

**SIXTH LEGISLATIVE ASSEMBLY OF MIZORAM  
( THIRTEENTH SESSION )**

**LIST OF BUSINESS**

FOR FIFTEENTH SITTING ON WEDNESDAY, THE 3rd APRIL, 2013  
(Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)

**QUESTIONS**

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

**LEGISLATIVE BUSINESS**

Bills for introduction, consideration and passing.

2. **Pu J.H. ROTHUAMA**, Minister to beg leave of the House to introduce "The Mizoram (Land Revenue) Bill, 2013"

**ALSO**

***to introduce the Bill***

***to move that the Bill be taken into consideration***

**AND**

***to move that the Bill be passed.***

NGURTHANZUALA  
Secretary

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**SPEAKER** : “Never move an old boundary mark that your ancestors established”

Proverbs 22:28

Pu Nirumpam Chakma is not available for Starred Question No. 241 as he had to attend the CADC elections. As per Rules 50(i), after we have finished the rest of the other questions and if time permits, we will take it up. We will take up starred Question 242, and let us now call hon’ble member, Pu John Siamkunga.

**Pu JOHN SIAMKUNGA** : Thank you, Pu Speaker. The starred Question is for honorable Minister of Health & Family Welfare Department to answer: When will the constructions of Hnahthial Sub-District Hospital Phase-I be completed?

**SPEAKER** : Let us now call hon’ble Minister Pu Lalrinliana Sailo to answer.

**Pu LALRINLIANA SAILO MINISTER** : Pu Speaker, the answer is: Hnahthial Sub-District Hospital Phase-I is planned to be completed by 3.10.2013.

**SPEAKER** : Fusther question from Pu John Siamkunga, followed by Pu Lalthansanga and Pu K. Lianzuala

**Pu JOHN SIAMKUNGA** : Pu Speaker, with the favor of honorable Chief Minister and honorable Health Minister, Hnahthial Sub-District Hospital is presently under construction. Phase-I is almost completed, and I hear that there may be financial problems for Phase-II. My question is: Can they continue with Phase-II after Phase-I is completed?

**Pu LALTHANSANGA** : Thank you, Pu Speaker, why is it taking so long to inaugurate Biate PHC, as it is said to have been completed? And when will construction start for N. Vanlaiphai PHC? The Doctor training was for duration of one year, but the doctor has not been around since September of last year and the senior most Nurses took charge. We need a hospital that can cure, and for that we need more doctors. We don’t have a dentist either in E. Lungdar, too, so will it be possible to provide us with the said doctors?

**Pu K. LIANZUALA** : Thank you, Pu Speaker, this is for the honorable Minister to answer – Ngentiang PHC was constructed and used in 1990-200. It was quite secluded, and located on the banks of Tuichang. The buildings and quarters are quite ruined, so is it possible for renovations to be done on it?

Doctors had not been willing to stay for very long, but our present doctor proves quite diligent and is a blessing for the community. My question is – will such a doctor be taken this time, as he has shown interest in the welfare of the Village and is not yet a permanent employee?

**SPEAKER** : Let us call the hon'ble Minister to answer.

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, regarding Pu John's question, Phase-I has been completed. It was built in CHC, but when we took office our officers said that it had to be discontinued because of no financing. It was after 3 years that we resumed construction. We are now awaiting word from the Central government in order to deal with Phase-II.

Regarding Pu Lalthansanga's question – Biate CHC had been completed, but the electrical wirings still need to be done. We are yet to decide when to inaugurate it.

It also required when work will start in N. Vanlaiphai, and I'm quite surprised that he is not familiar with the situation in his constituency. Pu Speaker, N. Vanlaiphai PHC is about 100 years old and was already there during World War-II when the Japanese attacked. In order to protect it the heritage conservation is undergoing construction now.

Doctor need training as new medicine and technology are introduced time again. The present one had gone for special training, and I'd like to talk about the others as well. As initiated by our honorable Chief Minister and honorable Finance Minister, we will be able to have 88 doctors. MPSC will publish an advertisement this week and that will serve a great purpose.

We all need Dental Surgeons. We are about 3000 families in my constituency of Khawzawl and we have not had a Dental surgeon since last year. They most after do not choose to stay in villages, so that is common factor.

Regarding honorable member, Pu K. Lianzuala's question, I have not visited Ngentiang PHC Out of the 57 PHC we have, I have visited 54, and It. is not possible to start renovation as we are short of finance. Rural Health Mission did give from infrastruction which was stopped. We cannot build that resembles a hospital; so we have a sub-centre and quarters. We were financed by the 13th Finance Commission for 15 hospitals, 15 PHCs and 150 sub-centers.

Regarding doctors posted in villages as practiced in India, we had a good analysis. Out of the total marks, 5% will be added to those already posted one year. I am sure good doctors will see themselves through. Thank you.

**SPEAKER** : Let us now call honorable members, Pu B. Lalthlengliana for question 243.

**Pu B. LALTHLENGLIANA** : Starred question No.243 is for the honorable health minister to answer - When will a doctor be posted at Farkawn and Bungzung PHC within 25<sup>th</sup> East Tuipui Assembly Constituency? I missed out Sesih. Are there any renovation plans?

**SPEAKER** : Let us call honorable minister, Pu Lalrinliana Sailo to answer.

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, regarding Pu B. Lalthlengliana's question, Farkawn PHC doctor unfortunately passed away on 24.8.2012 and we are yet to find a replacement. Bungzung PHC MO submitted his resignation on October 1, 2010 and we have been very busy dealing with it.

There are renovation plans. However, due to financial problems we discontinued work. Farkawn PHC was constructed under the leadership of our honorable Member Pu B. Lalthlengliana. It is not in such a bad condition and has been built quite strong. It would be good to let it remain as it is rather than demolish it. That is my answer.

