii) District Legal	-	24 Nos.
	<b>Total</b>	-	<b>38 Nos.</b>

- d) i) The monthly expenditure for the salary of employees under District State Legal Services Authority is ₹2,01,600/-
- ii) The total amount for ADR Centre is ₹1,08,600/-
- e) It is funded by the 13<sup>th</sup> Finance Commission.

**SPEAKER** : Any Supplementary question?

**PU LALRUATKIMA** : Pu Speaker, there are 38 Nos. co-terminus employees under the Mizoram State Legal Service Authority whereas the term is coming to an end along with the 13<sup>th</sup> Finance Commission from which it is funded. So, is there a possibility for them to continue with their service? May their services be continued at least as contract basis otherwise their service will be terminated?

**PU NIHAR KANTI CHAKMA:** Pu Speaker, what is the nature of work of Mizoram State Legal Service Authority? An uneducated VCP of my constituency received a legal notice despite no loan is availed by him. May the State legal Authority be detailed to serve such ignorant?

**PU LALSAWTA, MINISTER :** Pu Speaker, to answer the question, we are all concern for the position of co-terminus workers; since it is initiated under the 13<sup>th</sup> Finance Commission, we are hoping that it is continued by the 14<sup>th</sup> Finance Commission as we have also approached the 14<sup>th</sup> Finance Commission for the same.

To answer the question of Pu Nihar Kanti Chakma, I opine it will be best to submit a complain to the appropriate authority since the Civil Court is not functioning as office.

**Dr. K. BEICHHUA :** Pu Speaker, in case the 14<sup>th</sup> Finance Commission is not approved of continuation of the service of such employees under the Mizoram State Legal Service Authority, should the service of such staffs be terminated and if the Legal Service will be continued to function?

**PU LALSAWTA, MINISTER:** Pu Speaker, a hypothetical answer may be given to a hypothetical question only. Only time will answer the question.

**PU P.C. ZORAM SANGLIANA:** Pu Speaker, there are other employees who serves as co-terminus under various ministers of the State government. Is it possible to resolve their case as well?

**PU LALSAWTA, MINISTER :** Pu Speaker, I cannot give the answer as our topic concerns only of employees under the Mizoram State Legal Service.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, we are all aware of the terms and conditions of having co-terminus employees. They will be terminated from their post as soon and the concerned minister left his office.

**SPEAKER :** Dr. K. Beichhua to ask Starred Question No.23

**Dr. K. BEICHHUA :** Pu Speaker, my question is for concerned Minister of GAD: - Is there a proposal for construction of Airport in the Southern region?

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, we have been searching far and wide for a convenient mountain range for it but we cannot make it as yet. Our need for another airport is intensive with implementation of the policy of setting up gateway of trade and Commerce from Chhimtuipui, the southernmost corner of Mizoram to the Bay of Bengal. Our experts believe ATR at Kawmzawl to be of a convenient place whereas DPR has also been prepared to that effect. However, the Civil Aviation rules does not permitted to have one within 150 kms away from another but we have been approached the Civil Aviation Ministry for special

consideration. Survey has also been made for Mampui of Lawngtlai District but was withdrawn due to issue on compensation claim. Yet, our experts continue to search for another place. The Mizo, being a tribe of compensation, it is regretted that we often encounter problem in the development of our state as in our plan for construction of airport in the Southern region.

**SPEAKER** : Any supplementary question from Dr. K. Beichhua?

**PU LALRUATKIMA** : Pu Speaker, as requested by Dr. Beichhua to ask the supplementary question, I would like to mention that during the 5<sup>th</sup> Session of the previous term held on 1.4.2010, we have passed a resolution regarding construction of Airfield near Lunglei. Four years have passed since then but no progress is seen despite the claim that initiative was made.

At the same time, Pu Speaker, despite my great respect to the hon'ble House Leader, I find it difficult to agree with his statement which labels the Mizo as a tribe of compensation. I opine it is appropriate to have that statement in the record of the House. So, may he improve his wording since there are majority who does not claim any compensation?

**SPEAKER** : It was personal opinion and not a question.

**Dr K. BEICHHUA** : Pu Speaker, I am grateful for the initiative of the hon'ble House Leader. Is there any other areas being surveyed in addition to Mampui and Kawmzawl? Is it possible to expedite the process?

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, four years have been passed but our experts have not found any convenient place as yet. Experts from the Airport Authority have also surveyed other areas but no firm decision could be as yet.

As mentioned earlier, we area of tribe influenced by compensation and due to this reason we are unable to proceed with Tuirial Hydel Project which was expected to be able to produce 60 MV. It is a fact that increasing number of compensation claim under that project compelled us to abandon the project. We are now having in mind to start the project from the beginning and will be commissioned by next year. We have encountered the same with setting up of Jungle Warfare School at Vairengte in which number of illegal compensation claim were involved as so with construction of Lawngtlai road and construction of 460 MW generation plant at Kawlchaw. For all these reasons, it is undeniable that we are of compensation tribe.

**PU LALRUATKIMA** : Pu Speaker, merely because of few compensations being claimed illegally, it is wrong to label the whole community as a tribe of compensation as it is also degrading of this House.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, what I have said is true as our ministry has such experiences. The truth must be spoken; we should not tell a lie in the House.

**SPEAKER** : The statement of the Leader of the House indicates his wants of honesty in any upcoming project. It is also unfair to claim his statement as of un-parliamentary. We will now move on to Question No.24 and Pu Lalruatkima to ask the question.

**PU LALRUATKIMA** : Thank you, Pu Speaker. My question is for concerned Minister of Agriculture Department: -

- a) How many beneficiaries of NLUP are found not to be eligible for NLUP? On what ground such persons are being disqualified?
- b) Is there any beneficiary under NLUP who is found reselling the materials he had received from NLUP? If so, what action should be taken against such persons?

**PU R. LALZIRLIANA, MINISTER:** Pu Speaker, the answer is: –

- a) Out of the total number of beneficiary of NLUP, 176 are found ineligible on the following grounds: -
  - 1) No initiative is made with the fund received.
  - 2) Fund is not utilized as per NLUP guidelines.
  - 3) Location of the project is shifted without the consent of concerned LC/VLMC.
  - 4) Government employee is found in the family member of the recipient.
  - 5) No nominee is filed after the demise of the beneficiary.
  - 6) On ground of reselling the materials to others.
  - 7) For settling in a restricted or reserved area.
- b) Those who resold the materials were apprehended and were convicted as FIR was submitted against them. It is believed that there are more others which have not been reported to the authority.

