

SECOND SITTING ON THURSDAY, THE 23RD JULY, 2009

MEMBERS PRESENT

Pu R.ROMAWIA, Speaker at the Chair, Chief Minister, Deputy Speaker, 11 Ministers and 24 Members were present.

QUESTIONS

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

LAYING OF PAPERS

2. **PU S.HIATO** to lay on the Table of the House a copy of the 13th Annual Report of MIFCO Ltd. for the year 2002-2003.
3. **PU S.HIATO** to lay on the Table of the House a copy of “The Mizoram Industrial Area (Management, Regulation and Control) Rules, 2008”
4. **PU LALRINLIANA SAILO** to lay on the Table of the House a copy of “The Mizoram Workmen’s Compensation Rules, 2009”
5. **PU ZODINTLUANGA** to lay on the Table of the House a copy of “The Mizoram Grants-in-Aid to Aizawl Municipal Council Rules, 2008”
6. **PU B.LALTHLENGLIANA** to lay on the Table of the House “The Statement of Action Taken on Action Taken Report” relating to Secretariat Administration Department.

PRESENTATION OF REPORTS

7. **THE SPEAKER** to present to the House The First Report of Rules Committee.

LEGISLATIVE BUSINESS

8. **PU LALSAWTA** to beg leave of the House to introduce “The Mizoram Civil Courts (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, whatever is lovely, whatever is admirable – if anything is excellent or praiseworthy – think about such things.

Philippians 4:8

Now, we will take questions and answers and let us invite Pu B.Lalthlengliana to ask his Starred Question No.21.

Pu B.LALTHLENGLIANA : Pu Speaker, will the hon'ble Minister for Agriculture Department be pleased to state – exact time for distribution of NLUP to the people.

S P E A K E R : The Minister in-charge may answer.

**Pu H.LIANSAILOVA
MINISTER** : Pu Speaker, answer to the hon'ble member's question is – we have not yet decided the time of distribution.

S P E A K E R : Now supplementary question from Pu B.Lalthlengliana.

Pu B.LALTHLENGLIANA : Pu Speaker, ten thousand lakh has been put in the budget for NLUP. While our budget is not yet full fledged, is there a way for its distribution within this year for the sake of the people.

PU C. RAMHLUNA : Pu Speaker, my supplementary question No.1 is - we see at page 2 of the Project Report under executive summary, 8 activities are being shown while at page 9 there are 9 activities. What is the meaning of this? Secondly, at page 13 there are 2060 beneficiaries in AH & Vety., while at page 2, 2660 are there. Can this be clarified. Thirdly, what is the reason for inequality in distribution of fund among the beneficiaries.

Lastly, is the fund going to be distributed from the Prime Minister package or the Annual Plan Budget ? Is there a plan to give it from the 200 crore of the Contingencies fund we already passed in this House.

S P E A K E R : Let us invite the hon'ble Minister in-charge to reply.

Pu H. LIANSILOVA : Pu Speaker, answer to Pu B. Lalthlengliana's question is – preparation is going on for NLUP to become a reality and Detail Project report has already been submitted. Luckily, the Central govt., are very interested in this project and give us advice as necessary so that we can get more fund. Now, Apex Board has been constituted, therefore we can discuss whatever is necessary for its implementation and work execution.

To answer Pu C.Ramhluna's question, Executive Summary has been prepared as a mean of explanation of our project to the Planning Commission and to the Central Govt. Besides, under the Implementing Board, the technical deptt., will make a scheme which will be beneficial for every family. For upliftment of one family around one lakh and above will be needed according to the scheme.

The fund will be put in the Annual Plan but its source will be determined by the Planning Commission. We hope to have final discussion in the first half of August. As their advice the fund will be distributed in installment. Right now, we prepare the project to cover five years and we hope during this time we can see development in our economy. We aim to start executing the works from October. Thank you.

S P E A K E R : Now, we will go to Starred Question No.22 and invite Pu P.P.Thawla to ask his question.

