

FOR SEVENTH SITTING ON WEDNESDAY, THE 25TH MARCH, 2009

MEMBER PRESENT

Pu R.Romawia, Speaker at the Chair, Chief Minister, Deputy Speaker, 11 Ministers and 23 Members were present.

QUESTIONS

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

MOTION OF WITHDRAWAL OF A BILL

2. **Pu J.H.ROTHUAMA** to move a motion to withdraw “The Mizoram Public Demand Recovery (Amendment) Bill, 2009”.

LEGISLATIVE BUSINESS

Bills for introduction, consideration and passing

3. **Pu LALSAWTA** to beg leave of the House to introduce “The Mizoram Salaries, Allowances and Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

AND

To move that the Bill be passed

4. **Pu LALSAWTA** to beg leave of the House to introduce “The Mizoram Salaries and Allowances of Minister (Third Amendment) Bill, 2009.

ALSO

To introduce the Bill

To move that the Bill be taken into consideration

AND

To move that the Bill be passed.

S P E A K E R : Finally, brothers, whatever is true, whatever is noble, whatever is right, whatever is pure, and whatever is lovely, whatever is admirable-If anything is excellent or praiseworthy-think about such thing.

Philippi 4:8.

We will take up Starred Question. We shall now call Pu K.Lalrinthanga to ask Starred Question no.47.

Pu K.LALRINTHANGA : Pu Speaker, thank you. Will the hon'ble Minister for Environment & Forest Department be pleased to state – When has the Village Forest Development started?

S P E A K E R : Let us now call the hon'ble Minister for Environment & Forest to answer the question.

Pu H.ROHLUNA MINISTER : Pu Speaker, the answer to the hon'ble member's question is – Resolution Notification No. B-11011/36/95-FST Dt.18.9.1998 was issued for the constitution of Joint Forest Management. The committee is constituted under the guideline of VFDC. The committee registered themselves under their Divisional Conservator of Forest Office. VFDC first functioned in 2002 under National Afforestation Programme.

S P E A K E R : Supplementary question. Pu K.Lalrinthanga.

Pu K.LALRINTHANGA : Pu Speaker, what is the work of VFDC? The total amount of fund that has been invested for the implementation of their work? How many villages they have covered, could M.L.A. participate in our respective constituencies?

Pu LALDUHOMA : Pu Speaker, I am sure the Minister

realised the defect of the formation of VFDC and its function. It is a mere political appointment. The committee is dissolved at will. I would like to ask can the govt. rectify the present system.

Huge fund has been invested for VFDC. The sanction copy of the fund never reaches the Chairman. The secretary who is usually government official handles all the sanction copies. Hence, there is no transparency. I would like to ask whether the M.L.A. could be given the copy of the sanction order and whether the Chairman could retain the seal? I need an assurance.

S P E A K E R : Let us now call the Minister to answer the questions.

Pu H.ROHLUNA MINISTER : Pu Speaker, the work of VFDC is mainly preparation of site for nursery, weeding and maintenance, soil moisture conservation, micro planning and also entry point activities like toilet, market shed and well. The committee can take steps according to what it deem necessary for the community. Beside these, VFDC fund also goes to monitoring, evaluation, office expense and awareness campaign. The total amount of fund invested from the year 2002 is 879 lakhs 65 thousand. The total number of village covered is 627. We gladly welcomed the proposal to monitor the work of VFDC by the hon'ble members in their respective constituencies.

As for the answer to the hon'ble member from Aizawl West-1 we will look into the matter. Pu Speaker, I will try and give the copy of the formation of Joint Forest Management Committee to the hon'ble members so that they can also monitor the functioning of the committee.

Regarding the transparency, I have received report from several corners, thus, we are in the process of rectification. I have issued notice.

Pu LALDUHOMA : Pu Speaker, what about the sanction copy being given to the members?

S P E A K E R : Pu R.L.Pianmawia.