**PU LALRUATKIMA** : Thank you, Pu Speaker. It is learned that some were disqualified to benefit NLUP. Whereas Pu Lalsangluia, S/O Pu Thangpuivunga, Sl. No.14, Phase-I sold his auto-rickshaw which he had bought from NLUP to Pu L.H. Thanzama of Lengpui. As assurance given earlier, I hope he is not freed from being detained though he is Congress party worker. So, what action will be taken against this person?

**SPEAKER** : The concerned Minister to answer the question.

**PU R. LALZIRLIANA, MINISTER :** Pu Speaker, we have not received any report but we will look into the matter.

**SPEAKER** : Pu R.L. Pianmawia to ask Starred Question No.25

**PU R.L. PIANMAWIA** : Pu Speaker, my questions is for the concerned Minister of Power & Electricity Department: – When will power supply from RCCVY be given to these villages such as Zokhawthiang, Mauchar, Chhanchhuahna Khawpui and Sunhluchhip?

**SPEAKER** : The hon'ble Chief Minister may answer the question.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, answer to the hon'ble member question is - We are planning to provide power supply to the aforementioned villages within December, 2014.

**SPEAKER** : Any Supplementary question?

**PU R.L. PIANMAWIA** : Pu Speaker, it is possible to expedite upgradation of 25 KVA which is opined as less sufficient to feed 183 Nos. households? Apart from this, there is a rumor that foundation of the tower is weak as it is filled with soil and only the surface is concreted cover. This may as well be verified by concerned department.

**SPEAKER** : The hon'ble Chief Minister to give the answer.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, the road to Mauchar is of quite a distant and thus difficult to expedite the work, yet, we are trying our best. As of foundation of the tower pointed out by Pu Piana, our experts will inspect as soon as possible.

**SPEAKER** : Next, Pu S. Laldingliana.

**PU S. LALDINGLIANA** : Pu Speaker, the people in the southern region are desperately in needs a regular power supply. So, I request that the 132 KV line may be connected from Melriat by setting up a 2<sup>nd</sup> Sub-Station in the south.

**SPEAKER** : Pu R.L. Pianmawia to ask supplementary question.

**PU R.L. PIANMAWIA** : Pu Speaker, when will the Sub-Station at Sakawrdai be inaugurated?

**SPEAKER** : The hon'ble Chief Minister to answer the question.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, since I am not an expert, I have to rely on the answer provided by our experts in regard to KVA transformer.

**SPEAKER** : To move on to question No.26, Pu Lalruatkima may ask his question.

**PU LALRUATKIMA** : Pu Speaker, my question is for the concerned Minister of Agriculture Department: –

- a) What is the total amount of our harvest of rice in the year 2010, 2011, 2012, 2013 and 2014?
- b) How much is from WRC and hillside-Jhum Cultivation respectively?



**SPEAKER** : I call upon the concerned minister to answer the question.

**PU R. LALZIRLIANA, MINISTER:** Pu Speaker, the answer is: -

a) The total amount of our harvest of rice are as follows: -

<b>Year</b>	<b>WRC</b>
2010	47,201 tons
2011	52,895 tons
2012	57,700 tons
2013	64,815 tons
2014	<i>No record</i>

b) Total amount of harvests from WRC and Hillside area are: -

<b>Year</b>	<b>WRC</b>	<b>Hillside</b>
2010	20,703 tons	26,498 tons
2011	26,251 tons	26,664 tons
2012	30,572 tons	27,128 tons
2013	37,486 tons	27,329 tons
2014	<i>No record</i>	

**SPEAKER** : Pu Lalruatkima will now ask his supplementary question.

**PU LALRUATKIMA** : Pu Speaker, which year was announced by the government as the year of Bumper Harvest? As mentioned in the budget speech, hillside jhumming cultivation decreases due to NLUP whereas our harvest record indicates hillside jhumming cultivation as increasing every year. Does it not mean that our flagship programme is not successful as being reported?

**SPEAKER** : The hon'ble Minister, Pu R. Lalzirliana will answer the question.

**PU R. LALZIRLIANA, MINISTER:** Pu Speaker, the year 2012 was announced as the year of a bumper harvest. Our harvest from Jhumming cultivation was high and so was from WRC and particularly from WRC, the harvest rate is increasing every year which further indicates our flagship programme is successful.

**SPEAKER** : We will move on to Question No.22, Er. Lalrinawma may ask his question.

**Er. LALRINAWMA** : Pu Speaker, my question is for the concerned minister of Agriculture department: - How much of the additional funds of NLUP being given to the three District Councils?

**SPEAKER** : The concerned minister will answer the question.

**PU R. LALZIRLIANA, MINISTER:** Pu Speaker, the answer is: -  
Lai Autonomous District Council - ₹ 11,100,000/-  
Chakma Autonomous District Council - ₹ 11,100,000/-  
Mara Autonomous district Council - ₹ 11,100,000/-

Thank you.

**SPEAKER** : Any Supplementary question?

**Er. LALRINAWMA** : Pu Speaker, is there a way to allocate additional funds of NLUP to the line departments as well?

**SPEAKER** : The concerned minister may answer the question.

**PU R. LALZIRLIANA, MINISTER:** Pu Speaker, we are somehow able to manage ourselves with the project as there is no question of providing additional funds.

**SPEAKER** : Any other supplementary question?

**PU LAL THANHAWLA, CHIEF MINISTER:** All Mizoram Farmers Union celebrated the 20 years of its establishment yesterday in which the year 2012 is announced as Bumper Harvest Year.

**SPEAKER** : I call upon Er. Lalrinawma to ask starred Question No. 28.

**Er. LALRINAWMA** : Thank you, Pu Speaker. My question is for the concerned Minister of GAD: - Is there a proposal to establish a new District?

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, in order to establish a District, a Committee will first see the proposed district is eligible in terms of its boundary, budgetary support, expenditure estimates etc. As of the proposal, we have gone through the cabinet memorandum and no supporting document is found. As such, it is impossible to pursue the case. However, the District Reorganizing Committee is working on this issue as a sanction of ₹75.82 crore is being applied. So, step will be taken as necessary.

