SIXTH LEGISLATIVE ASSEMBLY OF MIZORAM (FIFTH SESSION)

LIST OF BUSINESS

FOR THIRTEENTH SITTING ON MONDAY, THE 5TH APRIL, 2010 (Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)

MEMBER PRESENT

1. **Pu R.ROMAWIA**, Speaker at the Chair, Chief Minister, 9 Ministers and 23 Members were present.

QUESTIONS

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

CALLING ATTENTION MOTION

3. **Pu LALDUHOMA** to raise a matter of urgent public importance under Rule 59 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly in the matter of recent occurance regarding Anthurium export.

SHORT DURATION DISCUSSION

4. **Pu LALRINMAWIA RALTE** to raise short duration discussion on public importance under Rule 55 of Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly regarding lapse of Government fund during the financial year 2009-2010.

LAYING OF PAPERS

5. **Pu LAL THANHAWLA**, Chief Minister to lay on the Table of the House a copy of "Report of the Comptroller and Auditor General of India for the year ended 31st March, 2009,

AND

Report of the Comptroller and Auditor General of India on State Finances for the year ended 31st March, 2009".

6. **Pu LAL THANHAWLA**, Chief Minister to lay on the Table of the House a copy of "Statement on Six Monthly Review of the Finance Minister on the fiscal position of the Government of Mizoram for the first half of 2009-2010 (APRIL-SEPTEMBER,2009)

PRESENTATION OF REPORTS

7. **Pu B.LALTHLENGLIANA** to present to the House the following Reports of Public Accounts Committee.

- (1) Fourth Report on the Report of Comptroller & Auditor General of India for the year 2003-2004 relating to Food, Civil Supplies & Consumer Affairs Department.
- (2) Fifth Report on the Report on Appropriation Accounts for the years 2004-2005, 2005-2006 and 2007-2008 (Excess Expenditure).

LEGISLATIVE BUSINESS

Bills for consideration and passing

8. *Pu LALRINLIANA SAILO*, Minister to move that "The Mizoam State Agriculture Produce Marketing (Development & Regulation) (Amendment) Bill, 2010" be taken into consideration.

ALSO

to move that the Bill be passed.

9. *Pu LALRINLIANA SAILO*, Minister to move that "The Mizoram Medical Council Bill, 2010" be taken into consideration.

ALSO

to move that the Bill be passed.

10. *Pu LALSAWTA*, Minister to move that "The Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly (Fourth Amendment) Bill, 2010" be taken into consideration

ALSO

to move that the Bill be passed.

11. *Pu LALSAWTA*, Minister to move that "The Mizoram Salaries and Allowances of Minister (Fourth Amendment) Bill, 2010 be taken into consideration.

ALSO

to move that the Bill be passed.

12. *Pu LALSAWTA*, Minister to move that "The Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker (Fourth Amendment) Bill, 2010" be taken into consideration.

ALSO

to move that the Bill be passed.

S P E A K E R		:	But let justice run down like water, and righteousness like a mighty steam. Amosa 5:24
No. 183.	We will now o	call Pu	B.Lalthlengliana to ask Starred Question
Pu B.LALTHI	LENGLIANA	:	Pu Speaker, will the hon'ble Home minister be pleased to state –
a)			h, has the fund for the construction of
b)	Vairengte Police quart Who is the contractor?		
S P E A K E R		:	Let us now call hon'ble Home minister to answer the question.
Pu R.LALZIR MINISTER	LIANA	:	Pu Speaker, the answer to the hon'ble member's question is –
a)	Under the Police Mod Station has not been d		ion Scheme the fund for Vairengte Police
b)			tractor is Pu R Liantluanga Bungkawn
SPEAKER		:	To ask Started Question no. 184 let us call Pu Lalthlengliana.
Pu B.LALTHI	ENGLIANA	:	Pu Speaker, will the hon'ble Supply
		·	minister be pleased to state -
a)	How many Supply Ins still in the same post?	spectors	are there who received promotion but are
b)	If so, what is the reaso	on?	

SPEAKEF	2	:	To answer the question let us call hon'ble Food, Civil Supplies & Consumer Affairs minister to answer the question.
Pu H.ROHLU MINISTER	NA	:	Pu Speaker, the answer to the hon'able member's question is –
a) b)	No one is in the same Posting order has bee	-	Ι.
SPEAKEF	2	:	To ask Started Question no.185 let us call Pu K. Liantlinga.
Pu K.LIANTI	JINGA	:	Pu Speaker, thank you. Will the hon'ble Home minister be pleased to state -
a) b)	When will 3 rd I.R. Ba How far has the proce		neadquarter be shifted to Rengdil? hed?
SPEAKEF	2	:	To answer the question let us call the hon'ble Home minister.
Pu R.LALZIR MINISTER	LIANA	:	Pu Speaker, the answer to the hon'ble members question is –
a)	3rd I.R. Batallion is p no action has been tal	-	y deployed in Assam. Due to lack of fund
b)			there is no progress to mention.
Pu K.LIANTI	JINGA	:	Pu Speaker, supplementary question. From the information I received it was finalized in 2008. Private land were donated. If there is no fund, what will be

the next step? Will the government return these private lands?

	5	
S P E A K E R	:	To answer the question, let us call hon'ble minister.
Pu R.LALZIRLIANA MINISTER	:	Pu Speaker, if there is empty land for 3 rd Battalion Headquarters it will be suitable if it is near District Headquarters. Anyway, if there is no fund nothing can
be done and there is no agitation fro	m their	part.
S P E A K E R	:	Pu K.Liantlinga
Pu K.LIANTLINGA	:	Pu Speaker, thank you. Is there any proposal to shift the location?
Pu R.LALZIRLIANA MINISTER	:	Pu Speaker, there is no intention to shift or to make it permanent.
S P E A K E R	:	To ask Starred Question No.186 let us call Pu K.Liantlinga.
Pu K.LIANTLINGA	:	Pu Speaker, thank you. Will the hon'ble Home minister be pleased to state –
Has enquiry submitted its report?	comm	ission for purchase of fencing material
S P E A K E R	:	Let us call Pu R.Lalzirliana to answer the question.
Pu R.LALZIRLIANA MINISTER	:	Pu Speaker, the Commission has submitted its report.