Pu R.L.PIANMAWIA : Pu Speaker, I must be the most fluent person among the members in regard to the functioning of VFDC, since I have held the post of chairman for quite sometime. The guideline from the Central Government is translated into Mizo language, after the first edition it has been revised twice, which makes it very difficult to function as per Central norms. Therefore I would like to ask if we can function as per Central norms. Also, if 3% which is cut from the office could be stopped. Pu Speaker, furthermore, instead of constituting the committee to enhance the power of the secretary, I would suggest that the committee be dissolved and let the secretary carry the task alone, to save the reputation of the committee.

Pu NIRUPAM CHAKMA : Pu Speaker, will the minister be able to give the copy of achievement report of VFDC to the members by tomorrow?

S P E A K E R : Let the Minister answer the question.

Pu H.ROHLUNA MINISTER : Pu Speaker, first of all, in regard to the sanction copy, we will see to it that the members receive the copy. And as for the seal, the rightful person will be given.

Regarding Central guideline mentioned by the hon'ble member Pu Pianmawia, as there are several complains in this regard we will look into the matter.

The members pointed out that beside EPA the committee and the members are not notified. Pu Speaker, it could be true that certain task is carried out without informing the committee which is unhealthy. Hence instruction will be given to member secretary to follow the norms.

As for the copy of the achievement Pu Speaker, we can give the copy, however, the copy will be very thick and I fear that there will be members who are not interested. Alright, we will try and give the copy to Pu Nirupam Chakma. Pu Speaker, I am not aware of 3% cut mentioned by the members, anyway, we will take step to see that 3% is not cut in the future.

Pu C.RAMHLUNA : Pu Speaker, first of all, I would like to state that Central guideline cannot be altered by us, it is the Central guideline that we are using at present. In regard to zone forest punishment and VFDC the fund comes directly from the Central Government to DFO. PCCF does not have responsibility over these projects and the fund. I would, therefore, like to ask can the Central Government be urged to lay the responsibility of the operation of VFDC in the hands of PCCF.

S P E A K E R : If the hon'ble Minister has anything to say.

Pu JOHN ROTLUANGLIANA : Pu Speaker, is 3% cut because
DEPUTY SPEAKER the fund does not directly reaches PCCF?

S P E A K E R : If the Minister could answer the question.

Pu H. ROHLUNA : Pu Speaker, no one pointed out that
MINISTER PCCF takes the responsibility in regard to guideline. Anyway, whatever project we are taking up it is essential that the project is implement according to the guideline of the Central Government and also keeping in view the need and the desire of the people.

VFDC funding comes directly to the committee in cheque from the Central Government. As for the 3% cut, I cannot say if it goes to PCCF, we will look into the matter.

S P E A K E R : The Minister has given his assurance to solve the various problems. We will move on to the next Starred Question. Pu C. Ramhluna to ask Starred Question no.48.

Pu C. RAMHLUNA : Pu Speaker, will the hon'ble Minister for Power & Electricity Department be pleased to state -

(a) when will Serlui Hydro Power Project be completed?

(b) Has forest environmental clearance being obtained for the project?

S P E A K E R : Let us call the hon'ble Chief Minister to answer the question.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, the answer to the hon'ble member's question is- Unit-I (turbine generator set no. 1) is expected to be commissioned by April 2009, Unit-2 by May 2009, and Unit-3 by June 2009. Clearance for unit-1 is obtained in principle, and for stage-2 final clearance is in progress.

S P E A K E R : Is it mentioned as Serlui 'B' Hydel Project?

Pu LAL THANHAWLA CHIEF MINISTER : It is Serlui 'B' Hydel Project.

S P E A K E R : If it is not written correctly the Minister can skip the question.

Pu LAL THANHAWLA MINISTER : It was understood, therefore, I CHIEF answered the question.

S P E A K E R : Pu C.Ramhluna.

Pu C.RAMHLUNA : Pu Speaker, I did not mention 'B', any way I would like to thank the House Leader for taking it as understood. Clearance was obtained in the previous Congress ministry, however, it was adjusted for Tuirial Hydel Project. Pu Speaker, now that Serlui 'B' Hydel Project is revived, what is the progress?