**SPEAKER** : Next, Pu K. Sangthuama, to ask as starred Question No.29.

**PU K. SANGTHUAMA** : Pu Speaker, my question is for the concerned minister of Power & Electricity Department: - Is there a plan for installation of transformer in the following localities such as Chawlhmun, Phunchawng, Rangvamual and Electric Veng?

**SPEAKER** : The hon'ble Chief Minister may answer the question.

**PU LAL THANHAWLA, CHIEF MINISTER** : Pu Speaker, the answer the question, step is being taken for installation of transformer from R-APDRP in the following localities:-

- i) Chawlhmun - 100KVA at Society Mual,  
25 KVA near Solomon Temple;
- ii) Phunchawng - 63 KVA each at Phungchawng-II and Melriat  
Phunchawng,
- iii) Rangvamual - 63 KVA near YMA Hall;
- iv) Electric Veng - 500 KVA at CSS, Power House Complex.

**SPEAKER** : I do not think supplementary is necessary.

**PU K. SANGTHUMA** : Pu Speaker, I do not have any supplementary question.

**SPEAKER** : Dr. K. Beichhua, to ask Starred Question No.30.

**Dr. K. BEICHHUA** : Pu Speaker, my question is for hon'ble Minister of GAD: - Is there a proposal for reconstruction of Circuit House as well as DC Office of Saiha?

**SPEAKER** : The concerned Minister may answer the question.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, plan has been for reconstruction of DC Office, Saha but could not be expedited as yet due to shortage of funds. As of Circuit House Saiha, there is no such plan for reconstruction though the report of its poor condition is being received. For information of the House, Pu Speaker, despite the detail report for such construction is submitted to the Planning Board by the DC of various districts but nothing can be done as yet. However, application for construction of DC Office Saiha has already been forwarded to the 14<sup>th</sup> Finance Commission. As of Circuit House, Saiha, I have been there many times and I know the condition, but the concerned DC should take initiative so that we may give priority to this case.

**SPEAKER** : Any Supplementary question?

**Dr. K. BEICHHUA** : Pu Speaker, Regarding DC Office Saiha, I request that the reconstruction be given a top priority. As of Circuit House, I will pursue the case myself so that the application is submitted on time. So, I request the Leader of the House, in advance, to accept the application which will soon be submitted. Thank you.

**SPEAKER** : Chief Minister.

**PU LAL THANHAWLA, CHIEF MINISTER:** As mentioned earlier, we have submitted an estimate of ₹1.58 crore to the 14<sup>th</sup> Finance Commission for repair, renovation and other necessary works and we hope to receive it soon.

**Dr K. BEICHHUA** : To add more, Pu Speaker, most of the assets of the government in Saiha are, more or less, need some sorts of improvement. I kindly request these should be given priority. Thank you.

**SPEAKER** : I do support the request.

**PU VANLALZAWMA** : Pu Speaker, may I use this Zero hour to speak about reconstruction of Vaivakawn to Seventh Day road?

**SPEAKER** : The topic is more suitable for general discussion.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, question hour is not yet over, but since you have the highest authority in the House, you may close the question hour.

**PU VANLALZAWMA** : Pu Speaker, I am grateful that steps have been taken to resurface the connecting road of Vaivakawn to Seventh Day Tlang. Whereas it is surprising to learn that the concerned MLA of West-II constituency is not aware of this. It is unfortunate that MLA of the concerned constituency who happened to be one of the most active members of the House was not informed about it. I think an explanation should be made as to why he was not informed.

**DEPUTY SPEAKER** : Moving on to the next business, we will now take up Laying of Papers, such as: -

- i) The Mizoram (Anand Marriages registration) Rules, 2012.
- ii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2012-2013 (October, 2012 to March, 2013.)
- iii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2013-2014 (April, 2013 to September, 2013.)

I call upon Pu Lalsawta, the hon'ble Minister.

**PU LALSAWTA, MINISTER:** Pu Speaker, with your permission and of the House, I lay the following papers on the table of the House: –

- i) The Mizoram (Anand Marriages registration) Rules, 2012.
- ii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2012-2013 (October, 2012 to March, 2013.)
- iii) Statement on Six monthly review of the Finance Minister on the fiscal position of the Government of Mizoram for the second half of 2013-2014 (April, 2013 to September, 2013.)

Thank you.

**DEPUTY SPEAKER** : Let the copy be distributed. Now, I will call upon Pu Lalrinmawia Ralte to lay, “The Mizoram Co-Operative Societies Rules, 2012 and (Amendment) Rules, 2014” on the table of the House.

**PU LALRINMAWIA RALTE, MINISTER:** Pu Dy. Speaker, with your permission and of the House, I lay, “The Mizoram Co-Operative Societies Rules, 2012 and (Amendment) Rules, 2014” on the table of the House.

**DEPUTY SPEAKER** : Let the copy be distributed. Now, I call upon the hon’ble Minsiter, Pu Lalsawta, to move the official resolution.

**PU LALSAWTA MINISTER :** Pu Deputy Speaker, I have been prepared myself to move an important official resolution. There are resolutions which required amendment and passed by both the Houses of the Parliament and which still need to be ratified by half of all the states of the country. This resolution is one of those kinds. Pu Deputy Speaker, the resolution is, ‘that this House ratifies the amendments to the Constitution of India falling within the purview of the clause (b) of the proviso to clause (2) of Article 368, proposed to be made by the Constitution (One Hundred Twenty-First Amendment) Bill, 2014 as passed by both the Houses of the Parliament.’”

I request all my fellow members to support this resolution.

**DEPUTY SPEAKER** : The concerned minister has moved the official resolution which concern amendment of Article 124 relating to the appointment of Chief Justice and Judges of the Supreme Court and Article 217 which concern the appointment of Chief Justice and Judges of High Court. All in favor to pass this resolution may say, ‘Aye’ and those who oppose may say, ‘No’.

*(The Resolution is voted and passed by the House.)*

This House has unanimously passed the official resolution, “that this House ratifies the amendments to the Constitution of India falling within the purview of the clause (b) of the proviso to clause (2) of Aricle 368, proposed to be made by the Constitution (One Hundred Twenty-First Amendment) Bill, 2014 as passed by both the Houses of the Parliament”.

We will now move on to Legislative Business and Pu Lalsawta, the hon’ble Minister may now move the House to introduce, “The Mizoram Lok Aayukta Bill, 2014.”

**PU LALSAWTA, MINISTER :** Pu Deputy Speaker, with the recommendation of the Governor and with your permission and of the House, I move to introduce “The Mizoram Lok Ayukta Bill, 2014.”