SPEAKER : Pu K.Liantlinga. Pu K.LIANTLINGA : I would like to ask if the Commission for Enquiry Act, 1952 is extended in Mizoram. Pu R.LALZIRLIANA : Pu Speaker, I am not sure if it is extended. Pu K.LIANTLINGA : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu K.LIANTLINGA : Pu Speaker, if will do so. RU R.LALZIRLIANA : Pu Speaker, I will do so. SPEAKER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call hon'ble minister Pu H.Liansailova.			6	i		
Commission for Enquiry Act, 1952 is extended in Mizoram. Pu R.LALZIRLIANA : Pu Speaker, I am not sure if it is MINISTER : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call	SPEAKEI	र	:	Pu K.Liantlinga.		
Commission for Enquiry Act, 1952 is extended in Mizoram. Pu R.LALZIRLIANA : Pu Speaker, I am not sure if it is MINISTER : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
extended in Mizoram. Pu R.LALZIRLIANA : Pu Speaker, I am not sure if it is mINISTER : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : Pu Speaker, I will do so. S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state - a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. S P E A K E R : To answer the question let us call	Pu K.LIANTI	LINGA	:			
MINISTER extended. Pu K.LIANTLINGA : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : Pu Speaker, I will do so. S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
MINISTER extended. Pu K.LIANTLINGA : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : Pu Speaker, I will do so. S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
MINISTER extended. Pu K.LIANTLINGA : Pu Speaker, if the hon'ble minister could kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : Pu Speaker, I will do so. S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call	Pu R.LALZIR	RLIANA	:	Pu Speaker, I am not sure if it is		
kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. S P E A K E R : To answer the question let us call	MINISTER			-		
kindly give in writing later. Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER S P E A K E R : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. S P E A K E R : To answer the question let us call						
Pu R.LALZIRLIANA : Pu Speaker, I will do so. MINISTER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call	Pu K.LIANTI	LINGA	:	-		
MINISTER SPEAKER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call				Kindly give in writing later.		
MINISTER SPEAKER : We will move on to Starred Question No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call		KLIANA	:	Pu Speaker, I will do so.		
No.187. Let us call Pu Liantlinga. Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
 Pu K.LIANTLINGA : Pu Speaker, will the hon'ble DP & AR minister be pleased to state – a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. 	SPEAKEI	ξ	:	We will move on to Starred Question		
 a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call				No.187. Let us call Pu Liantlinga.		
 a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call						
 a) Is the memorandum of understanding for not recruiting government employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call	Pu K.LIANTI	LINGA	:	-		
 employee still valid? b) Have posts been filled up without proper channel? The name of post and address. SPEAKER : To answer the question let us call 	a)	Is the memorandum	of und	erstanding for not recruiting government		
and address. SPEAKER : To answer the question let us call		employee still valid?				
1			futiout proper channel? The name of post			
1						
hon'ble minister Pu H.Liansailova.	S P E A K E R		:	-		
				hon ble minister Pu H.Liansailova.		
Pu H.LIANSAILOVA:The answer to the hon'ble member's question is –		AILOVA	:			

7				
a) The memorandum is still valid.b) The government has not filled up any post without proper channels there is no post and address.				
S P E A K E R	:	To ask Starred Question No.188 let us call Pu B. Lalthlengliana.		
Pu B.LALTHLENGLIANA	:	Pu Speaker, will the hon'ble Home minister be pleased to state –		
How far has dead of Rev Chanchinmawia?	s the gove	ernment reached in its investigation of the		
S P E A K E R	:	To answer the question let us call hon'ble Home minister Pu R. Lalzirliana.		
Pu R.LALZIRLIANA MINISTER	:	Pu Speaker, the previous ministry has asked CBI to investigate the case and the final report has been submitted.		
S P E A K E R	:	Supplementary question. Pu B Lalthlengliana.		
Pu B.LALTHLENGLIANA	:	Pu Speaker, on 19 th December 2008, the hon'ble Chief Minister stated that, CBI will be called back to re-investigate the case and the truth will be declared to the		
people. Therefore I would like to a	ask if they	have any truth to declare to the people.		

Supplementary question. SPEAKER :

Pu R.LALRINAWMA	:	Pu Speaker, during the previous ministry evidence was destroyed, and the knife was lost from Malkhana. If this is so, does the government still believe in finding the truth if re-investigated?
Dr.R.LALTHANGLIANA	:	Pu Speaker, supplementary question. From the answer we received, report has been submitted. I would like to ask if the government agrees with the report.
S P E A K E R	:	Let us call the hon'ble Home minister to answer the question.
Pu R.Lalzirliana MINISTER	:	Pu Speaker, the answer to the hon'ble member's question is as follows –

When Rev.Chanchinmawia died the police reached the site, the body was already prepared and cleaned up and evidence was tampered inspite of being unnatural death. Thus, forensic science laboratory could not function as it ought to. The people are not satisfied and therefore, there is disbelief in the case of investigation. The Congress party stated it will investigate the case and ask CBI to do so if in power. However, the previous ministry called CBI to investigate the case. Pu Speaker, the people and Congress were still not satisfied with the conclusion. Therefore, we asked CBI to re-investigate the case, however they were reluctant as they had made the conclusion plus there was no new evidence. This is the present situation. The people are hurt and so is the government with the conclusion. I would like to state that if required the government can still continue to do what is needed.

Pu LAL THANHAWLA CHIEF MINISTER The hon'ble Home minister had clearly stated, I am not going to repeat. However what I would like to state is, the findings and the conclusion of the case does not

convince the people of the state nor the Church and the government. The death of Rev.Chanchinmawia has hurt the sentiments of the people deeply. The process of investigation by CBI was unsatisfactory, crime witness was not called and the persons who prepared the body were also not called. The leaders are still continuing to think from different angle.

:

Pu B.LALTHLENGLIANA

Pu Speaker, point of clarification. Why don't we call back CBI and ask them to interrogate those persons who have not been interrogated and I believe all the

knives except for one that is lost are still intact and so is the hammer. With this, there may be a new finding.