Pu P.P.THAWLA : Pu Speaker, will the hon'ble Minister for General Administration Department be pleased to state – The functioning time for Hnahthial, Saitual and Khawzawl districts.

S P E A K E R : The Minister i/c may answer.

**Pu LAL THANHAWLA
CHIEF MINISTER** : Pu Speaker, the functioning time of the three districts cannot be said right now.

Pu P.P.THAWLA : Pu Speaker, supplementary question. Is there a plan for its implementation and what is their progress ?

S P E A K E R : Let us invite the GAD Minister to reply.

**Pu LAL THANHAWLA
CHIEF MINISTER** : Pu Speaker, preparation has not been made, but necessary step will be taken if needed.

Pu C.RAMHLUNA : Pu Speaker, supplementary question. Is there a way to make the three new districts function as soon as possible? Can the govt. make consideration in this regard as promised in the MLA Bye-election. Besides, it is very important for the southern part of the country.

S P E A K E R : Let us invite the hon'ble Chief Minister to reply.

**Pu LAL THANHAWLA
CHIEF MINISTER** : Pu Speaker, consideration should be made for their welfare not to gain ground in politics. Besides, I do not remember any promise made in this regard.

S P E A K E R : If there is no other supplementary question we will go to our next question. Let us invite the hon'ble member Pu C.Ramhluna to ask his Starred Question No.23.

Pu C.RAMHLUNA : Pu Speaker, will the hon'ble Minister for DP&AR be pleased to state –

- (a) Number of terminated contract/M.R workers who are recruited by the previous ministry.
- (b) If so, depts., wise
- (c) Reason of termination
- (d) Are they going to be re-employed.

S P E A K E R : The Minister i/c may answer.

**Pu H.LIANSILOVA
MINISTER** : Pu Speaker, answer to the hon'ble member's question are as follows – 34 are terminated from the following depts., - Social Welfare, Hospital & Education, Health & Family Welfare, Prison, Food & Civil Supplies & Consumer Affairs, Environment & Forest, Higher & Technical Education, Fisheries, Agriculture, Assembly Secretariat, Animal Husbandry & Vety, Taxation.

Reason of termination are :-

Social Welfare Deptt., - permission for extension is not granted.
Hospital & Medical Edu., - disciplinary action.
H&FW – disciplinary action.
Prison – violation of govt., rules & regulation.
FCS&CA – High Court Judgment order and disciplinary action.
Forest – regularisation of M.R. and appointment without the authority of DP&AR.
Higher & Tech., - overage.
Fisheries – does not meet requirement for the job.

Agriculture – disciplinary action.
 Assembly Sectt., - disciplinary action.
 Vety – disciplinary action.

The above mentioned are not going to be re-employed by the government.

Pu C.RAMHLUNA : Pu Speaker, thank you. Are the newly appointed 234 M.R. workers under SAD done through proper channel. Can the govt. give consideration to the 7 M.R. workers under Forest deptt. who are currently dismissed from their works under the notification of DP&AR?

S P E A K E R : Supplementary question. Let us invite Pu B.Lalthlengliana.

Pu B.LALTHLENGLIANA : Pu Speaker, regarding the Residence Commissioner of Delhi Mizoram House, His re-employment order was issued the day the hon'ble Chief Minister gave his assurance in this House that no one is irreplaceable if necessary. If that is the case why is he re-employed while there are many complaints about his attitude towards the officials and other dignitaries. Is there no intention to remove or transfer him from there ?

Pu H.LIANSILOVA MINISTER : Pu Speaker, answer to the hon'ble member Pu B.Lalthlengliana's question is that govt. will take necessary action after investigating complaint lodged against him. As the House Leader witnessed our problem, we hope in future there will not be another complaint.

Secondly, regarding M.R. workers, the govt. make Regularization of Muster Roll Employees Rules in 2006 in order to ensure their facilities and services. In this rule we see that if there is a post for regularisation 25/100 should be reserved for them. In this connection the said deptt. placed sanction to the govt. and made regular recruitment. Therefore, M.R. workers as mentioned by the member cannot be placed in their previous post.