**DEPUTY SPEAKER** : The hon'ble Minister has moved the House to introduce the Bill. As we all agree to do so, he may introduce and move the Bill for discussion.

**PU LALSAWTA, MINSTER:** Thank you, Pu Deputy Speaker. We have pondered about this Bill for a very long time and we have even invited in our website, suggestions and ideas of some experts as well as the people in regard to this matter. Pu Deputy Speaker, this law concerns enhancement of the present laws to fight against corruption. As the economy grows in every country, corruption prevails. So, in order fight against it more effectively, we need Lok Ayukta. We do have others such as Anti-corruption Bureau, Prevention of Corruption Act, 1988 and IPC but we need Lok Ayukta for the vigilance. There should be at least 3 members and one for the Chairman. We have many experts who are eligible to hold the post.

Pu Deputy Speaker, our experts have tried their best so that no mistake is done. Yet, there is a small mistake with numbering of the section which is given as 13 by mistake which should be corrected as section 14. I request the House to accept this as a patent error and correct the mistake.

This Bill is of much important in fighting against corruption as it contains the following chapters, such as: -

- Chapter 1 - Preliminaries;
- Chapter 2 - Establishment of Lok Ayukta;
- Chapter 3 - Constitution of Directorate of Enquiry, Investigation & Prosecution;
- Chapter 4 - Expenses of Lok Ayukta;
- Chapter 5 - Jurisdiction;
- Chapter 6 - The procedure and respect of Preliminary Enquiry Investigation;
- Chapter 7 - Powers of Lok Ayukta;
- Chapter 8 - The constitution of Special Courts;
- Chapter 9 - Complain against Chairperson, Members and officials of Lok Ayukta. Chapter 10 - Assessment of Loss and recovery thereof by the special Court;
- Chapter 11 - Finance, Accounts and Audit of Lok Ayukta;
- Chapter 12 - Declaration of Assets;
- Chapter 13 - Offences and Penalty;
- Chapter 14 - Report to the Governor and miscellaneous.

Lok Ayukta will also have authority even upon the Chief Minister and the only competent authority will be the Governor of the State. The Ministers, Parliamentary Secretaries, MLA's and Board Chairman will have a competent authority, so preliminary enquiry and investigation can easily be availed through Lok Ayukta. Section 3, sub-Section 1 has functional independence which means their ACR will be written by the people. The members will also take

an oath of office as written in the Constitution and the amount of their salary will also be very high. But in case of negligence of service or show partiality to anybody in particular, their service will be terminated. The terms and condition of the members of their services, promotion, rules and regulations during services will all be created by Lok Ayukta. We opined it is best to establish a separate directorate of Enquiry, Investigation and Prosecution.

I would like to read out the contents of Section 13, Jurisdiction which is of very important, “The Lok Ayukta shall enquire or cause an enquiry to be conducted into any matter pertaining to or arising from or connected with any allegation of corruption made in a complaint or in a case initiated on its motion in any respect of the following namely - .....” Lok Ayukta can also institute a case from its findings or hear from the media. Any kind of case instituted by it cannot be referred to the Enquiry Commission, it forbids as stated in the Commission of enquiry Act 1952.

Section 21 is about furnishing of information and documents and this section states the authority to search, seize and acquire any important document from the accused.

Section 22 states that no matter what level the designation of the official is, the government provides the sanction for preliminary enquiry and investigation and there is no need for authority.

Pu Deputy Speaker, different states have Lok Ayukta but the best is of Karnataka which we replicate and we have also tried our best in drafting this Bill. Employees who work under Lok Ayukta should be righteous and honest, and Lok Ayukta will recruit them. Cases will be determined and judged by a Special Court of a Special Judge. Cases will be solved quickly like a fast track Court. Special Court does not need a separate office, the same goes for the Judge and the Court. The Special Court and the Special judge will be appointed in consultation with the High Court and the State Government.

The function of Lok Ayukta must be transparent which is clearly stated in Section 24. As mentioned earlier, it has the power of Search & Seizure and also has the authority to summon from Civil Court which is also written in Court of Civil Procedure 198. For example, it can utilise the service of CBI in the investigation. After starting a Preliminary Inquiry, it has the power of transfer and suspension as per Section 31.

Under section 35, Lok Ayukta can requisite any documents from departments to help the investigation. In section 36, the members cannot inspect each other but if any member is found practicing corruption, 2/3 members of the House may submit a petition of impeachment and if it is approved by the Governor, he may be terminated from his post.

Pu Deputy Speaker, Section 45 also is very important, it underlines that, “Whenever any person makes any false and frivolous or vexatious complaint and causes arrest of public servant, the Special Judge may impose a fine upon the person responsible and if he/she does not pay the fine he/ she may be imprisoned for 3 months.”

Under section 52, the accused may claim he/she does not have money to hire a lawyer. In such case, he may appeal to the Legal Services Authority and he will be provided a lawyer by the government. Section 56 protects the Whistle Blower as it is underlines, “For the protection of complainant under this act, section 20 of Anti-corruption, grievances redressed and whistle blower protection Act, 2011 shall apply and that the word ‘Lok Pal’ whenever it occurs in that section, shall be implied as ‘Lok Ayukta.’”

**SPEAKER** : Does it mean the appellant can be convicted if false or vexatious accusation is made and at the same time he/she can be protected?

**PU LALSAWTA, MINISTER:** Pu Deputy Speaker, the whistle blower may need protection, so in such cases, the word ‘Lok Ayukta’ will be implied as ‘Lok Pal’ so that this law may be exercised.

Pu Deputy Speaker, Lok Ayukta will not function unless it is gazetted first, but we have applied for financial sanction to the 14<sup>th</sup> Finance Commission and a positive result is hopeful. Having said that, I will conclude by saying that I request all my fellow members to support and pass this Bill. Thank you.

**DEPUTY SPEAKER** : We will start our discussion and each member will have 5 minutes. First, let us invite Pu K. Sangthuama.

**PU K. SANGTHUAMA** : Pu Deputy Speaker. I suggest correction of a few points such as Chapter 1, Section 1, No.2 which underlines, “it extends to the whole of Mizoram.” Does this include the three District Councils?

Chapter 3, Section 11 states that a prosecution of case will be handled by the Directorate whereas in Chapter 6, section 19, it is written that prosecution of cases will be handled by the prosecution wing. Does this mean prosecution wing should again be established? I suggest these particular portions should be explained more clearly.