Pu LAL THANHAWLA CHIEF MINISTER

Pu Speaker, whatever we have stated is supported by SIT and CBI report. Thus, to re-open the case, there has to be new evidence. The Director himself has stated

that it will be difficult to submit report against the previous report. Had it been the present Home minister's tenure he could have had a successful finding. Like he has mentioned, with careful thought, the government will do whatever is necessary, but as of now it is not necessary to declare its proceedings.

SPEAKER	:	We will now move on to Starred Question No.189. Let us call Pu Lalduhoma to ask the question.
Pu LALDUHOMA	:	Pu Speaker, will the hon'ble UD & PA minister be pleased to state – If the hon'ble minister could tell about Water Supply Scheme under NERUDP (UIG)
S P E A K E R	:	To answer the question let us call hon'ble minister Pu Zodintluanga.

Pu ZODINTLUANGA:Pu Speaker, the answer to the hon'bleMINISTERmember from Aizawl West-I is –

- From the first loan for the project, construction of 7 nos of zonal tanks, (Replacement of oil pressed steel tank by RCC) at Mission Vengthlang, Zemabawk(TB Tlang), Seventh Day Tlang, Tlangnuam, Luangmual Govt Complex and Armed Veng.
- Supple of installation of no of 100 MAC chlorinator at Main Reservoir at Tuikhuahtlang and 1no of 500 MAC chlorinator at Chandmari Booster Pump Station.

9

:

- iii) Supply and Installation of 13,000 nos of Domestic Booster Pump State.
- iv) Supply and installation of 13,000 nos of Domestic Water Meters (Replacement of damaged ones and new connections.

2nd Loan which will be implemented from January, 2011.

- i) Providing 56 Km feeder mains and 110Km distribution system including replacement of existing old pipes, extension and new pipe lines in new zones.
- ii) Supply and installation of 26 nos of bulk flow meters.
- iii) Construction of 13nos of new zonal reservoirs.
- iv) Supply and installation of new booster pump set for Durtlang and Sihphir.
- v) Providing 132KV dedicated power lines from Melriat Power Substation to Dihmunzawl clear water pumping station (Phase-II).
- vi) Installation of 20,000 nos of domestic water meters for replacement of damaged ones and new connections.

Pu LALDUHOMA	:	Pu Speaker, why is Bawngkawn left out? There could be over-lap with different department for the project. How do they co-ordinate with other department? To which Department do the funds belong?
S P E A K E R	:	To answer the question let us call the hon'ble minister.

Pu ZODINTLUANGA	:	Pu Speaker, the answer to the hon'ble
MINISTER		member's question is –

The government is taking careful step. Like when it concerns P.H.E. for UYDSMT, augmentation and strengthening of Serchhip and Lunglei. 8/6 crores respectively is budgetarily transferred to P.H.E. Furthermost, for Urban Infrastructure, PWD and Electric Department are line departments. Proposal is on to submit projects to the Central Government to avoid co-ordination of different departments.

SPEAKER

:

Pu Lalduhoma.

Pu LALDUHO	OMA :		Pu Speaker, the hon'ble minister did not answer about Bawngkawn.
SPEAKEF	ξ :		Bawngkawn is included in the project. It is a mistake. We will now move on to Starred Question No.190. Let us call Pu B.Lalthlengliana.
Pu B.LALTHI	LENGLIANA :		Pu Speaker, will the hon'ble Food, Civil Supply and Consumer Affairs minister be pleased to state –
a)	some amount of securit		on the Director route and who deposited osit, for carrying rice are given the same
b)	allotment? The amount of each conroute.	ntracto	or's bill during 2009-2010 under Director
SPEAKEF	ε :		To answer the question let us now call hon'ble Supply minister.
Pu H.ROHLU MINISTER	NA :		Pu Speaker, the answer to the hon'ble member Pu B.Lalthlengliana is –
a)	Load is given at FCI go the fact that, release or	down der rea	ors was stopped from 15 th April, 2009. by seniority of the vehicle. This is due to aches us late, thus in order to avoid lapse,
b)	load has to be taken in a The following is the bill		

(1)L.Biaksanga – ₹.111,85,213/- (2) Lalzuali – ₹.126,20,540/- (3) Lalthanmawia Pachuau – ₹.170,58,701/- (4) Vanlalchhuangi – ₹.119,39,383/- (5) Zonunthari – ₹.107, 58,701/- (6) Hmingdailovi – ₹.119,39,383/- (7) Lalthai – ₹.93,64,347/- (8) Thangliani – ₹.54,84,942/- (9) Zothansanga – ₹.33,12,636/- (10) Kawlhmingliani – ₹.77,39,903/- (11) Zonunsanga – ₹.8,95,783/- (12) Saithangpui – ₹.60,34,417/- (13) R.Zamawii – ₹.56,49,413/- (14) K.Rozamliana – ₹.92,98,431/- (15) K.Lalthankhuma – ₹.77,20,711/- (16) Biakliana – ₹.83,56,315/- (17) C.Lalrampari – ₹.76,36,968/- (18) Zampuii – ₹.45,18,432/- (19) Hauva and Sons – ₹.92,06,501/- (20) Lalrampari Ralte – ₹.,29,531/- (21) Rallianthanga – ₹.1,87,500/- (22) Chhunthangi – ₹.25,99,925/- (23) Shyamal Deb – ₹.14,74,916/- (24) Jyotimoi Roy – ₹.17,61,147/-

(25) Subash Roy – ₹.14,74,916/- (26) R.Hmangaihzuali – ₹.14,60,679/- (27) Ramdingliana – ₹.7,17,636/- (28) Laldawngliana – ₹.12,64,384/- (29) C.Hmingthantluanga – ₹.3,20,370/- (30) Vanlalduha – ₹.6,85,732/- (31) Vanlalduha – ₹.98,819/- (32) H.Lalthangmawia – ₹.2,91,302/- (33) Pahnuna – ₹.48,731 (34) Ramthinghlima – ₹.2,55,742/- (35) Biakliani – ₹.2,41,917/- (36) Samson Zoramthanga – ₹.34,410/- (37) Zothanmawii – ₹.36,287/- (38) Vanlalzawmi – ₹.69,498/- (39) Lalchuailovi – ₹.33,743/- (40) Saipuii – ₹.69,588/- (41) Ramhlunsanga President MTOA – ₹.97,79,710/- (42) V.L.Dawma – ₹.60,053/- (43) C.Lalthangmuana – ₹.59,636/- (44) F.Vanramsanga – ₹.25,986/- (45) Zonghingi – ₹.10,318/-.