S P E A K E R : Let us invite Pu Lalduhoma to ask supplementary question.

Pu LALDUHOMA : Pu Speaker, can the government set a definite rules in recruitment of M.R. workers in order to avoid problems faced by them ? In our current practice many deptts. recruited M.R. without having fund or resources for their salary. We have to mind their welfare.

S P E A K E R : Pu C. Ramhluna may ask his supplementary question.

Pu C.RAMHLUNA : Pu Speaker, supplementary question. I would like to discuss about Forest deptt. which used to have 186 approved M.R. and out of this 7 were regularised as per High Court order. The vacant post are to be wiped out as per DP&AR order. But DP&AR later gave permission to have 186 approved M.R. posts. Can the govt. give consideration to the 7 M.R who are dismissed earlier.

Secondly, regarding Resident Commissioner of New Delhi Mizoram House, room allotment and motor allotment are done by the R.C. Is it possible to change the work allocation as practiced before ? We have DRC and other staffs. Why not let them do it. It will be good if the RC can distribute works accordingly.

**Pu H.LIANSAILOVA
MINISTER** : Pu Speaker, in our current situation, we cannot give them priority in regard to their salary. While we know their problems and did our best to solve their problem, our financial position cannot meet their requirement. But we will do our best to find a solution.

I do not have information regarding Forest deptt. But I want to repeat that regular recruitment of M.R. has been done according to the Regularization of M.R. Rules, 2006. Besides, if there is no sanction the deptt. cannot retain such post, they have to refer it to DP&AR for permission.

S P E A K E R : We will now go to Starred Question No.24. Let us invite Pu K.Liantlinga.

Pu K.LIANTLINGA : Pu Speaker, will the hon'ble Minister for Rural Development Department be pleased to state :-

- (a) whether the Committee on IWDP at N.Hlimen had been appointed by the VCP without conducting election ?
- (b) that the IWDP Chairman, without consulting the committee do things by himself.
- (c) name of the supplier of betel nut seed. Supply quantity. Advance given and is it true that it cannot be planted.
- (d) did the IWDP Chairman cum VCP returned ₹ 2,00,000/- out of ₹ 5,00,000/- he had drawn from Kolasib DRDA and its reason.

S P E A K E R : Let us invite the Rural Development Minister to reply.

Pu R.LALZIRLIANA MINISTER : Pu Speaker, the answers are as follows :-

- (a) There is Hariyali Project not IWDP Project in N.Hlimen and the committee comprises of V/C as guideline not VCP.
- (b) such thing does not arise
- (c) the supplier's name is Pu H.Vanlalduha, amount of supply is 70,000 seeds and ₹ 5,32,000/- was given. They are all planted by the farmers without any complaint.
- (d) the fund has been withdrawn not from DRDA Kolasib but from the Bank by Chairman of the Water Shed Committee in two installment amounting to ₹ 5,32,000/- i.e. ₹ 3,32,000/- and ₹ 2,00,000/- and was given to the supplier and ₹ 2,00,000/- has not been returned to DRDA Kolasib.

S P E A K E R : Supplementary question for Pu Lalduhoma

Pu LALDUHOMA : Pu Speaker, originally this has been my question but something must have gone wrong. Therefore, I will ask supplementary question.

It is not a very satisfactory answer. Our source may be different but so much complaints have come to us regarding the behavior of the VCP. Besides, the supply of orange seeds cannot be planted so they were given in cash instead. In the case of betel nut seed, the farmers are desperate to plant it as it is the season, they just grab whatever comes first with haste and cannot return it after receiving it. The whole community suffered in this regard and the two lakh has been said to be returned by the VCP to the supplier. Therefore, can the hon'ble Minister give us his assurance to do spot verification and then give us the answer to this House.

Pu C.RAMHLUNA : Pu Speaker, under BRGF there is a capacity building fund, from this Rs. 75 lakhs has been given for purchase of 150 sets of computers. But it appears that only Rs. 25,21,000/- has been used. Besides, out of 150 sets, the whereabouts of 18 sets is not known. I will be very thankful if the Minister open an investigation and use the remaining fund for better purpose. Lawngtlai and Saiha district need upgradation in this regard very badly, can it be used for them?