Pu Speaker, Sesih was constructed by the previous government. However as it was not occupied, it was not in a good condition; repairs were made and it functioned. Nurses' instead of doctors maintain it, and we hope we can make appointments of the 88 selected doctors.

**SPEAKER** : Let us call Pu B. Lalthlengliana for further questions, and will be followed by Pu R.L. Pianmawia and Pu Lalduhoma.

**Pu B. LALTHLENGLIANA** : Pu Speaker, some constituencies in the Ruling and Opposition are quite fortunate. One new building was constructed for the N. Vanlaiphai Constituency. Farkawn PHC was constructed in 1987 spending ₹3 lakh. It was difficult to even travel by jeep between Champhai and Farkawn in those days. It is commendable that we have such building as a part of Heritage and to have it in such good condition even today. However,

with increase in population, it is not big enough. As the Border Trade road passes through, the hospital is quite busy. The feeder village also reaches till Samtlang, which could be a concern.

I don't mean to offend anyone in saying this, but it is more cumbersome when a doctor is present. We had requested for a doctor to our Minister and one was provided. He was removed but was re-appointed later. In cases of emergencies and accidents, travelling 100 kms to Champhai can be difficult, so I'd like to suggest that this point be remembered while appointing a doctor and construction of the building.

Khawbung is our main location, and it needs inspection. Our immediate need is a doctor and a building; dental is beyond our immediate necessity.

Pu Speaker, what I'd like to know is – Is the co-ordination between the Minister and Ruling MLAs not very good? I ask this as Ruling MLAs usually have too many questions. Other years, they would just approach the concerned Minister rather than asking silly questions in the House. It is just a suggestion that better co-ordination can exist for the future of the government.

**Pu LAL THANHAWLA, CHIEF MINISTER** : Pu Speaker, most of our MLAs are first timers, and it is good experience for them to have questions and private resolutions. It is nobody's intention to cause an embarrassment.

**SPEAKER** : Pu R.L. Pianmawia

**Pu R.L. PIANMAWIA** : Thank you Pu Speaker, I would like to first convey my gratitude as an order is to be released for the cause I stood for the other day. I am truly grateful to our House Leader and Health Minister.

We have a PHC building in Darlawn which is in total ruins. We renovated it with financial help received from the fund remaining during our former Finance Minister, Pu J. Lalsangzuala's time. We also used 25% of used materials. The building needs proper renovation. I have seen the health centre in our Health Minister's constituency, and I was filled with envy. It is my sincere request that such a building be constructed in Darlawn as well. I would also like to know when the Ratu hospital will be inaugurated.

**Pu LALDUHOMA** : Pu Speaker, a Health Clinic Centre was set up in Zonum which is functioning now. However, we do not have a building, and are anticipating receiving the money for it. My question is – When can we receive the money for the work.

**SPEAKER** : Let us call the honourable Minister to answer.

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, what Pu Thlenga mentioned is true. There area is located near an international border, but our situation is such that we can only ensure you that it will keep in mind.

Pu Speaker, as our House Leader has said earlier, our ruling MLAs love their constituency dearly. As we have said, we will not be able to look into the needs of Darlawn from the State plan fund because of financial problems. However, it may be possible if we work along the 13th Finance Commission.

With regard to honorable Minister, Pu Duhoma's question, I have noted down the points the night we wound up the discussion.

Pu Speaker, I haven't had the chance to react nor make plans. We will certainly look into it with time on our side.

**SPEAKER** : Let us now call honorable member, Pu Joseph Lalhimpuia to take up question 244.

**Pu JOSEPH LALHIMPUIA** : Mr Spekaer, Thank you. This question is for honorable Health & Family Welfare Minister – When can construction of Zobawk PHC begin?

**SPEAKER** : Let us call the hon'ble Minister to answer.

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, the answer to honorable member, Pu Joseph Lalhimpuia's question is – we have purchased a land in Zobawk for the PHC and as are financial, work will begin. It is not possible to start yet due to financial problems.

**SPEAKER** : We shall combine the questions into one question. Let us now call Pu C. Ramhluna.

**Pu C. RAMHLUNA** : Pu Speaker, this starred question No. 245 is for honorable Minister of Health & Family Welfare answer – When will the Health workers for Hmunnuam, Hruitezawl, Karlei and Chawngtelui sub-centre be posted? We need a specific answer.

**SPEAKER** : Let us call Dr. R. Lalthangliana to take up starred question No.246

**Dr. R. LALTHANGLIANA** : Pu Speaker, starred question No.246 is - How many doctors and nurse are there in the different departments of Lunglei Civil Hospital?

**Pu LALRINLIANA SAILO, MINISTER** : Regarding Pu Ramhluna's question- We cannot say exactly when Health workers from Hmunnuam, Hruitezawl, Karlui and Chawngtelui Sun-Centre will be posted. I'd like to add that we have 1093 health workers, adding sun-centre and clinical centers we have 479. The new government is aiming towards awareness of infant mortality rate and death of women at child-birth. We took the first step in Saiha and completed constructing sub-centre and clinic centre there. We have also covered Lai Autonomous District Council and will complete whatever is to be finished within these financial years. We have started as they need more attention and had been lowering the health index.