Pu B.LALTHLENGLIANA : Pu Speaker, I agree with load given by seniority as it is more effective. I would like to ask if Godown in rural areas are readied for monsoon stock.

Pu H.ROHLUNA:Pu Speaker, due to lack of fund we are
unable to stock as required, but so far we
have not faced any problem.

S P E A K E R : Let us call Pu K.Liantlinga to ask Starred Question No.191.

Pu K.LIANTLINGA : Pu Speaker, thank you. Will the hon'ble minister be pleased to state –

a) What is the progress on the investigation of Isaak.L.Hmar's death?

b) Who is the responsible person?

SPEAKER : To answer the question let us call hon'ble Home minister.

Pu R.LALZIRLIANA MINISTER

Pu Speaker, the answer to the hon'ble member's question is – The murder of Isaak L.Hmar was registered at Bawngkawn P.S. C/No. 150/06 Dt. 20.4.

2006 U/S 364/302 IPC. Investigation has been completed on Dt. 24.10.2007. Charge sheet has been submitted in the Court Vide C.S. No.25.10.2007.

The following persons are responsible as per investigation – a) Vanlalnghaka(40) HPC(D) s/o Lalthlamuana, Senvawn, Churachandpur District, Manipur, b) Lalmalsawma, Darngawn (48) s/o Lunthanga(L) of Tinghmun P/A Ramhlun South Aizawl c) Darliana (31) Sakawrdai Vengpui d) Vanmalsawma s/o Thankhuma Ralte of Hmartlangmawi, North Cachar Hills d) Mangtinliana Thado (Singson) s/o Mavula of Rengkai Churachandpur, Manipur e) Petera s/o Ngura Sonate Nehru Marg, Churachandpur, Manipur.

Lalmalsawma and Darliana have been released by Court. Charge sheet has been framed against Vanlalnghaka. Vanmalsawma, Mangtinliana and Peter have been absconding.

Pu LALDUHOMA	:	Pu Speaker, what was the motive of
		the murder? The prime accused
		Malsawma Darngawn is appointed as
		Sinlung Hills Development Council
Chairman. Pu Speaker, why has the	e govern	ment appointed the prime accused?

- SPEAKER : To answer the question let us call hon'ble Home minister. Pu R. LALZIRLIANA : Pu Speaker, the Court has released
- MINISTER MINISTER MINISTER Malsawma Darngawn. The Court did not see any involvement of Malsawma. Thus, he was appointed as Chairman by the government.
- S P E A K E R : To ask Starred Question No.192 let us call hon'ble member Pu K.Liantlinga.

:

Pu K.LIANTLINGA

Pu Speaker will the hon'ble Home minister be pleased to state -

What is the reason for not having Recruitment Rules in 15 a) Departments of Mizoram?

If information has been given to DP&AR. b)

SPEAKER To answer the question let us call : hon'ble minister i/c Personnel and Administration Reforms Pu H.Liansailova.

Pu H.LIANSAILOVA Pu Speaker, last Session there were only : 7 departments. Step is taken to make MINISTER their Recruitment Rules. Pu Speaker, the department has to first initial their

Recruitment Rules, then it is submitted to Law Department for scrutiny. If it is gazette post it is sent to MPSC. Once the Law Department and MPSC approves, it is then sent to the Chief Minister for approval. There are Recruitment Rules which needs the approval of the Chief Minister and the cabinet. Thus the process is quite long, therefore it takes time.

SPEAKER :		Supplementary K.Liantlinga.	question.	Pu
Pu K.LIANTLINGA :		Pu Speaker, why	has the Recrui	tment
		Rules been neglec Speaker, Health I	ted for 38 year	s? Pu
		refrigerator mecha	1	
not have Recruitment Rules for it,	they	recruited electroni	c mechanic. Th	us, if
sanctioning of post that has no Recruit	tment	Rule could be avoid	ed by DP & AR	?

Pu LALRINLIANA SAILO	:	Pu Speaker, there is no Recruitment
MINISTER		Rules that could be expunged.
		Recruitment rules were made in 1987.
		Whereas fridge mechanic was introduced
		in ITI only in 1995.

	15	
Pu K.LIANTLINGA :	:	Pu Speaker, I did not say there is no R.R. I said that advertisement was made for Refrigerator Mechanic; whereas Electronic Mechanic was recruited.
SPEAKER :	:	The minister has clarified.
Dr.R.LALTHANGLIANA : priority in creating R.R for important proposal for administrative reform?		Pu Speaker, it is an important question. I have mentioned in demand discussion, but I did not receive any answer. My question is if the government could give tments? Also, if the government has any

15

proposal for administrative feron

SPEAKER

To answer the question let us call hon'ble minister Pu H.Liansailova.

Pu H.LIANSAILOVA:Pu Speaker, there cannot be a clear cut
answer for hon'ble member Pu
Liantlinga's question. Like I have said,
post may be created due to need of

:

manpower and without giving priority to RR, also a person may be appointed for a long term. Or that the RR that we have may be absolute. If we say who holds responsibilities to all these problems, it is the department. They should inform DP&AR. Interest should be given towards employees welfare. In fact, there are persons who face problem before their pension due to this reason. Therefore, the best remedy is that the Department should take active interest in its employees RR.

The answer to hon'ble member Pu Thangtea is that, the department has to come up with their requirement project draft rule. In Higher Education we are going in terms of temporary, therefore this needs to be reviewed. This is how I can give the answer. Department has to give interest.

If the Chief Minister feels the need for reform commission, we may as well go in this direction. The government is taking steps towards administrative reforms.

Pu B.LALTHLENGLIANA	:	Pu Speaker, as per rules, question is
		asked 15 days before. We, members,
		follow the rule, but it seems there are
		questions where answers are not given in
time. It is the same with budg	et lapse v	we are going to discuss today. The House

Leader through the ministers should control the departments.

Pu LAL THANHAWLA CHIEF MINISTER	:	Pu Speaker, we are to a certain extent, or The case of giving Tuipui Hydel Proje indiscipline.	discipline is requi wrong answers	red. like
S P E A K E R	:	Thank you, today absent. They are Pu Pu S.Hiato, Pu P.C.Lalthanliana	John Rotluangli	

We have calling attention motion from Pu Lalduhoma. Let us call Pu Lalduhoma.