Chapter 13, Section 45 concerns false accusations; I think the position of the accuser is very distressing if the accused is not found guilty. So, we need to review this case once again. Chapter 4, Section 52 states that lawyer should be hired for the clients if they are unable to afford to hire an advocate. In reviewing this Bill, is it necessary to hire a lawyer? It is also stated that ACB and CBI may be hired; does it mean the state government will approve their investigation?

Pu Deputy Speaker, I think this Bill needs to be examined once again and it may be wise to provide time to go through it thoroughly. So, I think we need to review it once again and we may pass it in the next session. Thank you.

**DEPUTY SPEAKER** : Next, Pu R. Romawia.



**PU R. ROMAWIA, MINISTER:** Pu Speaker, when Lok Pal was implemented, it was compulsory to implement Lok Ayukta in each and every state in India. Our experts have studied and pondered about this and they drafted the Bill as we have heard earlier. To fight against the practice of corruption, we need an autonomous body which cannot be dominated by any authority; so we need Lok Ayukta. They will investigate cases and will be trialed in a Special Court by a Special judge. I also think the law resembles our traditional laws in many ways which seeks to maintain peace, harmony and an honest lifestyle in the community. Thank you, Pu Deputy Speaker.

**DEPUTY SPEAKER** : We will have a short break but we will resume our session at 2:00 p.m.

### **2:00 P.M.**

**SPEAKER** : We will continue with discussion on our Bill, Pu Lalrinawma may take his time.

**Er. LALRINAWMA** : Thank you, Pu Speaker. I am glad we are able to discuss an important Bill for our state and at the same time, I think there are things which need to be reconsidered. If we look at Section 12 and 40, though it is an independent body, the provident funds should be approved by the State Legislative Assembly. So, if it has the authority to conduct any investigation upon us, I opine it is inappropriate for the Legislative Assembly to control their funds. So, I request the Minister to clarify this matter. Section 13 states that it cannot take an investigation on central employees; since there are many in our state who are being employed under the central government, I think this should be reconsidered.

Section 45 states that the accused may have a lawyer; I opine this may be distressing for the petitioner while it is an advantage for the accused. So, I suggest this section should also be reviewed. I am glad that we are discussing a new Bill which concerns a stepping stone for our State. Thank you.

**SPEAKER** : Any one to speak?

**Dr. K. BEICHHUA** : Pu Speaker, we are fortunate that Mizoram is a peaceful state with a population of 100% Christianity but it is sad to learn that the practice of corruption still prevails with the economic growth of our state. I am glad that to fight back such practice, Lok Ayukta Bill is drafted by our experts and I thank the hon'ble minister for his initiatives. I have gone through this Bill and I have my own doubts and uncertainty on some issues since I am not expert on laws.

Firstly, Section-A (2) states that it extends to the whole of Mizoram. Pu Speaker, I have gone through the 6<sup>th</sup> Schedule of the Constitution which protects the three states such as Tripura, Mizoram and Assam. Para 3(a), 3(b), 8 and 10 underlines that whenever a law is enacted by the Parliament or a Legislature, it may not be applicable unless District Council so direct with or without modification whereas the most up to date provision states that the Governor may direct not to apply or may apply or without modification. So, I request the hon'ble minister to provide more specific details in this regard. If we look at section 3(1), Administrative, Financial and Functional Independences are written and I think this is one of the reasons we want to adopt Lok Ayukta.

Pu Speaker, I am also concern about the financial memorandum. While sanctioning financial provision from the State funds, we consider the financial status as well; I do not think we will be able to meet the expenses. So, considering our financial condition, I do not think we are in a condition to implement Lok Ayukta in our State. I think we should carefully examine this Bill before it is passed by the House. Thank you.

**SPEAKER** : Pu R. Lalrinawma, the Hon'ble Dy Speaker.

**DEPUTY SPEAKER** : I am grateful that the hon'ble minister has moved this Bill. In order to combat corruption, steps had also been taken under the leadership of the hon'ble House Leader of the previous term. Separation of judiciary had also been established and now we have an administrative system to investigate the case and hand over to the Court for further bring it to the notice the Parliament. In a Democratic state like ours, powers are balanced and checked so that it is not against the principal of natural justice as no man can be a judge of his own cause.

As an independent body, Lok Ayukta will investigate cases and actions will be taken by independent judiciary. It is also quite satisfactory as we have regulations for punishing frivolous and vexatious accusers. I am glad that t this Bill is introduced in the hon'ble House and I express my support in passing this Bill. Thank you.

**SPEAKER** : Anyone else to speak?

**PU LALRUATKIMA** : I am grateful that the hon'ble Minister of Law, with a view of the need to fight against the practice of corruption, has laid this Bill on the table of the House. Section 3 (1) covers the independent Administrative, Financial and Functions of Lok Ayukta. Section 58 states that the body may establish its own regulations; Section 43 states that government employees should declare all their assets; section 44 states that decision will be made from the declaration of a particular government servant as to whether his asset is considered as having out of the practice of corruption. I think we have to deal this matter carefully as the petitioner could file complain against a particular government servant out of suspicion or without document which proof that the suspect is actually involved in corruption case.

There is a proposal to set up a powerful body with large amount of financial involvement. Though the Financial Memorandum has already been submitted to the 14<sup>th</sup> Finance Commission, I think we should give more time for examining this Bill as to whether there is a flaw in the draft proposal. Judging from our financial status, I think we are not fit to have Lok Ayukta of our own yet, I believe it will contribute a great deal in fighting against corruption. Thank you.

**SPEAKER** : Next, Pu T. Sangkunga.

**PU T. SANGKUNGA** : Pu Speaker, I am glad that our Law Minister has put forward this Bill on the table of the House. I have talked with the President of MZP as he, in response, informed that they have also conducted a meeting with NGO's regarding this Bill and that they have carefully studied it with a hope to implement it in our State. As an independent body, it will be authorized to investigate even the hon'ble Chief Minister or the Speaker of the House without getting prior permission from the State Government. Chapter 6, section 24 states the Right to information Act and section 27, sub-section 1 concern the power of Civil Procedure Court. I am grateful that there are punishments for frivolous and vexatious complainant. This Bill may not be perfect but we will make amendment as necessary. Thank you.