Pu Speaker, regarding the question of Dr. R. Lalthangliana - Staffs in the different departments of Lunglei Civil Hospital are as follows -

**Doctors: -**

- 1) Surgery - 2
- 2) Medicine - 1
- 3) Anesthetist - 1
- 4) Psychiatrist - 1
- 5) Pathologist - 1
- 6) Dental surgeon - 2
- 7) Ophthalmologist - 1
- 8) ENT - 1
- 9) Biochemistry - 1
- 10) Pediatrician - 1
- 11) Diabetologist - 1
- 12) Obts & Gynecologist - 1
- 13) Ortho - 1
- 14) MO (Ayush) - 2
- 15) MO (MMU) - 1
- 16) MO (General duty) - 3

**Total - 21 Nos.**

**Nursing staff: -**

- 1) Nursing Superintendent - 2

- 2) Ward Superintendent - 4
- 3) Staff Nurse (Regular) - 25
- 4) Staff Nurse (Contract) - 17

**Total - 48 Nos.**

**SPEAKER** : Let us call Pu Jodeph Lalhimpuia for further questions.

**Pu JOSEPH LALHIMPUA** : Thank you, Pu Speaker, Our honorable Health Minister has already announced that a PHC will be set up in Zobawk. Woark will start as soon as money is received. I also convey my gratitude on behalf of my constituency members.

My further question, Pu Speaker, is –

- i) When will we have the money?
- ii) When can construction start?
- iii) As we have doctors to be appointed, isn't it possible to build a temporary one?  
If so, we can provide accommodation for the workers.
- iv) Could we have PHC function before appointing doctors and setting up the building?

**SPEAKER** : Let us call Pu T.T. Zothansanga.

**Pu T.T. ZOTHANSANGA** : Pu Speaker, thank you. Our honorable Minister had reassured us Hnahlan constituency while winding up the other day. Rabung PHC has not had a doctor for a long time, and has only nurse, that too a temporary one. The Doctor quarters are also in ruins. My question is – Could they provide a doctor and more nurses?

**SPEAKER** : Let us call Pu C. Rmhluna

**Pu C. RAMHLUNA** : Pu Speaker, our honorable Minister answered that he is unclear of the time for appointing a Health Worker. Could the building be repaired in some way? There are lots of termites, and even though the building was constructed in 2010–2011, it needs to be mended couldn't it be possible to appoint Health Worker a little sooner?

Secondly, Pu Speaker, our constituency has not been utilized the Health Care Scheme much. Photographs had been taken, hoping to cover all areas; but there are some areas where the photographers have not gone. We received information that the Company had closed same area, which means we will be unable to utilize them this year. My question is – Could inspections be made in these areas?



Thirdly, we have health workers from RHM, State and regular staff. There is unequal between NRHM and State worker; is there a way to make them equal? Based a different area and less difficult area, NRHM workers' pay differ. Can this be carried out the same way in the State level?

Fourthly, Pu Speaker, in Bungtlang PHC, we neither have x-rays nor technicians. Our doctor, though a good man, is physically challenged, so we need to give him more attention. Couldn't we be provided x-ray machines and technicians soon? These are my questions. Thank you.

**Pu LALTHANSANGA** : Pu Speaker, thank you. We have inaugurated a PHC in E. Lungdar, and construction is ongoing in N. Vanlaiphai. I am not sure about the norms but it is mentioned that if the sub-centre is located 7 kms away, PHC should be set up there. We don't have any in Bawktlang, Chekawn and Sialsir. Could we be included among the 150 proposed for construction? He has been generous to Lawngtlai, so let him be generous on this side of Tuichangral as well. We need a sub-centre or clinic centre.

Pu Speaker, when we attended the Commonwealth Parliament Association, West Bengal Chief Minister said that there were problems in appointments and posts. His son is a doctor employed by the government, and posted in the border of Assam where vehicles do not enter. Even though his wife rebuked him for having their son posted there, the Chief Minister replied that everyone has to abide by the law, and the one who made the law cannot go against it. That is how some leaders follow rules strictly in their states. I mention this as we easily see some postings to be barred, which shouldn't be as vehicles pass most roads. I again convey my gratitude on behalf of Hmunzawl for the sub-centre in the four places I mentioned and in Hmunzawl.

**SPEAKER** : Dr. R. Lalthangliana, followed by Pu P.P. Thawla.

**Dr. R. LALTHANGLIANA** : Mr Speaker sir, our Minister answered that there are 21 doctors posted in Lunglei. My question is – Are there 21 posts in Lunglei Civil Hospital or are there still vacant posts? He also mentioned the number of doctors in each department and we are running short of doctors in each department. I was wandering if there could be more doctors appointed. We are in grave need of a cardiologist in Mizoram; we do have one who has an extremely busy schedule. Couldn't we have a more cardiology doctors and preferably in the south?

Brides that, Pu Speaker, the doctor and nurses in Buarpui PHC all work under contract and I wondered if the present doctor could be given permanent appointment as he is a diligent doctor. The contract nurses and other workers should also be permanently appointed.

The 3F doctors we had in the previous government were quite a lot in number and they worked in such remote areas and worked diligently. Wouldn't it be possible for these doctors to be regularized, while we are about to appoint the 88 doctors?

Because of shortage of nurses and doctors in Lunglei, we cannot have the OPD functioning properly; the casualty ward is also the state, and the doctor and nurse have to tend to them with lots of every. Pu Speaker, I ask the Minister if they could at least provide us with what we need most. Isn't it possible to extend the places from which we have more patients'?

I would also like to know why there's always incapacity of the Aizawl Civil Hospital, Cabins.

Lastly, Pu Speaker, I'd just like to repeat myself. We have 3 PHCs in my constituency. As Phura is a warm place, the doctor there stays in Tuipang. He has a busy schedule as he is the only one, and even gets calls while on the road. I request that another doctor be posted in Tuipang as it would be the best location. The 3 nurses in Phura are also quite regular. We do not have a doctor in Chakhang, and the nurse is irregular. The furniture and rooms in Saiha District Hospital are in miserable condition. Are they waiting for a new Hospital to be constructed? But that would take too long. So, couldn't the furniture and such be replaced? Thank you.