Chawngtinthanga.

Pu LALDUHOMA : Pu Speaker, this is my 'Calling Attention' motion –

On 30.3.2010 while discussing Horticulture Demand I mentioned that to solve the problem of anthurium growers, let there be more than one buyer so that there can be competition. Knowing this Zopar Export Pvt Ltd made a phone call to the leaders of association that they wanted to quit the job.

The next day, OB meeting was called and they submitted a letter to the Chief Minister stating that I was humiliating the growers and that I spoke without knowing the facts. Thus I felt the need to clarify.

Anthurium was grown in Mizoram from 2002 November and there are 400 growers. Agreement was signed between Zopar and association on 28th September, thus Zopar purchased from association till date.

According to agreement, different sizes of anthurium have different rate. But from 2007 Zopar did not purchase according to the rate and the price was never shown on the receipt, in fact there is no column for the price. The growers do not know the price of their flower until Zopar received the flower. To

prove this, I will submit the receipt for House property. Now Zopar has a new receipt with the rate column. Also, the rate of the flower was revised by the then Horticulture minister. The price was lowered for all the sizes, but the growers still profit. This showed that for the last three years, the growers did not receive what they were entitled to.

Now I received information that there is no fund in Zopar bank account. Thus, the growers are unable to draw payment. Pu Speaker, I did not say that Zopar should stop buying, but let there be competition. I stated these points for the betterment of the growers. It is surprising that the association leaders are unhappy with my speech.

According to agreement No.2, only Zopar is to sell the flowers including the rejected ones. The criterion to obtain financial aid from the government is measured by the amount of flowers sold to Zopar. Thus, there is no chance for the other buyers to survive. Not once has an advertisement been made in national papers for buyers. When the association visited Bangalore, the owner of Zopar took them around and they did not have the chance to interact with other companies.

From the beginning Zopar took planting material, shade net, Coco peal supply and green house including High tech. They acquired transport subsidy.

Anthurium is suitable for our state; it can provide self sufficiency to many families. Thus the grower's betterment should be given priority. There should be at least two company buyers. The market should be widened. Observing from the internet, there are plenty of Anthurium exporters.

It is my topmost priority to up lift farmers and I am always ready to render my service for their welfare. Thank you.

S P E A K E R	:	If the minister has anything to say. Alright, if the minister has nothing to say, let us call the hon'ble House Leader.
Pu LAL THANHAWLA CHIEF MINISTER	:	Pu Speaker, I am glad that the hon'ble member is willing to uplift the farmers and is generally thinking of their welfare and I hope the government will benefit his service as necessary.

Anthurium, as we know is suitable for self sufficiency and the export market is also good as we know. The official also feels the need to include a larger number of families in NLUP. It is true that monopoly system of business is not healthy, there should be competition. I thank the hon'ble member for the service he offers the government. Thank you.

SPEAKER : Moving on to the next business, let us call Pu Lalrinmawia Ralte for short duration discussion.

Pu LALRINMAWIA RALTE : Pu Speaker, I thank you for allotting me the time to raise short duration discussion. Today's short duration discussion is about the lapse of several

crores. I would like to thank the hon'ble House Leader for allowing the topic to be raised by ruling party, when it is an embarrassment for the government, when fund, bill lapse. I feel the need to clarify in the House as huge sum which has been passed in the House lapsed. Pu Speaker, the people ought to know the reason. Is it because of negligence, or due to corrupted official or due to unavoidable circumstance? We were filled with enlightenment when we came to learn that RD minister would be distributing G.I sheet for those affected by rain and storm. But now it seems, it will not be fulfilled. Pu Speaker, I expect we will be given answer for the deed. We cannot list out the various departments which lapsed the fund today. In the minds of the people there is a big question that this could be due to negligence.

If we term it as shortfall, in the year 2007-2008 there was a shortfall of 9%, 2008-2009 223 crores, which is 21% shortfall. Thus measuring these lapses, ₹.68 crores seems not so high. If these ₹.68 crores was utilized then there could be cent percent utilization of plan fund. However, what hurts the people is, these ₹.68 crores were passed in the House and ready for utilization but it lapsed.

Thus different departments have to revamp itself, its system and procedure; it should carefully examine itself and find out what the loophole is. Moreover, why do officials rush at the end of financial year? Why don't they take adequate measure to avoid last minute rush. I want to highlight that this system should be stopped.

Pu Speaker, according to our financial expert, about ₹.10 crore can be revalidated from the lapsed fund as it is CSSA. But we cannot say for the other and whether we can revalidate it or not, it has already delayed the development work. I hope that we can find a better way to utilize the budget in the future from our discussion today. I also want to point out if there is still practice of last minute expenditure delivery system. In every last part of financial year we faced this kind of problems from many deptts.

Pu Speaker, is it time now to revise the way we handle our budget? The govt. of India delegates financial power to the Administrative Department who in turn execute it with the help of integrated financial adviser for smooth budgetary exercises. Is it time to introduce this system in our state to off load the heavy burden? Is it time to decentralize financial power? Is it time to wake up from the trouble we face today? Is it time to introduce a new system? Can the hon'ble Chief Minister in-charge Finance Department who is also the House Leader give reply during his wind-up speech? Mr. Speaker Sir, that is all the reason why I raised Short Duration Discussion, thank you.

SPEAKER

The member clearly pointed out why he called for Short Duration Discussion. In this House we pass the budget after careful scrutiny and hearing about lapse

of fund is not satisfactory. In order to avoid another lapse, we have to give our best and share our thoughts and lend a hand whenever necessary.

:

:

Now, we will invite Pu Lal Thanhawla, the concerned minister to make clarification regarding the raised subject as necessary.

Pu LAL THANHAWLA CHIEF MINISTER

Pu Speaker, first I would like to thank the member from Aizawl W-I for pointing out the seriousness of the financial lapse and the House in general

for their concern. The situation warranted his call for short duration discussion from Finance Deptt, and the blame should be on the Finance and Planning ministers. We know that 'plan rush' is routine and that is why we fixed February for all deptts, to finish their plan but we failed. There is delay from Deptts. and from Finance and Planning. This is because our system is faulty and needs to be corrected. But on the spending side we did well. The Bank also did their best to accommodate us but there is a limit to what they can do and we also have to take into account the RBI which can limit them.