**SPEAKER** : Pu John Siamkunga.

**PU JOHN SIAMKUNGA** : Thank you, Pu Speaker. From what we have heard so far, it seems that this Bill will take actions directly upon the offender, but we have to know that justice will not be done if the offender is judged by the investigator or the confiscator. We cannot justify the case as of a Totalitarian government. But I think this Bill is very satisfying as it will establish a Directorate to deal with inquiry, investigation and prosecution. The official rank of the Secretary will be equivalent to the Secretary of the Gov't of Mizoram and the Director will be equivalent to the post of an Addl. Secretary. It will not be functioned under the authorization of the State Government and will be funded from the consolidated funds. It will investigate any suspect without discrimination and there will be no pending cases according to this bill as investigation of any case will take only 45 days. It may also assign to a special investigation agency and possessions of any convict will be confiscated. I am also glad that there are punishments for frivolous and vexatious accusers in order to evade false accusation.

Lastly, I express my support in passing this Bill as we will then be able to fight against corruption effectively. Thank you.

**PU R.L. PIANMAWIA** : Pu Speaker, in page 15, it is underlines that documents should be submitted within 45 days and the investigation period should be within 45 days. I think this may create a problem since the time period is quite short. I am glad this Bill will have no discrimination with regard to the designation of a person who are involves in any case.

I think it is wise not to defer this Bill for financial crisis. Despite insufficiency of funds, we are able to go this far as we need to utilize our funds to carry out the call for fighting against corruption. So, I will conclude my speech by expressing my support in passing this Bill. Thank you.

**PU T. T ZOTHANSANGA :** Pu Speaker, corruption prevails to a large extent in Mizoram and I am glad that this Bill is intended to fight against corruption. I am glad that this Bill is laid on the table of the House with an objective to root-out the practice of corruption. There are many politicians and government servants who are under investigation due to corruption. Many of such cases cannot be concluded due to the absence of appropriate rules but if this Bill is passed, such cases will be taken by the Special Court and many of the pending cases will then be solved. There may be flaws in the Bill but we know that the law itself cannot be perfect but we will amend it as necessary. I do not think that lack of funds should be the reason for the postponement of passing this Bill. The sooner we implement this Bill, the sooner we will be able to combat against corruption. So, I will conclude by stating my support in passing this Bill. Thank you.

**SPEAKER :** The hon'ble House Leader may now take his time to speak.

**PU LAL THANHAWLA, CHIEF MINISTER:** Thank you, Pu Speaker. We believe corruption has rooted itself deeply in our state and we have asked for co-operation of various NGO's as we have even set up an Ethics Committee to curb out the problem. Till date, we have at least 200 people who are allegedly involved in corruption cases including Group 'A' officers who have been terminated from their services by offering them compulsory retirement. I am glad that we will have a punishment for vexatious and frivolous complaints as I have personally encountered such problem as at times, it was very annoying though I was confident that my hands are clean. Anyway, I am glad that the hon'ble minister has moved this Bill and from the details of the Bill, I assume this is a false proving law. Of course there will be times when this law needs amendment but we will amend it when needed. I appreciate that our leaders too are very open and not afraid of being investigated.

This Bill may not be perfect, but it is an urgent need as it is believed to be able to bring about change in our society as well as our churches. We will also amend it when needed and so, I request the opposition members to clearly give the points which they opined as inappropriate so that we may be able to review it. I thank the hon'ble minister for laying this Bill on the table of the House as I express my support for passing this Bill. Thank you.

**SPEAKER :** I will now call upon the hon'ble minister to move that the Bill be passed.

**PU LALSAWTA, MINISTER:** Pu Speaker, I thank all the members who have taken part and share their opinions in regard to this budget. Pu Speaker, as the bill states, 'it extends to the

whole of Mizoram' it means that it includes all employees under the state government, whether he/she is in station or outside the State, it does not make the difference.

As stated by Pu K. Sangthuama, there will not be a separate prosecution wing except the Directorate of Inquiry, Investigation and Prosecution. As mentioned by some members regarding the complainant, complain may be lodged against one person out of animosity or rivalry issues. So, to evade such incident, punishment to false accuser also is included in this Bill.

In regard to legal assistance, the state government may consider providing a lawyer if a client submitted an application. In such cases, the request may only be considered by Lok Ayukta. It is necessary to some extends that the legislators should be enhanced so that anyone would respect them. If they are respected and feared for their power to sanction any penalty, it will then be possible to carry out an efficient administration and peace will be prevailed in our state. As Lord Halifax once stated, 'Men are not hanged for stealing horses but that horses may not be stolen.'

Regarding the financial issues, we have submitted the requirements for setting up of Lok Ayukta to the 14<sup>th</sup> Finance Commission and if approved, it will soon be started where as any fund provision which may be sanctioned will be charged from the consolidated fund of the State of Mizoram and whether we vote for it or not, will not have much consequences. It is an independent body and will operate independently. Declarations of Assets are very important especially for those who are employed under the Central Secretariat Services.

Pu Speaker, the whistle-blower could play an important role in the process of investigating corruption cases. He must ascertain that the accused have actually involved in the practice of corruption. His safety should also be guaranteed as the accused may attempt to inflict harmful activity against him. Since this Bill will have no discrimination, even the legislators are ready to be investigated. Thus, in order to bring our state corruption free and to maintain transparency in the government, I request all my fellow members to support this Bill. Thank you.

**SPEAKER** : The hon'ble minister has appealed that this Bill be passed by the House. Those who agree may say, 'aye' and those who don't may say 'No'. The "Ayes" have it. The Mizoram Lok Ayukta Bill, 2014 is anonymously passed by the House.

**PU LALSAWTA, MINISTER:** Thank you, Pu Speaker.

**SPEAKER** : The hon'ble Minister Pu P.C. Lalthanliana may now introduce 'The Mizoram Animal (Animal Control & Taxation) Bill, 2014' in the House.

**PU P.C. LALTHANLIANA, MINISTER:** Pu Speaker, with your permission and of the House, I introduce 'The Mizoram Animal (Animal Control & Taxation) Bill, 2014' in the House.

**SPEAKER** : He may now move the Bill.

**PU P.C. LALTHANLIANA, MINISTER:** Pu Speaker, with your permission and of the House, I introduce 'The Mizoram Animal (Animal Control & Taxation) Bill, 2014' in the House.