**SPEAKER** : Let us call the honorable Minister to answer.

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, let me answer each question briefly. The answer to honorable member, Pu Joseph Lalhimpuia's question is – I don't think it would be possible to appoint a temporary one. It would be better to construct and complete a building as soon as possible. We have an Urban Health Centre in Hrangchalkawn near Zobawk as it functions well. They can go there instead of going to Lunglei in cases emergency.

Honorable member Mr T.T. Zothansanga mentioned Rabung. It was constructed before our time and we could not appoint a doctor there. We could not afford to complete the quarters near the building as well. We shall gather and discuss what could be done during the appointment of the new doctors.

Regarding honorable member, Pu C. Ramhluna's question, I had a survey there in February, and it seems quite satisfactory. It is good I one way to have security. The workers and locals are sincerely giving their best taking care of it. We shall soon have a meeting too. Health Care is as what he says. We had looked into it last year, but unfortunately the camera fell into the water. Besides, vehicles cannot go through there, and sometimes we cannot even reach Tuisen. Camp has been held on the 14th of this month in Chawngte. As RSBY has been implemented by the Central Government, we have to work with the Company. RSBY has a limited time period, but we made it limited as there could be fraud bills. Mizoram State also provides Health Care; and its main objective is to help the needy and cover their medical expenses. RSBY provides ₹30,000 and if that's not sufficient, the State has a provision of ₹70,000. We also cover those included in RSBY. The BPLs in RSBY are now job-card holders. Provisions of bills and premiums have also been changed.

**Pu P.P. THAWLA** : Pu Speaker, clarification. If they cannot avail ₹ 30,000/- under RSBY, can they still avail the ₹70,000/- on the Health-Care Scheme? And if so, do they need smart card and a photo? How does it work?

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, a photo is not required if it is not under RSBY. And, to answer the question of Pu C. Ramhluna, there is a difference in pay under NRHM (National Rural Health Mission) and State Contract because the NRHM fixed their pay and the State makes its own pay scheme.

To address the issue of X-Ray and other Technicians, we simply do not have the required number to fill all the vacant posts. And, to answer Pu Lalthansanga's question, Clinic Centre is just a name to create more centre as we already pass the norms of Sub-Centre that can be created based on our population.

To answer to Dr. R. Lalthangliana's question, we fall short of the Indian Public health Standard norms on almost all our hospitals and we also simply do not have enough specialists in different fields to fill our vacant post.

**SPEAKER** : Is the admission procedure very difficult?

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, we will try our utmost for Lunglei and on the subject of 3F. This is in the hands of the MPSC and if we recruit them without passing them through DPC and MPSC, then the other 150-200 employees can take the Mizoram government to Court and problems will arise. So, in the end, the recruitment process was handed to the MPSC.

**Pu LALDUHOMA** : Pu Speaker, do you intend to follow the Recruitment Rules of the MPSC that 5% marks be added to those who choose rural posting?

**Pu LALRINLIANA SAILO, MINISTER** : Pu Speaker, the government will have to follow the MPSC rule on this case. On the subject of PHC, it is very difficult to post doctors at every PHC and PHC should not be granted on political ground to any villages or town.

**SPEAKER** : Now, we shall move to Legislative Business and call on Pu J.H. Rothuama, Minister to introduce his Bill, "The Mizoram (Land Revenue) Bill, 2013".

**Pu J.H. ROTHUAMA, MINISTER** : Pu Speaker, I beg leave of the House to introduce, "The Mizoram (Land Revenue) Bill, 2013", thank you.

**SPEAKER** : The Minister asked to introduce his Bill. Does the House agree? If so, then let him introduced the Bill

**Pu J.H. ROTHUAMA, MINISTER** : Pu Speaker, I introduced the Bill, "The Mizoram (Land Revenue) Bill, 2013", to the House for discussion, thank you

**SPEAKER** : Now, let him give an outline of the Bill to the House

**Pu J.H. ROTHUAMA, MINISTER** : Pu Speaker, the existing rules that we have concerning land revenue were old and outdated and lacking in many aspects for today application and that is why this Bill is created to review, revise and adds new aspects into the Land Revenue Act of Mizoram.

In the previous generation, we do not have master plan nor land zoning in our State and this is one aspects that this Bill introduced and we put all the details under Section 18, 19, 35, 37 and 38.

Secondly, we attempt to make a more streamline ways of allotting land and we divided into different categories and also put limitation to how much land can be allotted to an individual. These details can be seen under Section 16, 21 to 30, 32 and 46. We also anticipate that Land Ceiling would grab the attention and if the House agrees, a separate law can be created dealing with Land Ceiling issue.

On the matter concerning allotment of land to individual, the District Council has a well prepared range, limiting it to 30 bigha per person and this has continue for a while but change to an unlimited range for sometime now. We also included an exception to this limitation bearing in mind that different types of plantation will crop up in the near future.

Further, several State now have Anti-land Breaking Law put in place and we also put this under Section 31 and prohibition of breaking forest for settlement without government approval is also cover under Section 17 and 29.

Fifthly, the Revenue Department has an important task of assessment and collection of Revenue Tax. Chapter 7, Section 47 to 75 covers issues relating to this matter. This House already adopted a Bill relating to the collection and collectors of the tax, that is, The Non-Reform Bill.

Sixth, we will created a Tribunal to address dispute arising out of this matter and even before it came into effect, disputes can be brought before the S.D.O. (Civil), B.D.O., and to the D.C., and all the way to the Commissioner of Revenue. This is important because some cases are already put up in a Civil Court.

Chapter 9, Section 98-107 covers the buying and selling of land as well as inheritance of land issues. For those whose parents already settle in Mizoram before 26, January, 1950, they will have no trouble in this regard but for those whose ownership are uncertain or are settled outside Mizoram, the law made it mandatory for them to get recognition from the government.