S P E A K E R : The Minister i/c Pu R. Lalzirliana may answer.

**Pu R.LALZIRLIANA
MINISTER** : Pu Speaker, regarding SRD Computer, FIR has been submitted and ACB conduct investigation and the law will take its own course.

Secondly, Water Shed Committee under IWDP takes up supply of seeds and sprout etc. in various deptts. without our knowledge. But we are grasping the functioning scheme and in future we hope to have a more definite scheme.

Regarding supply of betel nut at North Hlimen 70,000 has been given to the supplier which are all in good condition after checking. The Water Shed Committee also supplied about 13,500 and all of them cannot be planted. Besides this, the Secretary of the Committee supplied orange seeds of bad quality which invites many complaints and he was dismissed from his post.

S P E A K E R : Our time is almost over. Shall we continue or not? O.k, let us continue.

Pu R.LALZIRLIANA MINISTER : Pu Speaker, thank you. Explanation was called in regard to the supply of betel nut and orange seed and I hope the members can accept that.

S P E A K E R : Question hour is over. We will go to our next business. Yesterday we attended Trade and Commerce Investment Conclave at Berawtlang. It will be very useful in the future for our country and the ruling party want to have a Special mention in that regard. Now, let us call the hon'ble Chief Minister.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, first of all I would like to express my thanks to you and this House for making it possible for us to attend the conclave. As we all know, Zoram Trade Investment Conclave was held at Berawtlang and Myanmar and Bangladesh sent their delegates. The delegates are Deputy High Commissioner and officials from the High Commission Office of Bangladesh. Besides, officials from Burma came by road from Yangon to attend the conclave. We also have delegates from Directorate General Foreign Trade and other financial institutes.

It is an important achievement for our state to host the conclave. The delegates are happy and it is the result of good co-ordination among the Minister and Secretary of Trade & Commerce and other departments. Above all these, I am thankful for the support of the Minister and members from the treasury and opposition bench and department officials who attended the conclave till the end. I also want to express my thank specially to the Minister and Secretary of Trade & Commerce for their hard work.

The conclave was hosted jointly by the State Government and Indian Chamber of Commerce. We see the result right away, for the first time four MOU was signed by the Bangladesh and the Indian Chamber of Commerce concerning Industry Deptt. MIFCO and Mizoram Industries Association on that day. This never occurred before in the country. Therefore, the conclave was a success for both sides.

Regarding Myanmar, we all know that they are not fully a democratic country. Because of this their delegates could make a decision of their own and invited us to go to Rangoon to have a talk with their superior.

From Bangladesh, the head of the Indo-Bangladesh Chamber of Commerce attended the conclave and invited us to visit them and they are very open to have trade relation with us.

Lastly, it is all thanks to the blessing of God and the support of the Ministers, MLAs and leader of the opposition and our officials. I want to request them to give their best in the follow up. Thank you, Pu Speaker.

S P E A K E R : We have an announcement to make- two of our members Brig T.Sailo and Pu R.Selthuama, due to their illness cannot attend the session and asked for leave of absence.

We will go to our next business. Before that we have not made any announcement regarding Panel of Chairmen. The duration is for one year and the appointed are – Pu Nirupam Chakma, Pu B.Lalthlengliana, Pu Lalduhoma, Pu K.Lianzuala.

Now, we will go to laying of paper. Let us invite the hon'ble Minister Pu S.Hiato to lay on the Table of the House a copy of 'The 13th Annual Report of MIFCO Ltd. for the year 2002-2003'

**Pu S.HIATO
MINISTER** : Pu Speaker, with your permission and of the House, I lay on the Table of the House a copy of 'The 13th Annual Report of MIFCO Ltd. for the year 2002-2003'

S P E A K E R : Distribute the copy to the hon'ble members. I hope all the members find time to read the report.