The financial lapse amounted to about ₹.68,95,61,000 and the experts we consulted said that Centrally Sponsored Scheme can be re-validated, re-appropriate and re-provided. Be that as it may, we know that financial year and Budget Session usually coincide in our state and this troubles the deptts. Further, our Secretaries and all deptt. Heads had to attend working group discussion and this caused further delay. The Planning & Programme Implementation Department makes plan allocation and there is slight problem in pursuance on the department's sides and we have to curtail the power of Treasury Officers so that the Treasury can remain open. We also know that 'K' deposit is not available as a last resort for the govt., but we are fortunate in that, we can add to the credit of ADB loan from last year.

In the new financial year, GIVING some financial power to our department Secretary will RELIEVE repeated MOVEMENT to and from the Planning

Deptt., and other deptts., and this will help prevent stagnation in the year end and this simplification is the best way for our land. In the lapsed bills are some schemes that are important to the govt. and we need to quickly plan a way. We should do everything we can so that Centrally Sponsored Schemes, NLCPR and those ear-marks under the Annual Plan can be used again. Thank you.

SPEAKER

Now, the hon'ble Finance minister, also the House Leader made detail explanation regarding the raised subject. We cannot exceed the time limit of 2

hours during which the motion was moved. Let us hope that we can finish before noon. My left side may be occupied by 2 Groups but consisted of 3 big parties. Therefore, we will invite them first, but it will be good for all of us if they can make representative from each party. First, let us invite Pu Lalduhoma.

:

:

Pu LALDUHOMA

Pu Speaker, it is pleasing that the House Leader explained the situation regarding financial lapse in the House otherwise it will turn into a political game. As I

already suggested if we can find a solution it will turn into a blessing in disguise. Therefore, I am happy that we have a discussion on the matter in the House right now.

While we only heard a summary in our financial lapses, I think it would not be wise to mix the financial lapse and our one year budget which we can revalidate. The remaining money which can be revalidated does not lapse. This time we are discussing about the ₹.68 crore which lapsed to my knowledge is the first time in Mizoram. While the General Manager of State Bank of India, North East Region informed the govt. about the closing time for Bank and urged us to speed up, the govt. reacted slowly and knowing the urgency, information to the deptt. concerned was given belatedly. Why did not the govt. give top priority to the information and remained inactive in pursuing. Besides, I want to know if the deptt. follow govt. order and submit their sanction proposal before March, 15 to Planning Dept. and whether the Planning Dept. submit to Finance before March 22 and then submit to Treasury before March 30 as ordered. We have to find out every detail in this regard, who follow the order and who do not. If we do not know this, our discussion today will be meaningless. There is one thing in which a problem can arise. The Aizawl North and South Treasury were given authority to release only 50 lakh a day and increase it on 18th March to 5 crore and 1 crore in Lunglei, the other outlaying Treasuries were given 50 lakh. We have to give more authority to the Treasury, I think the govt. is at fault here.

If a deptt. cannot use up their fund at the time, they should revalidate it. It is more satisfying than learning they have lapsed. We know that there are two kinds of revalidation, one is abstract contingency bill and the other is revalidation through K.Deposit. Our problem today can be solved if the govt. give their thought in revalidating the AC Bill and Civil Deposit. Besides, we can also blame it on the system we practiced here in House. This year we have Vote on Account during which we have to work hard for the last four quarter than before in order to avoid a lapse. I heard from the speech that we are hoping to regain our lapse fund by re-appropriation. My knowledge in law does not give me any hope in this regard but if they can do it, it would be pleasing.

Lastly, what will be the remedy for our problem ? Every deptts. need to be de-centralized in order to avoid delay of file. We have to empower our Secretaries and Commissioners in order to authorize sanction for their department's fund as needed. We also have to attach technical expert who can scrutinize proposal submitted by the deptt. It is also learnt that there is no expert in making estimate in Planning and Finance deptt. If this is true, it is a must to put expert who will study, examine and clear every proposal submitted by deptts. Besides, is there a way to appoint the concern deptt's. Secretary as Chairman in SPAB. Right now the Chief Secretary is the Chairman and due to heavy work load, a meeting cannot be convened regularly as needed. The Home minister in his statement at Vanglaini newspaper blames the opposition for financial lapse. If the minister in-charge cannot keep up progress made by his deptt. and knows the amount of money left for disposal, how can the opposition know that. It is his responsibility to know every hook and corner of his charged deptt. Besides, it would be appropriate among our ministers who had a lapse in their deptt. should know it is time to resign from their post. It is their responsibility and should be brave enough to stand up for their mistakes. If not, they have to find a medicine for this in the coming financial year to execute their fund in the right time and right place. I hope that this incident will bring in the future a new experience and blessing in executing our budget. Thank you.

SPEAKER

Now. Let us invite Dr.R.Lalthangliana.

Dr.R.LALTHANGLIANA : Pu Speaker, according to our Rules of Procedure and Conduct of Business we are not to exceed an hour for discussion. This means we have enough time to have a discussion on this subject.

:

It surprised me to learn that we noted about a financial lapse from our newspaper. I wanted to reiterate how regrettable this lapse is. First I wanted to point the timing of planning discussion. Can it be shifted when we are not in the middle of our Budget Session as previously done. Another matter is the discussion of Finance minister's speech in his absence, that too at the flag end of the financial year which I am uncomfortable with. I especially wanted to say that I believe this lapse is due to the poor monitoring of the Finance minister of his department.

Secondly, I wanted to say something on purchase. If I am not mistaken, the lapse of Social Welfare Department amounted to ₹.800 lakh under which falls money for nutrition. I do not believe the department can be blamed as the file for the sitting of SPAB was already put up in November. The present govt. have a powerful Planning Board with many experienced members. What I wanted to question is - is there a breach of relations between our Chief Secretary, the Finance Department and the State Planning Board ? I think we need to look into this seriously.