Pu K.LALRINTHANGA : Pu Speaker, supplementary question, from the answer given by the hon'ble Chief Minister it is expected to be commissioned by April / May. However, there are several complaints in regard to compensation, like those person whose land are submerged by the dam but do not receive compensation. And, that person whose land with teak plantation and betel nut plantation has not been measured by surveyor. Also, in some cases, where a certain amount is demanded for compensation and due to this they have not taken compensation. I would like to ask how the government will take up these cases.

S P E A K E R : Let us call the hon'ble Minister to answer the question.

Pu LAL THANHAWLA MINISTER : Pu Speaker, as I have mentioned CHIEF earlier, final clearance is in progress for Phase-11. Pu Speaker, most of the problems that arose due to compensation is because we are unrighteous. Several projects have been abandoned due to compensation. Pu Speaker, it is the same case with Serlui 'B' Hydel Project as mentioned by the hon'ble member. The district collectors and official who certify are not reliable, their intention is to draw in their share from the compensation by making arrangement with the land owners. Pu Speaker, we have to reform the mind of the people and the society as a whole. Hence, it will take time, but we will, however, try and deal with the matter in the most rightful way.

Dr R.LALTHANGLIANA : Pu Speaker, regarding Bairabi Hydel Project, it has not been highlighted in the Governor's speech and the Chief Minister's speech. So I would like to know what is the intention of the present government?

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, it is pleasing that Bairabi Hydel Project is mentioned today.

We have seen many times in newspapers incorrectly. The truth is, the project has been taken up during the period of P.C. ministry. As per DPR report submitted during that period, it was stated that survey investigation was completed within 8 months. Pu Speaker, when we came to power we tried to continue the project. However, as I have mentioned earlier, the survey report during the period of P.C. govt causes problem, as it takes 3\4 yrs for investigation of the style, condition, and environment. Thus, we can not get techno-economic clearance. The Prime Minister, however, entrusted Brahmaputra Board to take up investigation again for the project. As investigation period needs 3\4 yrs, we could not complete during our tenure but laid the way for the next ministry. The M.N.F. and P.C. coalition government obtained clearance. Pu Speaker, the main problem now lies with the compensation component being higher than the cost of the project.

Pu K.LALRINTHANGA : Pu Speaker, under Serlui 'B' Hydel Project there is Chawnpui village, the people of this village are scared to live in their village due to flood caused by the project, but the department claims that it is not dangerous. Can this be clarified.

Dr R. LALTHANGLIANA : Pu Speaker, we are told that Tuirial project will be taken up, hence, I would request if we could be enlightened with the details of the project. Also, when will Kolodyne project begin and if compensation is required.

S P E A K E R : We will now call the hon'ble Minister to answer the question.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, it is a technical matter in regard to the question made by member from Serlui. Survey will be required; I cannot give the answer on behalf of the government at present.

In regard to Tuirial Hydel Project, proposal is on to revive the project. The Power Ministry has accepted the project on one condition, that is, if we promise to stop the illegal compensation claim. Pu Speaker, I have not only agreed to the proposal but intend to review those who have received illegal compensation. With this condition, the Central Government intends to revive the project. It is under process for fund allocation with the Finance Ministry.

Pu LALDUHOMA : Pu Speaker, if I am not mistaken the other condition was, if we could sacrifice the state share since the production cost would be high. I would therefore, like to know whether we can do away with the condition that could be harmful for the state. And can the project be revived without this condition.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, I am not aware of the other condition. As I have mentioned earlier, the only condition that was included in the discussion was the illegal compensation, nothing is mentioned about sacrificial of state's share.

In regard to Kolodyne, I have answered the previous day, anyway, we expect compensation to be less. MoU has been signed. The construction work will be taken up by NHPC and the power expected to generate is 460 mega watt.

S P E A K E R : Question hour is over. It is good to see Pu S. Laldingliana and Pu Hmingdailova are present today. Today's absentees - Pu B. Lalthlengliana, Brig.T.Sailo.

We shall move on to the next business. We will now call Pu J.H.Rothuama to move the motion for the withdrawal of 'The Mizoram Public Demand Recovery(Amendment) Bill,2009'.