Now, let us invite the hon'ble Minister Pu S.Hiato to lay on the table of the House 'The Mizoram Industrial Area (Management, Regulation and Control) Rules, 2008'.

**Pu S.HIATO
MINISTER** : Pu Speaker, with your permission and of the House, I lay on the Table of the House 'The Mizoram Industrial Area (Management, Regulation and Control) Rules, 2008'.

S P E A K E R : Distribute the copy to the hon'ble members. Now, we will invite Pu Lalrinliana Sailo, hon'ble Minister to lay on the Table of the House 'The Mizoram Workmen's Compensation Rules, 2009'.

**Pu LALRINLIANA SAILO
MINISTER** : Pu Speaker, with your permission and of the House, I lay on the Table of the House 'The Mizoram Workmen's Compensation Rules, 2009'. Thank you.

S P E A K E R : Distribute the copy to the hon'ble members. Now, we will invite the hon'ble Minister Pu Zodintluanga to lay on the Table of the House 'The Mizoram Grants-in-aid to Aizawl Municipal Council Rules, 2008'

**Pu ZODINTLUANGA
MINISTER** : Pu Speaker, with your permission and of the House, I lay on the Table of the House 'The Mizoram Grants-in-aid to Aizawl Municipal Council Rules, 2008'

S P E A K E R : The copy may be distributed. This appeared to be a copy from a long time. The front pages are not from the Gazette.

Pu LALDUHOMA : Pu Speaker, is it right to distribute Gazette copy. On August last year, I think we all got the copy. Is this going to be the nature of the House in laying of paper ?

S P E A K E R : Now, Pu B.Lalthlengliana will lay on the Table of the House 'The Statement of Action Taken on Action Taken Report' relating to Secretariat Administration Department.

Pu B.LALTHLENGLIANA : Pu Speaker, with your permission and of the House, I lay on the Table of the House 'The Statement of Action Taken on Action Taken Report' relating to Secretariat Administration Department.

S P E A K E R : Let the copy be distributed. As Chairman of Rules Committee, I hereby lay on the Table of the House 'First Report of Rules Committee'.

We can see in the report that amendment has been made in our Rules of Procedure & Conduct of Business in Mizoram Legislative Assembly. The term 'Minister means' has been deleted and in Rule No.143 sub-rule 1 'Performance Budget' has been changed into 'Budget Performance'. In Rule 227 sub-rule 1, we see that members in every Subject Committees should not be more than 10 and not less than 4. But this is not necessary as our members strength is 40 only. Therefore, we propose to delete that words also.

Dr. R.LALTHANGLIANA : Pu Speaker, regarding deletion of rules in our Rules of Procedure & Conduct of Business is there a way to make clarification regarding rule 273 and paper laid.

Secondly, there is a difference in the PAC Report book we received, it does not show the Chairman and members' name. Therefore we cannot

know who are the responsible members. Is there a way to make our report book more accurate.

Lastly, I would like to point out that in laying of papers, the concerned department should take more care in future in order to avoid mistake. It is not good to know that paper laid on the table has already been published in the Gazette last August. Besides without giving notice motion cannot be discussed in the House.

S P E A K E R : We appreciate that the mistakes we made are pointed out by the member. I hope in future it will not be repeated.

It will be good if we can remember what the hon'ble member pointed out regarding laying of papers and giving notice on motion. Now, we will go to Legislative Business. Let us invite Pu Lalsawta, hon'ble Minister to beg the House for permission to introduce 'The Mizoram Civil Court (Amendment) Bill, 2009'

**Pu LALSAWTA
MINISTER** : Pu Speaker, with your permission and of the House, I beg to introduce 'The Mizoram Civil Court (Amendment) Bill, 2009'.

S P E A K E R : Do we agree? If so, let us invite the hon'ble Minister to introduce and to move the bill.

**Pu LALSAWTA
MINISTER** : Pu Speaker, with your permission I introduce 'The Mizoram Civil Court (Amendment) bill, 2009' for consideration of the House.

S P E A K E R : The copy has already been distributed to the members.