Chapter 10, Section 108-114 covers new aspects in our law, which concerns the issue relating to apartment type housing and group housing, covering right of way, space for parking and their protection.

The department also has an important task of recording and surveying the land and in these regards, we are behind most State. From last year, our Surveyors started covering Lunglei District and is now progressing to Serchhip District but due to lack of man-power, our progress is slow. Computerized recording is also underway and we tried to be as meticulous as we can with help from the Y.M.A.

On repeal and saving, we put forward 8 laws that are no longer relevant and put into place a new one that we deem would be satisfactory. These are made into separate sheet and are cover under Section 131.

To conclude, this Bill was prepared to contain Section 1 to 132 and every caution is used to make it comprehensive and relevant as possible. While preparing this Bill, we looked into other State law as well as Indian revenue law so that we can cover as many facets as possible. Although, the Speaker did not give me leave to pass this Bill by the House, I appeal to the House to pass this Bill since we are already discussing it. Thank you.

**SPEAKER** : Now, the Minister has presented to the House why this Bill is needed and its crucial importance for our State and i may further add that this was also one of the things that the Synod Executive Committee requested that we looked into during our term, so bearing in mind all these, i wanted to give each Member more freedom than usual, is 10 minutes enough for us? If so, warning bell will be sounded on the 8 minutes mark.

First member to participate will be Pu Lalduhoma.

**Pu LALDUHOMA** : Pu Speaker, I am thankful that after years of careful deliberation, “The Mizoram (Land Revenue) Bill, 2013”, has finally arrived in the House for discussion. One issue that is uppermost in my mind, that of the protection of the natives of Mizoram, are clearly covered under Clause 16 and Clause 32 of this Bill and this makes me very happy.

Although this Bill is very detailed and comprehensive, there are 2 or 3 points that i think should be added to this Bill and one is concerning the issue of domicile of Mizoram before 26, January, 1950. I think that the Bill should contain the original source of this particular law which is the Bengal Eastern Frontier Regulation, 1873. Could this be added under Section 16 or 32? This law was originally made by the British and was adopted and added to subsequent Act of Indian law such as the Govt. of India Act, 1935, Adaptation of Laws Order 1950, 1972 and 1974, and the Mizoram State Act, 1986.

Another point i want to make is that can Clause 31 covers those vacant land in our areas which the owner did not developed at all. Can a provision be made that makes it mandatory for land-owners to construction a house within a time bound period, failing which, the LSC can be cancelled by the government?

The last point concerns Clause 34, according to this, any kind of agricultural as well as husbandry endeavors is prohibited within a Town area. A person or family may want to fashion horticultural or agricultural garden (Chhuktuah Huan) or a small fish pond or take up

animal husbandry in a small way on their land. Can this be revised especially for those who live on the fringes of a town or city?

In conclusion, i wanted to make a remark in the method we employ to construct our houses. We did not follow any guidelines and it seems that we construct our houses as high or as wide as we want. Can rules be added that provides for how high or wide a house can be constructed in proportion to the areas of the LSC. Thank you.

**Lt. Col. Z.S. ZUALA** : Pu Speaker, thank you. I can only imagine the difficulties of drafting such a bill as this one and i truly do not understand all of it but i am very glad anyway.

First, Chapter 4, Section 22 describe the matter concerning double LCS and clearly stated that the most senior will be accepted as genuine and this is very good since this is a source of much troubles for many people and this will also clear many headaches face by the department.

Next, in chapter 7, Section 47, we have seen ‘.....except as may be wholly or partly exempted by means of any grant or by contract with the government of Mizoram’. For example, there is a notification issued on 1992 which concern exemption of revenue tax to any bereaved wife of servicemen who were killed in action. This exemption of tax may be extended to Labour Corps, ex-serviceman of the Armed Forces, Army, Air Forces and Navy. It is much appreciated as it indicates that this order will be permitted by this particular clause.

Regarding the appointment in the tribunal which underlines that “no act or proceeding record of the tribunal shall be called in question in any matter on the ground barely of any defect in conclusion of the tribunal .....”, I opine it is undemocratic as no question could be raised to that effect. Chapter 11 of the General and Miscellaneous states that prohibition against un-authorized dealing with public places or material which I opine as a good idea as it concerns public safety as well as the ecology. So, I support the bill submitted by concerned minister. Thank you.

**Pu H. LAINSAILOVA, MINISTER** : Thank you, Pu Speaker. I expected the members to criticize this bill as we have many well-educated members among us. As for me, I went through the details and found this bill to be good enough.

Being served as Director of the Revenue department for three years, I have to state that effort had been in 1975 to formulate the Land Revenue or Land Reforms Bill as most of the outgoing Directors of the department too had put forward the same but none is notified for

further use. As stated, most of the Land Revenue Acts are of 1958 to 1971 i.e. during the period of the District Council with few amendments being made. Pu R. Vanneia, the former Deputy Director of the Revenue department, out of concern that such amendments might be missing made a collection of the Mizoram Land Revenue Acts which was later being published for official use too. His collection is widely used by the department till today. In the same manner, various efforts made by other officers who had already been served in this department could also be seen.

As for this Bill, it is quite appreciative since it is drafted in accordance with the demand of the present situation of our state and without consulting any previous record. With this, I extend my heartfelt congratulation to Pu J.H. Rothuama, the concerned minister. At the same time, efforts rendered by officials of the department, the Principal Secretary as well as various stages of Secretary is worth remembering. Comparing to all the previous bills we had so far, I must say that this is the best considering the design of printing, size and quality which is of the standard form. I supposed we all have seen the design of the bill we have discussed yesterday which seems to be prepared out of a hasty process.

**SPEAKER** : We have returned the bill to concerned department for improvement of its quality so that the design suited the wish of the hon'ble House Leader who is respected by all. This is the best that the department could produce and we may take it for granted.