Pu J. H. ROTHUAMA MINISTER : Pu Speaker, thank you. With your permission under sub-section (a) Rule 1998 of the Rule of Procedure and Conduct of Business in the Mizoram Legislative Assembly, I give notice of my intention to move a motion in the following form that 'The Mizoram Public Demand Recovery(Amendment) Bill,2009' is withdrawn.

SPEAKER : Do we agree to the withdrawal motion. If so, 'The Mizoram Public Demands Recovery (Amendment) Bill, 2009', is withdrawn from the House. We will move on to legislative business.

Let us call Pu Lalsawta to introduce 'The Mizoram Salaries and Allowances and Pension of Legislative Assembly (Third Amendment) Bill, 2009'.

Pu LALSAWTA
MINISTER : Pu Speaker, with your permission and the House, I seek the permission of the House to introduce 'The Mizoram Salaries, Allowances and Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009'.

S P E A K E R : Can we give permission for the introduction of the bill? If so, let the Minister introduce and move the bill.

Pu LALSAWTA
MINISTER : Pu Speaker, with your permission and the House, I introduce 'The Mizoram Salaries, Allowances and Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009'.

Pu Speaker, first of all, I would like to request the hon'ble members to correct item no.3 clause (a) of section 12, as- 'in sub-section (1) of section12' as there is no clause (a) in section12. Also, to cut 'further' in the sentence 'provided further that a member shall not be provided a vehicle more than once in the same Assembly term.'

Pu Speaker, in the original rule, there was specification in the mode of transport of members in regard to free travel of members. Thus, it is decided that it would be more appropriate if the rule is altered as follows-'A member and his family members accompanying him shall be entitled to travel in any mode of transport within India, whether separately or together subject to the re-imburement of a total fare not exceeding Rs 1 lakh only in a financial year. Final payment for the cost of such travel shall be made on production of relevant tickets or any other documentary proofs'. Pu Speaker, I, therefore, request the hon'ble members to keenly participate in the discussion of this Amendment Bill. Thank you.

S P E A K E R : Now that the Minister has moved the bill, let the copy be distributed.

Dr R.LALTHANGLIANA : Pu Speaker, will it be alright if the two bills are introduced at the

same time as the subject matter of the bill body is the same.

S P E A K E R : Alright, but since it is different bill we will have to introduce one by one. Now let us call the hon'ble Minister to introduce 'The Mizoram Salaries & Allowances of Minister (Third Amendment) Bill, 2009'.

Pu LALSAWTA MINISTER : Pu Speaker, with your permission and the House, I introduce 'The Mizoram Salaries & Allowances of Minister (Third Amendment) Bill, 2009'.

S P E A K E R : Let us now call the Minister to introduce 'The Mizoram Salaries & Allowances of the Speaker and the Deputy Speaker (Third Amendment) Bill, 2009'.

Pu LALSAWTA MINISTER : Pu Speaker, with your permission and the House, I Introduce 'The Mizoram Salaries & Allowances of the Speaker and the Deputy Speaker (Third Amendment) Bill, 2009'

S P E A K E R : Let the copy be distributed. We will now call the Minister to move the bill.

Pu LALSAWTA MINISTER : Pu Speaker, I have moved the first bill. The second and the third bill have the same subject with the first bill. However, since the pay head is different it is required to move separately.

Like I have moved the pervious bill, a member whether he is a Minister, Minister of State, Speaker or Deputy Speaker, free travelling facilities imply the same i,e the re-imbusement of a total fare should not exceed Rs 1 lakh only in one financial year. The members are entitled to travel in any mode of transport within India with the family members accompanying or separately.

As mentioned in the previous bill, members shall not be provided vehicle more than once in the same Assembly term. Only in exceptional case where bye election is held and fresh member is elected. Thank you.

S P E A K E R : The Minister has clarified the bill, we will start discussion. What is the opinion of the House in the time allotment of the members, 5 or 10 mins?

Alright, 10 minutes will be sufficient as the three bills will be taken up at the same time. Who will start the discussion? Pu Lalrinmawia Ralte.