**SPEAKER** : As we all agreed, he may now introduce the Bill for discussion.

**PU P.C. LALTHANLIANA, MINISTER :** In order to alleviate economic condition of the poor, the government includes animal farming as one of its main objectives. As such, the Animal Control & Taxation concerns setting up a separate grazing ground for animal in each area of Village Council so that they may be able to live freely. To initiate the plan, it is first necessary to repeal the Mizoram Animal (Control & Taxation) Act of 1980 which may be replaced by this new Bill of 2014.

This Bill, 'The Mizoram Animal (Control & Taxation) Bill, 2014 includes 6 chapters and 23 sections. Section 1 underlines that this Act excluded the three autonomous district councils as well as the municipal council areas; section 2 covers short title definitions whereas section 3 concern for restriction of animals such as chicken, pig, cow and other cattle. Section 5 makes a clear definition that any cattle should be tended cleanly and with due care for their health. Section 6 concerns animal grazing ground which should be set up in each area of village council; Section 7 concerns the Right of each family to seize any cattle that may invade his private land and may be reported to concerned village council immediately after it is seized. Section 8 clearly defines that any cattle which are not claimed should be kept secluded by the concerned village council and feed them for the time being and the owner should bear any expense on such feedings. Section 10 underlines that if there is none to claim such cattle, concerned village council may dispose it by auctioning and the cost may be kept as the village council funds. Section 11 underlines that tax on animal fixed by the government will be enforced by each village council whereas such restrictions does not cover cattle under the charge of central or state government, the North-eastern Council and some corporations. Section 12 clearly defines that any cattle farmer of a particular village may report the detail of his cattle to concerned village council within one month for registration to enable such village council maintaining the up to date statistic of cattle within the area. Section 13 underlines that 50% of the total collection of tax from the animal will go to concerned village council fund and another 50% will be submitted to the government.

The aforementioned points indicate that the main objective of the government with this Bill is implementation of appropriate rules in respect to the animals and its farming whereas it is seen in the conclusion how the Mizoram Animal (Control & Taxation) Act, 1980 should be repealed. I, therefore, move this Bill so that it is unanimously passed in this august House. Thank you.

**SPEAKER** : The hon'ble Minister has laid a well-prepared Bill for further discussion in the House. Each member will have 5 minutes. To start with, I call upon Pu R.L. Pianmawia.

**PU R.L. PIANMAWIA** : Pu Speaker, I truly appreciate the Mizoram Animal (Control & Taxation) Bill, 2014 moved by the hon'ble Minister. Yet, I have one point to be included, if possible. A person in my constituency against whom monetary fine was charged bluntly ignored to oblige the order despite repeated information from concerned village council. In such case, I think it is necessary to include in this Bill that one may put forward the case to the District Magistrate for further decision. With that, Pu Speaker, I conclude my speech and express my support to this bill. Thank you.

**SPEAKER** : Next, Pu T.T. Zothansanga.

**PU T.T. ZOTHANSANGA** : Pu Speaker, I, at the outset, would like to mention regarding the statement of objects and reason which underlines that 'a section that specifically addresses the issue of the danger from domesticated dogs, their control and remedy is proposed to be included in the Mizoram Animal Control & Taxation Act.' Here, the issue of dog is given much important but it is not defined in our rules specifically. I suggest the name 'dog' may be included specifically.

At Chapter 2, it is stated that 'animals to be kept under control' which I opine as necessary. Dog, being the closest friend to man among domesticated animals, we have seen them in many households. On the other hand, the problems that dogs have brought into our community is unbearable as most of the uncontrolled dog used to excrete their waste here and there. Apart from this, dog which is not harmful to its owner is harmful to others. As such, it is wise to have all dogs injected compulsorily. For these two reasons, it is necessary for us to have a specific control act in regard to dog.

Pu Speaker, I truly appreciate the Rules for seizure of animal for we are able to make our respective locality cleaner as it is s in various locality of Aizawl. Regarding restriction of 7 days for a period of seizure before claimed, I opine 2 or 3 days is enough for dog as this animal is accustomed to live near its owner and it will be burdensome to keep it away from the owner very long. Regarding the appeal that 'if a person aggrieved by any order by Village Council or the officer this chapter may appeal in such authority within', its authority may be specifically defined in the rules so that the people in rural areas may have more understanding of the condition. As a whole, I opine this Bill is good enough. Thank you.

**Er. LALRINAWMA** : Pu Speaker, I truly appreciate this Bill as it is time for us to have this kind of Act. As we have seen in chapter 8 that no animal under seized should be held in hunger or thirsty, I suggest it is not permitted to exploit them while they are under seized since it is our custom to exploit the animal in fighting with others as a kind of entertainment or it may be exploited for other purposes.

We have further seen the terms and conditions of recovery of seized animal but it does not include how to deal with death animal being held as it is possible that its owner may claim his dog as being killed. So, this condition may also be clearly defined in the rules.

Regarding registration of animal, I suggest that rules for branding or marking of one's cattle should also be included as I have once witnessed the dispute between two persons both claiming the ownership of a cattle as the same could be happened with the increase of cattle under NLUP.

Relating to control of animal, I am concern about our practice of exploiting animal for a fighting show in which some people particularly in Aizawl used to bet large sum of money on it. Such game compels domesticated dogs or roosters being exploited to fight with others till death. It is, therefore necessary for the government to examine as to whether our rules cover restriction of such kind of gambling on animals. At the same time, I opine it is necessary for the authority to necessitate injection to any victim of dog's bite even if it is not that hurt for the consequence is unknown.

So, Pu Speaker, I conclude my speech by expressing my support to this Bill. Thank you.

**SPEAKER** : Next, Dr. K. Beichhua.

**Dr. K. BEICHHUA** : To curtail the discussion, Pu Speaker, I have to start by expressing my support to this Bill.

The mover of this Bill presumed that the opposition party members as to agree with this bill without fuss for it is not harmful to our party. But he is absolutely wrong in saying that as we do not hesitate to pass any bill which is opined to be good for our future. Thank you, Pu Speaker.

**SPEAKER** : Next, Pu T. Sangkunga.

**PU T. SANGKUNGA** : Pu Speaker, regarding animal invading the garden or plantation, Chapter 3, Section 7, sub-section 2 underlines that the owner of such plantation shall not be liable to pay damage to the owner of such animal, I opine this is appropriate as it could be implied as a license to kill. As one of the concern officials of AH & Veterinary department in the previous years, one of our main problems was the practice of deliberate killing of someone's Mithun despite preservation of such cattle from extinction. However, such practice was stopped as we informed the police to arrest any of such offenders. Thus, I opine it is inappropriate to set such persons free from any legal case.