**Pu H. LIANSILOVA, MINISTER** : I wish that such practice is not repeated as some bills presented in the House were attached merely by the staplers and without the covers. We should maintain quality standard with the size or the design of the bill.

To continue my speech on Land Revenue, Pu Speaker, it may be noted by the members that Land Ceiling is in practice since the previous years but has not been applied ideally. It is essential for any state to have a separate land ceiling to determine Land Reforms on the basis of land ceiling bill.

Regarding allotment of land, I opine channel of the existing process is too long which even takes a year to complete one allotment. As such, this bill will expedite the process particularly survey works in rural areas which usually necessitate fetching concerned surveyor to do the work. Thus, false allotment of land is more popular in the villages. Hence, this bill concern appropriate application of land zoning system to prevent allotment of VC's house pass. As of the language and terms in use, it is mostly of Hindi and Arabic which may also be changed into Mizo language.



**SPEAKER** : While you are standing, I would like to make a suggestion that the area of land may be determined by square meter of the horizontal distance so as to obtain the most accurate measurement.

**Pu H. LIANSILOVA, MINISTER** : In regard to tax, Pu Speaker, I opine the existing system of our assessment is not appropriate as Land Revenue Assessment Act has not been practiced ideally. As of our system of collection of taxes, I opine the cost of collection is too high where as in the central, it costs 7% only but in our state, it costs 400%. As such, it is wise for the government to entrust concerned village authority by benefitting a commission of 15% to 20% of the collected amount. This bill concern improvement of such system also.

Next, Pu Speaker, I would like to support the opinion of my fellow member, Pu Lalduhoma in regard to the need of provision to safeguard the mizos as our true identity since we are no longer safeguarded by the Sixth Schedule as in District Council but the District Council Act is still in practice. I am afraid we are not safe anymore since we have no provision to identify ourselves.....

**SPEAKER** : The ideology is truly of a Nationalist.

**Pu H. LIANSILOVA, MINISTER** : So, it may be necessary for us to have a notification which indicates our status with reference to the provision of the Bengal Eastern Frontier Act. ....

**SPEAKER** : I think I have already given you enough concession of time.

**Pu H. LIANSILOVA, MINISTER** : Pu Speaker, you too have shared much of my time though.

Last, but not the least, Pu Speaker, since our land is treated as un-surveyed by the government, it results in the problem of allotment of house site. Even in the implementation of NLUP, it is essential for the beneficiary to produce LSC recognized by the government or the owner of such landholding which should later be surveyed by the authority. As already stated, it used to take a lot of time to wait for the convenience of concerned surveyor to identify one particular land. So, to improve the system, there is opinion that any land is identifiable by means of satellite technology. With the help of MIRSAC, we are now able to simplify the surveying work as the old system is now becoming outdated.

The next problem, Pu Speaker, is conversion of agricultural land within urban area for a house pass as some portions are misappropriated for the benefit of concerned surveyor also which often result in the existence of numbers of duplicate LSC. It is, therefore evident that such practice may not be stopped unless we have appropriate Rules for conversion of the agricultural land within urban areas and provision for allotment of house-site within the dispute areas. Thank you, Pu Speaker.

**SPEAKER** : I now call upon Pu R. Selthuama, who has a wide range of knowledge and experiences in regard to Revenue department.

**Pu R. SELTHUAMA** : Pu Speaker, I first of all would like to extend my appreciation to the hon'ble minister for being able to lay an ideal bill on the table of the House.

As known to us all, it is difficult to make improvement with our revenue system of as the original payment of land revenue i.e. ₹2/- which was of the British Rule remain in use up to 1990 which indicates the system need some improvements. Even though proposal to reform the system had already put forward in the previous years but never as clear as this one. Not like income tax, revenue tax concerns us all the people, from the rich citizens to the poor.

This bill though large in size, error is hardly found except some patent errors in some places like adding 'the' before 'ceiling' in the sentence 'beyond the maximum ceiling limit'. At page 29, the word 'exempt' should also be put in the form of verb by adding 'ed'. At page 37, the wording 'shall in writing' should be written as 'shall be in writing'. It may also be re-examined the wording 'the Director of Land Record or the Director' as it can be misinterpreted as two separate Directors.

Regarding the proposal for introduction of Village Master Plan, it is a good idea to have it but we have to consider the detailed problems. If possible, it is wise to make appropriate demarcation of the area of households and gardens. It may be difficult to achieve this in the present situation but truly is a good idea.

Pu Speaker, we have seen a new provision in section 14, sub-section 3 which underlines that 'any special economic programme as an alternative to jhum cultivation'. It is truly appreciative as it concern periodical allotment of land for any project which may be taken up by the government.

Regarding selling of land-holdings, Pu Speaker, Rules page 22, section 36

contains the Right of land holder for selling his LSC to others. But this bill clearly provides restriction that LSC may be sold to others only after 10 years of issue of his LSC which truly is appreciative. On the contrary, we also have to determine if this restriction may bring problems to those who may be compelled to sell his LSC to others urgently such as medical refer case etc.

Regarding land lease, Page 24, section 45 and 46 does not clearly indicate the period except that it should not exceed 99 years. In this regard, Pu Speaker, I opine the lease period may be fixed according to requirement of land like 15, 20, 25 years. Regarding the dispute land, section 91 (a) indicate that appeal should be made within 30 days. I opine 30 days is too short as the process of delivery of such notification to concerned person may take more than that and thus may be increased to 60 days.

Regarding allotment of periodic patta particularly in rural areas, it may be noted that an ideal survey of land cannot be made in a craggy surface of land like ours as even experts from the Survey of India fails to do so despite whichever training courses they might have come across. As already stated, horizontal measurement is mostly suggestive for measurement of irregular surface of land. As for boundary description, the ideal one is of using a natural demarcation, if possible.