Pu LALRINMAWIA RALTE : Pu Speaker, thank you. I would like to give my support to “The Mizoram Salaries, Allowances and Pension of Members of the Mizoram Legislative Assembly (Third Amendment) Bill,2009”

Pu Speaker, since there is financial implication, it would be more appropriate if we, junior members speak in support of the bill. It is a bill to cut down the expenditure of the members, thereby which, huge fund will be saved. The high expenditure of the government which was mentioned yesterday in the House will also be saved by this bill as well .I give my support to the proviso in regard to vehicle. In all, I give my full support to the to the three bills. Thank you.

Pu LALDUHOMA : Pu Speaker, first of all, I would like to state that this bill deals with free traveling and does not include the Ministers’ TA/DA.We, the Zoram Nationalist Party gladly welcome this bill. For the past many years members have enjoyed free traveling with the present rules which did not insist on prove documents of travel, thereby, opening doors for corruption. Pu Speaker, I have infact,returned all the traveling allowance I have taken. As it is the motto of our party that the party MLA should not take such facility which could be misused. Therefore, our party gives full support to this bill.

Pu Speaker, since we are discussing the facility of members, I presume that it is relevant to speak about MLA fund. Pu Speaker, as per PYAAKA guideline there is a provision that MP and MLA Fund which is under Sports Ministry

could be utilized as state matching share contribution. Thus, I feel that careful study should be given as we have cases where projects are sent back due to unavailability of state share. There is the same provision under JNNURM guideline provision 18. I request the Urban Development Minister to take initiative in this regard as there is way of multiplying the fund and meeting the state share contribution. Pu Speaker, the MLA fund in Delhi is 200, Nagaland 100, Meghalaya 80. Thus, it is time that we raise our fund as well since it is crucial for development and there is no other fund which directly enter the pocket of the people like this fund. Pu Speaker, inspite of knowing that this should be discussed in GPC. I took advantage while giving my full support to this bill. Thank you.

SPEAKER: : Let us now call Pu K.S.Thanga.

Pu K.S.THANGA : Pu Speaker, thank you. I am grateful that we are able to discuss 'The Mizoram Salaries, Allowances & Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009' and 'The Mizoram Salaries and Allowances of Minister (Third Amendment)Bill,2009' and 'The Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker (Third Amendment) Bill,2009', today.

I would, first of all, like to state that change has taken place as people have expected in this new govt, and give my full support to these bills. Pu Speaker, with these bills there is a clear indication of the direction that this govt is intending to head, as these bills are bills to restraint we, the members and to safeguard the fund of the people. We have heard earlier that due to the lapse in the present free traveling facility there were members who were defamed by this facility. With this bill the members will not be able to exceed ₹.1 lakh, which means that all members will avail the same.

Pu Speaker, it is the first stepping stone of the govt for economic measure that leads to the change people have been expecting. I, therefore, give my full support to this bill.

SPEAKER : Lt. Col.Z.S.Zuala.
Lt. COL.Z.S.ZUALA : Pu Speaker, thank you. Would it be more appropriate if 'family member accompanying him' in para 7 be omitted. Beside this, I give my full support to this bill as this will safeguard the misuse of this facility. Thank you.

SPEAKER : We will now call the hon'ble Minister to wind up the three bills.

Pu LALSAWTA MINISTER : Pu Speaker, I would, first of all, like to thank the hon'ble members for discussing the three bills. I regret to state that there are grammatical mistakes.

Pu Speaker, if you allow me to make correction, which is instead of family members, it should be member since the definition indicates a singular member. And so is the case with a Minister and his family members.

As for the allowance of free leave travel, the fund allotment is the same for all the members including the Ministers. But, the expenditure may be higher if the Ministers are on official duty.

Pu Speaker, with your permission, I request that the three bills which we have just discussed along with the provision that only once the members will be permitted to Purchase a vehicle in a term be passed by this august House. Thank you.