I also agree with empowering of our Secretaries so that State Purchasing Board can sit without the Chief Secretary. I believe our Finance minister, who is also the Chief Minister should step aside as his capacity as Finance minister and let someone takes over the department. The matter we discuss today is serious and I am glad we had the opportunity to discuss it and hope that it will take effect in the reconstruction of our budget. Thank you.

SPEAKER The name of our Home Minister : appeared in the newspaper which I have not learned till now. I only look into the newspaper at night, therefore I am not

very up to date in this regard. Now, let us invite the Home Minister.

Pu Speaker, I just wanted to say that the Pu R.LALZIRLIANA : reaction of the opposition is good as MINISTER expected. I wish that they are more involved in the business of the House and provide more stimulus so that people deem it worthwhile to watch the House proceeding here in the city and rural areas. I also wanted to mention that this govt. will hide nothing and that there is nothing to hide from the people. I hope that today's discussion will bear fruit. Thank you.

S P E A K E R	:	Let us invite Pu Nirupam Chakma.

Pu NIRUPAM CHAKMA Pu Speaker, thank you. I was one of the : supporters to Pu Lalrinmawia's Short Duration Discussion which he raised under our Rule 55. But my name has not

been mentioned, therefore I would like to say a few words.

Regarding 'plan rush' I already mentioned this in this Session and also in last year Session. As the hon'ble Chief Minister had pointed we have to change the system. If possible, single clearance should be introduced as practiced in the central in many schemes. Therefore, I would like to request the hon'ble Chief Minister, who is also the Finance and Planning Minister to take initiative to review and take action to change the current system.

We will have a recess and resume our SPEAKER : discussion and other business in the afternoon. Pu Liantlinga raised his hand but we will not invite other members as both the Opposition Group Leaders had already discussed the matter. If Pu Chatea raise his hand we may invite him but remained seated. As such we will go to our other

business.

Pu K.LIANTLINGA	:	Pu Speaker, the Home minister was
		invited as he was involved indirectly and
		Pu Nirupam, who was also one of the
		supporters. Nevertheless, if time permits
		us, we can have a discussion.

Pu LALDUHOMA Pu Speaker, we filled up the form not as : ZNP,MPC but as UDA. Since we are not making any intimation to stand as an independent legislature, it would be

appropriate if you treat us as such and record it.

S P E A K E R	:	While we made the record as UDA, Brig.T.Sailo did not put any party he belongs to. We will do so in the next sitting.
Pu R.LALZIRLIANA MINISTER	:	Pu Speaker, we have a long discussion in this subject. It is within your power to cut short and why not make it into half an hour. It is your decision.

S P E A K E R	:	Do not try to counsel me. We will have a recess and resume our sitting at 2:00 PM. Recess at 1:00 PM
<u>2:00 PM</u>		
S P E A K E R	:	We have many businesses to attend to besides our current discussion, therefore we will stop the discussion. Nevertheless, I think that our House
Leader, who is also the Finance mir and we will invite him.	nister w	ould have something to say in this regard

24

Pu LAL THANHAWLA	:	F
CHIEF MINISTER		ť
		+

Pu Speaker, we have asked and shifted the plan discussion timing repeatedly but there is a limit to it and the absence of the Finance minister during Budget

Session is indeed unusual, but we have discussed it and deemed it alright considering the competent handling of it by the minister in-charge. On the subject of the Social Welfare Department, there was a complaint by the supplier and it was sent to Delhi and as soon as we got the reply, the SPB was convened and there was no one to blame for the delay, it happens inadvertently.

I do not think we have to worry unduly about our lapses because during 2007-2008, the Annual Plan size was 855 and 9% lapsed. Compare to that, the present lapse is only 4% and this may actually turn out to be a 'blessing in disguise'. Our present Budget is 1250 but jumps to 1500 after plan discussion. This means that in the coming two or three months, we have to summon Budget Session to discuss Supplementary Demand and we can re-appropriate all of it for spending during current fiscal year.

Pu B.LALTHLENGLIANA

Pu Speaker, though our Finance Minister said like that, on the strength of expert advice, there are other opinions that the Planning Commission tends to deduct

the lapse from the New Year's Budget, if this is true, would it not affect our New Year's Plan, can the minister clarify it ?

Pu LAL THANHAWLA CHIEF MINISTER Pu Speaker, the size of our plan had already been fixed by the Planning Commission which is ₹.1500 crores. To my understanding, whether this will be

in the Supplementary Demands will be seen at Session sitting. On the other hand, even if we pass this, as our cash balance is just $\overline{\ast}.32$ crores, there will still be portion that we cannot use e.g. GPF of Govt. servants. As I have often said, our financial situation is not comfortable and as such, we have taken economic measures so that we can go on. The experts told me that the lapses do not return to central govt. but is in Mizoram govt., if this is so, it can still stand as 'Spill over' even if we cannot use it in the current fiscal year it can be incorporated in the coming Supplementary Demand and we have made plan for it accordingly.

We will also try to give detail of defaulting departments and the amount to respected member Pu Duhoma as requested.

S P E A K E R : We will now invite Pu Lal Thanhawla to lay on the Table of the House "Report of the Comptroller and Auditor General of India for the year ended 31st March, 2009" and "Report of the Comptroller and Auditor General of India on State Finance for the year ended 31st March, 2009". Also "Statement on Six Monthly Review of the Finance Minister on Fiscal Position of the Govt. of Mizoram for the first half of 2009-2010 (April to September, 2009)".

Pu LAL THANHAWLA : Pu Speaker, with your permission and CHIEF MINISTER Pu Speaker, with your permission and the House, I lay on the Table of the House "Report of the Comptroller and Auditor General of India on State Finance for the year ended 31st March, 2009".

:

:

SPEAKER

Distribute the copy.

Pu LAL THANHAWLA CHIEF MINISTER Pu Speaker, with your permission and of the House, I lay on the Table of the House "Statement on Six monthly review of the finance minister on

fiscal position of the Govt. of Mizoram for the first half of 2009-2010 (April to September, 2009)".

SPEAKER

Pu LALDUHOMA

Pu Speaker, according to Rule 11, Mizoram Fiscal Responsibility and Budget Management Rules, we are to have this copy during the Session, but we

receive the Sixth monthly review Statement only at the end of the Session. Can we have it earlier in the future ? There is much information in it and we may want it as reference during the current Budget Session. I believe we are to receive it along with the Budget document.