Pu LALSAWTA MINISTER : Pu Speaker, I think we all got the copy. I will open the discussion if its alright. Now, in Mizoram separation of judiciary is there for sometime, excluding the three Autonomous District Councils. As per Supreme Court ruling, all Autonomous District Councils should be included in its functioning. Therefore, the govt. of Mizoram takes step in its implementation by making an Ordinance on 30th October last year as Session cannot be called during the time. In the last two sessions, we did not have enough time to prepare the Ordinance to become an Act but operate under the ordinance which also came to an end now. Therefore, instead of making ordinance again we are going to introduce it as a bill to become an Act. I request the hon'ble members to consider it and pass the Amendment Bill, 2009.

S P E A K E R : Now the Minister introduced 'The Mizoram Civil Court (Amendment) Bill, 2009' for consideration. We will have a discussion, 5 minutes will be allotted to each member. Today we have a new member and I would like to invite him to have the first discussion. Pu John Siamkunga.

Pu JOHN SIAMKUNGA : Pu Speaker, thank you. First of all I would like to express my thanks to all who elected me and to our leaders and to God for giving me health and put me in this position.

As pointed out by the Law Minister, it is a must for every state to have separation of judiciary. As an ordinance comes to an end it is our duty to pass the bill to become effective. It is good for us and our descendant. This will enable us to have a good law and order in the state. The lower and upper class will have the same justice under separation of judiciary. The powerful and wealthy people cannot trample down the poor. Therefore, I give my support to pass the bill in order to become effective in the Autonomous District Councils. Thank you.

S P E A K E R : Who will be next ? Pu C.Ramhluna.

PU C.RAMHLUNA : Pu Speaker, thank you. It will be appreciated if we can have the main Act. Without it, it is not clear enough. The District Council have the appointing authority in recruitment before and I would like to know whether the recruitment of staff is going to be done under MPSC as it shows here that new recruitment is going to be needed. Who will make the R.R and Service Rules ?.

Next, if this becomes effective they are going to need infrastructure. Will the Council make their own budget and take up the works or Law & Judicial Department will provide the infrastructure ? Besides, I think this bill is good as it is the Supreme Court order, it will be good if we can use it as soon as possible, thank you.

PU LALDUHOMA : Pu Speaker, the bill alone is very good and needs no discussion. But I would like to discuss a few things besides the bill. I want to point out that we have a procedure while making ordinance by consulting all Legislature Party. While making this ordinance I do not recall any consultation was made. It has been made last October without our knowledge. If we want to have a good working relationship it would be wise not to repeat such kind of action.

Pu Speaker, I think the Law Department needs pulling up. If we look into the bill, it is one of the easiest Amendment bills I had ever known. It only reads 'It extends to the whole of the State of Mizoram'. To add this sentence, the Department needs 10 months for preparation. This is not the work of an efficient Department. We need to look into the matter more seriously. While I would like to pass this bill and give my support, I want to point out that this kind of delay should not be repeated. The responsible Department should in future know that if we have ordinance of any kind we should take step to make it an Act. It is very shameful to know that 10 months passed for this ordinance to become an Act.

Pu NIRUPAM CHAKMA : Pu Speaker, thank you. First of all I want to give my support to this Amendment Bill. As the hon'ble member pointed out, it is only a short sentence. The House should know that Lai and Chakma District Councils area had been extended by making a resolution only for the time being. This permission is called Scheme of Separation of Judiciary. Under the Sixth Schedule of the District Council there are Judiciary, Legislative and Executive. Under Judiciary there is Administrative of Justice. The Councils have the power to enforce Customary Law within their areas. This Separation of Scheme has been granted only for their Civil Court and Judiciary

Administration was not allowed as they have District Council Court, Subordinate District Council Court and Village under the 6th Schedule. They are not allowed the enforcement of Customary Law under the High Court.

If I am not wrong, the Law Department are trying to conduct opinion poll in the area in regard to administration of the state, whether they want to be under the control of High Court or not. But nobody wants to be under the High Court rule but with their permission Civil Court will be established.