Pu Speaker, it is again truly appreciated as we are now having the Revenue Tribunal to resolve the problem of land dispute. Being the concerned officer in the previous years, it was somewhat difficult to deal with such cases as I was bound to receive any allegation that my decision as being bias even if it was not so. Yet, we now have a provision that complain against the decision of the tribunal may be treated as contempt of the court.

As already stated by our leaders, what we thought as good for the department may not be achieved instantly yet, what have been done so far is quite impressive. I express my appreciation to the hon'ble Minister and the officials of concerned department for the efforts they have made so that this bill is laid on the table of the House. Thank you.

**SPEAKER** : We will now take a recess and discussion will be resumed at 2:00 p.m.

**2:00 P.M.**

**SPEAKER** : To start the evening session, I call Pu C. Ramhluna and after that, Pu Lalthansanga and Pu Lalrinawma.

**Pu C. RAMHLUNA** : Pu Speaker, I opine it is necessary for us to have this bill as I thank the hon'ble Minister for being able to lay in the House in time. I truly appreciated as the language used in this bill is quite clear as no ambiguity is found. Besides, the typing is neat and spelling mistake is minimal as I find it as the best bill being submitted within this term. At the same time, I extend my thanks to concerned minister as efforts made by a group of experts are seen in it.

In the meantime, Pu Speaker, I have found error at few places such as page 47, the third line of section 111 that '.....value there-of or impair any easement not shall any apartment'. Here, the wording 'not' in front of 'shall' is a patent error and should be replaced by 'nor'. Again, at page 48, sub-clause 6, the wording 'its' in the sentence '.....description of the limited common areas and facilities, if any, starting to which apartment their use ..... ' should be corrected as 'is'. The wording 'storied' seen at section 113(1) and (2) should also be corrected as 'storeyed'.

Here, the preamble underlines that "A bill to make provision for allotment, occupation, use or setting apart of land and other than any land which is a notified forest or wildlife sanctuary". If allotment, occupation etc. etc. have to be included in the short title and commencement, it may be more appropriate if it is extended as "....except the areas of Autonomous District Council of Lai, Mara and Chakma.

Regarding the point ".....existing allotment of land inside forest area", the hon'ble minister may later clarify how to deal with the existing allotment of LSC to private within forest reserved area as it has already been approved by the Assam Forest regulation, 1892 or the Mizo District Forest Act, 1955.

Pu Speaker, we have passed one bill in the previous MNF ministry i.e. 'Scheduled tribe and other traditional Forest controllers Act, 2016 which concern fixation of land ceiling at 4 hectares and also the Right to claim ownership of land within the reserved area with effect from 75 years back. I opine the previous bill should be incorporated here as it does not connect with the Revenue department. So, concerned minister may explain the case while winding up the discussion.

Coming now to section 13, we have seen here the term 'vide to trees etc.' which underlines that 'all trees and plants, planted and raised by the side of public roads or path'. Here, it does not cover natural standing trees by the side of public roads. Hence, it may be more appropriate if the wording is improved as "all natural trees and plants ...."

Again, here in section 23, the term “no rights shall accrue under sub-section (1) in respect of any land which forms part of the bed of the river, nallah or waterfalls”. Pu Speaker, this indicates that the rights will not preserve land which forms part of the river bed but river etc. might have been existed within the allotted area. Hence, the case may also be re-examined.

As a whole, this bill is good and is much appreciative. So, considering its necessity for improvement of our Land Revenue system, my party too gives our support to pass it. Thank you.

**Pu LALTHANSANGA** : Pu Speaker, I, first of all would like to praise the hon'ble concerned minister and the officials for being able to produce one of the best bills being laid in the House. The Mizos, as humorously called by some as ‘a tribe influenced by compensation’, anyone who is able are trying to have land pass for wants of compensation which consequently mounted the problem to the Revenue Department. The reasons and object has also pointed out that majority of our court cases comprises land dispute cases of the revenue department. While this is the case, there is hardly any case in which court may be involved in it as most of them are of the government authority which further indicates that we do not have enough confident in the court decision. It seems that this bill which may be passed by the House will restrict our very own advocates from using their powers.

Pu Speaker, in page 3, section 16, the Legislature of UDA notified cut-off year for the domicile of the state as on 26 June, 1950. In this regard, we have to determine whether we are safe enough in it and if possible, it may be wise to set up an expert committee to take care of this matter. In page 21, qualification for the post of chairman is notified that he should be a qualified judge of High Court. Pu Speaker, since one of the three qualified High Court judge we have so far, one declined the offer and the concerned ministry may clarify this in his wind up speech of how to deal with this matter.

Regarding page 21, section 34, the wording “in the area declared by the government as ‘town areas’, no land shall be allotted or settled for agricultural purposes” indicates that land once allotted is liable to be ejected. Since this bill is set to affect the previous cases in retrospective, I am afraid it will only cause more problems in dealing with revenue matters. Thank you.

**SPEAKER** : Next, R. Lalrinawma.

**Pu R. LALRINAWMA** : As stated, Pu Speaker, most of the court cases in our state is of land dispute cases as so is the main concern of the department. As such, it is much appreciated to have this bill which concern improvement of our land revenue system. It indicates that apart

from NLUP, the government concerns many other things also. It should be noted that this bill will further consolidate 8 Nos. rules we have so far for land-holdings which will hold as a remarkable achievement for the government. The mover has clearly defined the objectives of this bill yet, there is hardly time to read in detail as the copy is received only after commencement of this session. Even so, I have found few points which in my opinion are incorrect and so may be changed.