Regarding announcement of the owner of any cattle under-seized as stated in this Bill, I think it is appropriate to make the announcement covering the neighboring villages as well as most of such seized cattle could happened to be of the neighboring villages. Whereas every local people are supposed to be able to identify his cattle, he will claim his animal without delay.

Regarding branding/marking of cattle, I opine it is suggestive to introduce micro-chip system which was one tested by the department and proved to be successful. Pu Speaker, it will



be much appreciated if these three points are noted down for re-examination. Thank you.

**SPEAKER** : I now call upon Pu R. Lalrinawma, the hon'ble Dy. Speaker to express his opinion in regard to this Bill.

**DEPUTY SPEAKER** : Pu Speaker, I would also like to make a few points in support of this Bill. It is much appreciated this House has taken up Bill which concern Women's Reservation Bill yesterday. Today, we have Corruption Control Bill and Animal Control Bill in hands.

To get into the point, it is learned that the Animal Control Bill of the previous year is today, no longer applicable. When I was served in the Law Commission, the District Magistrate had frequently declared 144 cr. P.C. Act on certain incidents to control some domesticated animals from getting outside and also to prevent drug abuse substances from circulation. In this regard, it must be noted that this act is supposed to be declared on ground of public safety or health. But in our state, it has often been declared to control some domesticated animals and even stone quarry etc. which is completely unsuitable. It has also been declared to control circulation of liquor despite the existence of MLTP Act. However, such practices have now been diminishes gradually.

Pu Speaker, we are now going to have appropriate act to control domesticated animals thanks to the efforts of our leaders as it is apparent that all the members seem to support this Bill. The point which aggrieves our fellow member Pu T. Sangkunga regarding the demise of cattle under seized, even though I am not the one to give the answer, I would like to point out that this bill further underlines the Right to claim compensation on such death animal. The term implies that the owner of such animal has not the Right to claim monetary fine to the alleged killer of such animal. Point raised by Pu R.L. Pianmawia relating to those who resist to pay a monetary fine for failing to control his cattle or the expense of feeding such animal being held, this Bill, Section 10 underlines the right to auction such animal. I may conclude my speech in support of this Bill. Thank you, Pu Speaker.

**SPEAKER** : If there is no one else to speak, I call upon the House Leader if he has something to say in regard to this Bill.

**PU LAL THANHAWLA, CHIEF MINISTER:** Pu Speaker, from the points mentioned by various members, I opine it is important for concerned minister to note down regarding gambling on fighting animal such as roosters, dogs and even bulls as stated by Er. Lalrinawma though I have no idea what step should be taken to stop such practice among the youths. If the majority agrees, I think it is important to include rules which will prohibit gambling on animal fighting. Even though it may be of entertainment to some, I opine it is unkind of those who watch and entertain themselves with such animals fighting with bloods as some even till death. So, this is a problem which should be concerned as a society also.

Dealing with the case of death animal while in the custody of concerned Village Council, the hon'ble Deputy Speaker has clearly stated that we already have rules to that effect. Though I have no idea as to whether dog biting is liable to prosecution, many states regarded this as a crime as monetary fine has also been charged. I also agree with the suggestion of one member to necessitate injection of any dog to maintain its health as some treated as their closest friend where as some regard dog meat as one of the best foods Thus, I opine the suggestion should be regarded as priority. Again, I agree with the suggestion of Er. Lalrinawma that the owner of a dog that has bites someone should bear the expense on injection to the victim. As suggested by Pu T.T. Zothansanga, any dog should be put under control for it can cause problem to the community or misunderstanding between the two neighborhoods or others. We must remember that having excreted waste of dog outside not only brings unhealthy smell, but it further indicates our standard of living.

Pu Speaker, some foreign visitors to Mizoram questioned about our custom of fencing around the immovable garden plants but not for the movable animals such as dog, chicken etc. Hence, I appreciate this Bill which concern Control of Animals. Before conclusion, it may as well be pleased if the question of hon'ble Speaker regarding whether chicken is regarded as an animal, is replied as I think it is of an important matter. Thank you, Pu Speaker.

**SPEAKER** : I now call upon Pu P.C. Lalthanliana to wind up the discussion and also to move the House for passing of this Bill.

**PU P.C. LALTHANLIANA, MINISTER:** Pu Speaker, I am happy to learn that there are certain members who support this bill without ado to participate in the discussion where as there are others who have supported by actually participated in it.

At the outset, I am not saying that chicken is regarded as an animal, but by the definition of the act. As such, it should be regarded as 'animal' as per the context of this act. Pu Speaker, the main objective of this Bill concerns with control of animal only as definition is not given in detail. To put in short, the bill concern that any cattle such as Cow, Mithun, etc. may be put in a secluded grazing ground and rest of the domesticated animals such as pig, chicken, dog, etc. in enclosure.

Regarding dog, there is no specific definition for it is regarded as one of the domesticated animals. As pointed out by Er. Lalrinawma, it is possible that some dogs may not be put under appropriate control and in such case, concerned Village Council is authorized to charge monetary fine to the owner of such animal up to ₹500/-.

Pu Speaker, since most of the family whether rural or urban are now aware of the importance of cleanliness of our surroundings, most of the households are learning how to control of our respective domesticated animals. Therefore, it will be widely benefitted if we have rules which concern control of our animals.

As pointed out by the House Leader, I agree that this Bill is not incomplete but intensive effort is given by concerned officials so that we are able to lay in the House on time. So, suggestions from the members will be re-examined and may be included if deemed necessary as the House permitted to amend patent errors as pointed out by some members. I sincerely appeal that 'the Mizoram Animal (Control & Taxation) Bill, 2014' is unanimously passed by the House. Thank you.

**SPEAKER** : The Minister has moved to the House 'The Mizoram Animal (Control & Taxation) Bill, 2014' for passing. Now, members who agree to pass may say, "Aye" and those who don't may say "No". (Members: Aye). The Bill is voted and passed by the House.

**PU P.C. LALTHANLIANA, MINISTER:** Thank you, Pu Speaker.

**SPEAKER** : The House will now be adjourned and we will continue the discussion by Monday at 10:00 a.m.

Sitting is adjourned (4:25 p.m.)