Secondly, I want to request the hon'ble Minister to set up court as soon as possible to stop us going to Lunglei for court cases. Regarding the recruitment, I think MPSC will conduct the recruitment of Chief Judicial Magistrate. But other posts like UDC, LDC, Driver should be recruited from the Councils, not from outside the Council areas. I beg the Minister to mind the welfare of the Council people in this regard. Thank you.

Pu CHAWNGTINTHANGA : Pu Speaker, thank you for giving me time. First of all I would like to clarify few things. The main objective of the amendment is to establish three kinds of Courts like Civil Court, Court of District Judge under which Court of Senior Civil Judge and Court of Junior Civil Judge will operate and the other one is a Family Court throughout the state. Those three are first to be implemented in the state without the District Councils. Now, it is ordered to include the District Councils in this.

Next, I would like to make clarification on two of our members' speeches. The District Councils are under the Sixth Scheduled Administration and can conduct only cases relating to Customary Laws of the tribals.

Therefore, in order to deal cases which are not under their jurisdiction like cases between tribal and non-tribal and criminal cases, separation of judiciary needs extension. This bill will not interfere in court established under provision of Sixth Scheduled.

Next, the hon'ble member Pu Lalduhoma's question about the efficiency of the concerned department. While what he said was true I want to say that an ordinance is only made so as to have it effective in the District Council Areas as well. The functioning of separation of judiciary goes without any problem in this regard. It is only meant for the Councils area. If we can pass the bill, everything can go accordingly including recruitment of staff. Thank you.

S P E A K E R : There is an announcement to be made. An unfortunate incident took place in Kolasib just now. Under the 100 days programme, two labourers of Kolasib died due to landslide namely Pi C.Zelhnuni, 58yrs w/o Kaisanga (L), New Diakkawn and Pi Zamawii, 45yrs w/o Vanlalkunga, New Diakkawn. Pi Vanlalkungi w/o Pu Ramfangzauva, is brought to the Hospital and two others were given first-aid. May God be with them and comfort them in their needs. Now, we will resume our discussion. Let us invite Pu R.Lalrinawma.

Pu R.LALRINAWMA : Pu Speaker, I want to say few things to show my support of this bill. While it is the order of the Supreme Court to extend separation of judiciary, it is also a must in order to have a good and efficient law and order within the state. It is not good to have a different procedure within a touching distance inside a state. Therefore, I give my support to pass the bill. Thank you.

S P E A K E R : It seems no one is there to have a discussion. We will invite the minister in-charge to wind-up.

**Pu LALSAWTA
MINISTER** : Pu Speaker, I am very thankful that six members participated in the discussion regarding the bill.

First of all, I would like to explain what it would mean for the Mizo people. In separation of judiciary, the Head of the state, the Governor and the Chief Minister, who is the head of executives and other dignitaries etc. cannot have any influence over the decision of the court. We all will enjoy the same justice. Justice will prevail in the decision making. This bill will enable the District Council to enjoy the same thing.

In regard to what the hon'ble member Pu C.Ramhluna said about the appointment, the state government will have no authority. The High Court will have full authority. But we will try to find a way to recruit the locals in the lower post available. Regarding question raised by our member as to whether problem will be there if District Council Court and other court function together. We are going to establish a higher court which will ensure that the Council people have a judge at their doorstep as we are going to place it at the District Headquarter. We are now recruiting judges and these judges are now in training.

Pu Speaker, as already pointed out by the hon'ble member, the infrastructure will be done after the High Court and state government make plan. Therefore, it may appear what we discussed today looks like only a sentence; it will have a big impact among the people of Mizoram. I beg this House to pass the bill in order to bring justice to the Council people, thank you.

S P E A K E R : The Minister made clarification and pointed out its importance and begged the House to pass the bill.

Pu C.RAMHLUNA : Pu Speaker, for clarification. Is the Judicial magistrate-cum Senior Civil Judge and Civil Judge-cum Judicial magistrate going to be appointed by the High Court? If so, will they be appointed under common cadre or is it going to go along as the District Council Cadre?