At Page 7, clause 5, the wording “official gazette in such other manner”, I opine the word ‘or’ may be put in between “official gazette” and “in such”. In page 12, clause 16, sub-clause 2(b), we have seen the wording “...to allot land beyond the maximum ceiling limit.” Here, I think it is more appropriate to delete the word ‘the’ seen in front of ‘maximum’ or add ‘of’ after ‘maximum’. At page 17, clause 23(b), we have seen the placing ‘sub-section’ which may be put as ‘section’ instead since placing of ‘section’ is not found in front of it. At page 19, clause 29, I opine the term ‘ejected’ in ‘shall be liable to be ejected’ may be replaced with ‘evicted’ as generally used in terms of land dispute. At page 31, clause 68, I opine the term ‘officer’ may be added to read the sentence as “collector or the settlement officer or the assistant settlement officer”. At sub-clause 8 of clause 79, page 35, the word ‘and’ may be added in between ‘adapted’ and ‘applied’. At sub-clause 2 of clause 80, page 36, the term which is read as ‘inquiry of decision’ may be changed as ‘inquiry or decision’. Again, at the same portion, I opine the second ‘or’ in the sentence “deal with such case or class or case” may be changed with ‘of’ so that it is read as “deal with such case or class of case”. The same page at clause 8, I opine it may be put as “whose attendant is consider necessary” instead of “whose attendant his consider necessary”. At page 37, the term “summon shall in be writing” should also be changed as “summon shall be in writing”. The same page at clause 1, we have seen “summon on notice was not serve” and the wording ‘on notice’ may also be changed as ‘or notice’. Besides, Pu Speaker, I opine proviso of section 83 is not clear enough which may be re-examined as necessary. At section 89, there is a sub-clause 1 but no clause is seen before it which may also be re-examined. At page 40, clause 95, we have seen the title ‘The Court Fees Act, 1970’.

Pu Speaker, we have ‘The Court Fees (Mizoram Amendment) Act, 1996’ and if we have to show it in this Bill, ‘the Mizoram Amendment’ may as well be included. Regarding notification of issued, clause 96, sub-clause 2(b) (iii), I opine it is appropriate to delete the word ‘of’ which is seen in between ‘effect’ and ‘the’ of the sentence “to the validity or effect of the notification issued under ...” At page 44, clause 101, I opine the word ‘or’ should be added in the title sentence “... eviction of person in unauthorized possession in illegal transfer of ownership” as the term ‘eject’ is used again here and may be replaced with the word ‘evict’. Again, Pu Speaker, at page 45, the bill indicates, “any complain should be appealed at the Tribunal” but in this bill, tribunal is authorized only for the second appeal. I opine this should be

re-examined. If there is any breach of law, they can submit an appeal to the court. This is a good law which our state sorely needs and I support its passage in the House, Pu Speaker.

**SPEAKER** : Next, Pu T.T. Zothansanga and then Pu K. Liantlinga.

**Pu T.T. ZOTHANSANGA** : Pu Speaker, I have been wondering if 60 bighas would be too much for a single family and also there is no explanation or definition of 'earmarked land.' The house site allotted for rural and urban areas might also be arranged so that the sites in urban areas are lessened considering the congestion we are facing right now.

In regard to the chairman and members mentioned in page 35, it is stated therein, 'qualified to be a judge of high court.' I wonder if a district judge level of power would be sufficient. There is also no provision for prominent citizens to become a member which would have been extremely beneficial as a whole.

**Pu K. LIANTLINGA** : Pu Speaker, 'The Mizoram (Land Revenue) Bill, 2013' is an eagerly awaited Bill. We have had several unsolved disputes in the past as a result of lack of appropriate rules. I wish there was a competent drafting committee to oversee the formulation of the bill for better efficiency.

At the same time I think there should be directions in relation to the tallness of multi-storey buildings and ownership of apartments. We normally construct buildings as high as we desire and it will soon become an impediment and a detriment to the beauty and safety of our cities. I think the allotment of 60 bighas for agriculture is acceptable considering our desire for economic self sufficiency. Finally, there should also be a respective limitation as to the minimum amount of area allotment for house site in the city and rural areas.

**SPEAKER** : Dr. R. Lalthangliana.

**Dr. R. LALTHANGLIANA** : As a former Minister of the Department, I am pleased that the Bill has now been put forward in public interest. The only thing that I am anxious about is the severely understaffed manpower of the department when it will actually be implemented.

After this Bill is passed and when the rules are being created, I would advise the committee to keep in mind the need to protect our land resources from utilization by those from outside the state. We will also need to promote awareness and training among the people and especially for those departments directly or indirectly concerned like Agriculture, Horticulture, Soil and Forest Departments. I also suggest keeping of neat computerized land records for future references and to avoid unnecessary hassles.

**SPEAKER** : 10 members have expressed their opinions and concerns; we will now call upon the hon'ble Minister to wind up the discussion and to request permission of the House to pass the Bill.

**Pu J.H. ROTHUAMA, MINISTER** : I would like to express my deep gratitude to the members for their keen insight into the Bill and their recommendations. As you are all aware, there are some mistakes which may kindly be accepted as patent errors, we shall make the necessary corrections as soon as possible.

We have decided to allot 60 bighas to ensure that the families will be able to receive profits instead of just sustenance. We will do everything to acquire sufficient manpower to efficiently implement the Bill, we have also empowered the DCs as district collectors and certain amount of works could be achieved through them. Finally, I would like to thank all the officials involved in the making of this Bill. I request the House to kindly pass my Bill, 'The Mizoram (Land Revenue) Bill, 2013.

**SPEAKER** : All those in favour of passing the Bill, say yes. Very well, the House has unanimously passed the Bill.

**Pu J.H. ROTHUAMA, MINISTER** : Thank you, Pu Speaker.

**SPEAKER** : We have finished our business for the day, the session will be resumed tomorrow 4/4/2013 at 10:30 a.m.

Sitting is adjourned at 3:10 pm.