SPEAKER : Now all those who agree to pass the 'The Mizoram Salaries Allowances & Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009' clause (2) & (3), say 'yes', and those who disagree say 'no'. The House have pass clause (2) & (3). Now all those who agree to pass preamble enacting formula, clause (1), short title and commencement say 'yes', and those who disagree say 'no'. The House has unanimously passed 'The Mizoram Salaries, Allowances & Pension of Members of Legislative Assembly (Third Amendment) Bill, 2009', as for the patent error the Speaker's office will take care of the matter.

We will move on to the next bill, all those who agree to pass 'The Mizoram Salaries and Allowances of Minister (Third Amendment) Bill, 2009, clause (1), say 'yes' and those who disagree say 'no'. Since every one agreed we will move on to clause (2), preamble and enacting formula clause (1) short title and commencement, all those who agree say 'yes', and those who disagree say 'no'. Now the House has passed 'The Mizoram salaries and allowances of Minister (Third Amendment) Bill, 2009' unanimously.

Now all those who agree to pass 'The Mizoram Salaries and Allowances of Speaker and Deputy Speaker (Third Amendment) Bill, 2009, say 'yes', and those who disagree say 'no'. Now those who agree to pass clause (2), preamble enacting formula clause (1), short title commencement say yes, and those who

disagree say no. The House has unanimously passed 'The Mizoram Salaries and Allowances of speaker and Deputy Speaker (Third Amendment) Bill, 2009'.

We will move on to the next business. Let us now call the hon'ble Revenue Minister Pu J.H.Rothuama to move "The Mizoram District Transfer of Land (Amendment) Bill, 2009" which he has introduced on 19.3.2009.

Pu J.H.ROTHUAMA MINISTER : Pu Speaker, with your permission and the House I move "The Mizoram District Transfer of Land (Amendment) Bill, 2009". Pu Speaker, due to financial constrain there are situations when one has to take loan and deposit LSC as security. Thus, as per Mizo District Transfer of Land Act, 1963 section 3, Sub-section 2, only control Financial Institution and Nationalised Bank can be used by tribals to deposit LSC as security to avail loan. Pu Speaker, it is the desire of the Govt to provide wider facilities to the people of the state knowing that various banks, which are notified bank of Reserve Bank of India has sprang up. Therefore, this bill has been introduced. Infact an ordinance has been issued by the Govt on 30.10.2008. In order to keep this ordinance alive it is required to pass in the House. I, therefore, request all the members to support this bill as this is crucial for the people of the state. Thank you.

SPEAKER : The Minister has moved the bill, we will start discussion. Each member will be given 10 minutes. Pu Dr. R. Lalthangliana.

Dr. R.LALTHANGLIANA : Pu Speaker, I would like to thank for "The Mizoram District Transfer of Land (amendment) Bill, 2009". In my short spell of Revenue Minister, last year we issued the notification. I am glad that this govt has taken up the matter accordingly knowing the fact that it is an issue for the people. Pu Speaker, as it is an important matter, without much discussion I would suggest that we pass the bill.

SPEAKER : Anyone else? Alright if there is no one else, we will call upon the hon'ble Minister to request the House to pass the Bill.

Pu J.H.ROTHUAMA : Pu Speaker, thank you, the MINISTER amendment which is in section 3 sub-section 2, is, 'scheduled bank

notified by Reserve Bank of India' should be added after 'Financial Institute and Nationalist Bank'. Pu Speaker ,I now request this august House to pass 'The Mizo District Transfer of Land (Amendment) Bill, 2009'. Thank you.

SPEAKER : Now that the Minister has ask the House to pass 'The Mizo District Transfer of Land (Amendment) Bill, 2009, clause (1) & (2) main body, all those who agree say 'yes' and those who disagree say 'no'.The House has passed clause (1) & (2) main body. Now all those who agree to pass preamble and enacting formula, clause (1) short title and commencement say 'yes', and those who disagree say 'no'.The House has unanimously passed 'The Mizo District Transfer Land (Amendment) Bill, 2009'.

We have come to the conclusion of today's business, meeting will resume tomorrow at 10:30 dated 26.3.2009.

Sitting is adjourned 12:30 p.m.