S P E A K E R : Let us invite the Minister in-charge to answer it, if he can.

**Pu LALSAWTA
MINISTER** : Pu Speaker, we now have a Mizoram Judicial Service. Therefore, it will not be right to have their own cadre. All Judicial Services can be implied every where within the state.

S P E A K E R : Now, I think the clarification is clear enough. We will now take the vote. If we agree to pass the bill, let us say 'agree' if not 'not agree' will suffice. As we all agreed to pass the bill, 'The Mizoram Civil Court (Amendment) Bill, 2009' has been passed by the House unanimously.

Now, our meeting comes to an end. I will read out the summary of our meeting as follows :-

1.	Period of Session	:	2 days (21 st & 23 rd July,2009)
2.	Starred Question received	:	73
3.	Rejected	:	5
4.	Admitted	:	68
5.	Put in the List of Business	:	40
6.	Answered in the House	:	6
7.	Unanswered	:	34
8.	Unstarred Question received	:	16
9.	Rejected	:	1
10.	Admitted	:	17
11.	Starred question into U/Q	:	28

During this session, we observed two obituaries namely Pu J.Lalsangzuala, former Minister and Pu Lalkhawngginga, former member and the following members participated in the discussion, the hon'ble Chief Minister Pu Lal Thanhawla, Dr.R.Lalthangliana, Pu Lalduhoma, Pu P.C.Zoram Sangliana and Pu R.L.Pianmawia. One minute silence was observed.

The hon'ble Speaker, Pu R.Romawia gave report on the Business Advisory Committee and First Report of Rules Committee. Pu K.Liantlinga gave report on 'The First Report of Committee on Government Assurances 2009-2010' and Pu T.T.Zothansanga gave report on 'The First Report of Committee on Subordinate Legislative relating to Land Revenue & Settlement Department, 2009-2010'.

LAYING OF PAPER

1. Report of the Comptroller & Auditor General of India for the year end 31st March, 2008 relating to Government of Mizoram.
2. Statement on monthly review of Finance Minister on the fiscal position of the Government of Mizoram for the first half of 2008-2009, April-September, 2008.
3. Annual Report of 2008-2009 on Joint Electricity Regulatory Commission for the State of Manipur and Mizoram.
4. The 13th Annual Report of MIFCO Ltd. for the year 2002-2003.
5. The Mizoram Industrial Area Development Regulation and Control Rule, 2008.
6. The Mizoram Workmen's Compensation Rule, 2009.
7. The Mizoram Grant-in-Aid to Aizawl Municipal Council Rules. 2000.
8. The Statement of Action Taken on Action Taken Report relating to Secretariat Administration Department.

In the last number, we see the word 'Statement' not Report. Here the list of members and Chairman was not printed as we did in the Report.

The hon'ble Chief Minister Pu Lal Thanhawla submitted to the vote of the House the 2nd Vote on Account which is to last 4 months and was passed by the House.

BILL PASSED

1. The Mizoram Civil Court (Amendment) Bill, 2009.
2. The Contingency fund of the Sate of Mizoram Bill, 2009.
3. The Mizoram Fiscal Responsibility and Budget Management (Amendment) Bill, 2009.
4. The Mizoram Appropriation No.3 Bill, 2009.

Bill passed during this Session which the Governor gave his assent are as follows –

1. The Contingency fund of the State of Mizoram Bill, 2009.
2. The Mizoram Fiscal Responsibility and Budget Management (Amendment) Bill, 2009.
3. The Mizoram Appropriation No.3 Bill, 2009.

During this Session we have two things we never did have before. First, the business chalked out by the Business Advisory Committee was rescheduled for another day. Secondly, we have a Special mention in the House by the House Leader regarding the Conclave we attended at Berawtlang.

Now, we come to the end of the session. I want to thank all the officials who attend the session actively and the hon'ble members and the Assembly Secretariat officers and staff for their support and hard work. Thank you all.

The House is adjourned sine die.

12.45 P.M.