Pu LAL THANHAWLA CHIEF MINISTER If the Rules demand it, we will try to give on time. However, there are times when the A.G gave the State Account to us after a year and that is why,

sometimes, we cannot distribute it on time as demanded.

SPEAKER

Now, we will go to Presentation of Reports and invite the hon'ble member Pu B.Lalthlengliana, Chairman Public Accounts Committee to present the

following Reports : (1) Fourth Report of the Comptroller & Auditor General of India for the year 2003-2004 relating to Food, Civil Supplies and Consumer Affairs Department. (2) The Report on Appropriation Account for the year 2004-2005, 2005-2006, 2006-2007, 2007-2008 excess expenditure.

Pu B.LALTHLENGLIANA	:	Pu Speaker, before I present the Report I
		want to say that the Minister in-charge of
		the Report submitted by us should take
		immediate action and send us the action
taken conv to us in order to have	a strong a	nd efficient govt

taken copy to us in order to have a strong and efficient govt.

Pu Speaker, with your permission I present to the House the following Reports (1) Fourth Report of Public Accounts Committee on the Report of Comptroller & Auditor General of India for the year 2003-2004 relating to Food, Civil Supplies and Consumer Affairs Department. (2) The Report on Appropriation Account for the year 2004-2005, 2005-2006, 2006-2007, 2007-2008. Thank you.

26

:

:

:

S P E A K E R (Development & Regulation) (Amer	: ndment)	Distribute the copy. If we finish we will go to Legislative Business. We will invite Pu Lalrinliana Sailo to move "The Mizoram Agriculture Produce Marketing Bill, 2010".
Pu LALRINLIANA SAILO MINISTER	:	Pu Speaker, with your permission, I move "The Mizoram Agriculture Produce Marketing (Development & Regulation) (Amendment) Bill, 2010" for consideration of the House.
S P E A K E R	:	Now, we will have a discussion. Will 5 minute suffice for us all ? If so, let us have a discussion and invite Pu Lalduhoma.
Pu LALDUHOMA	:	Pu Speaker, we need not to have a lengthy discussion on this matter as it is a necessary means. I just want to say I support it, that is all, thank you.
S P E A K E R	:	That is a short and good speech. If that is the case, it is very thankful. Let us invite the minister to wind-up and explain matter of importance which he deems it necessary.
Pu LALRINLIANA SAILO MINISTER then repealed in the year 1986 an	: d 2008.	Pu Speaker, there is nothing much to say. It has already existed under the District Council. In 1954, it was taken up under the department of Agriculture which was As pointed out by Pu Lalduhoma, it is

then repealed in the year 1986 and 2008. As pointed out by Pu Lalduhoma, it is decided to include fixation of rate of meat in the Principal Act.

Pu Speaker, it is not much desirable for the concerned member too, to submit this kind of Bill as it is bound to create misunderstanding between meat

sellers and concerned authority. It is supposed the issue is of the purview of LAD but the department claimed it was not so. Referring the case to another department such as D.C, concerned department of Weight & Measures, and Food, Civil Supply & Consumers Affairs department, they all claimed that it was not their purview as well. Trade & Commerce department is then compelled to take up the responsibility as it also concerned for price control of various kinds of agriculture products. Thus, I appeal to this House to pass this Bill for the welfare of consumers and relatively meat sellers. Thank you.

SPEAKER	:	This Bill, "The Mizoram Agriculture
		Producer Marketing (Development &
		Regulation) (Amendment) Bill, 2010"
		concerns only of modification of rate
of meat. Members	who agree to pass may	say, 'Yes' and those who don't may say,
'No'. (Members	: 'Yes').	

Alright. This House unanimously passed "The Mizoram Agriculture Produce Marketing (Development & Regulation) (Amendment) Bill, 2010".

Our next business is, Pu Lalrinliana Sailo, the minister, to move to the House, "The Mizoram Medical Council Bill, 2010". The minister may also highlight salient feature of the bill.

Pu LALRINLIANA SAILO:Pu Speaker, with your permission and of
the House, I move "The Mizoram
Medical Council Bill, 2010" for favor of
consideration.

Pu Speaker, this bill concerns mainly of modification of the service rules of doctors relating to provision of 30 days Compulsory Continuing Medical Education (CME). The main objective is renewal of registration of doctor in every 5 years with an intention to improve the quality of concerned doctors relating to technical knowledge of the upcoming equipments. Apart from this, this Bill also concerns for disciplinary control over inefficient and ill-discipline doctors, specification of quality of institutions in the country and, to determine provision for registration of doctor in Mizoram so that they are entitled to practice anywhere in India.

In this connection Pu Speaker, it is to be noted that there is Code of ethics for any doctor. This code concerns well manner, timely response to any complains which may be received from the patients or their attendants and also penalty to those who failed to maintain conducts underlined by the code of ethics. On the contrary, this code prevents our doctor from false allegation and any fake doctor (quack practitioner) from practicing for the safety of the people. Pu Speaker, it may be noted that Mizoram is the only state that remains without Medical Council. This Bill, if passed by the House, will give rise to progress in the field of medicine, quality improvement for doctors, better medical care to patients.

Regarding its set up, financial involvement is estimated as 17 lakh rupees. It will be headed by elected Registrar President and Vice President who will be treated as government employees. To maintain the establishment, staff such as peon, stenographer and chowkider will be provided.

Due to limit of time Pu Speaker, it is not convenient for me to explain it in detail. It may be appreciated if the members, after studying the papers in detail, give their valuable thought to this bill. So, I appeal to this House and the members to kindly consider passing of "The Mizoram Medical Council Bill, 2010". Thank you.

S P E A K E R	:	We will now discuss the bill. Let me call
		upon Pu R. Lalrinawma to start the
		discussion. It may be noted that no
		member is allowed to exceed 10 minutes
		of speech.

:

Thank you Pu Speaker. I would like to make few points in support of this Bill. I have studied this Bill in detail and I must say that it deserved compliment. It is

appreciated as our doctors will be able to get registration in Mizoram without approaching India Medical Council necessarily, if this Bill is passed. Not only this, we will then be able to prevent fake doctor or quack practitioner from practicing in Mizoram. As of the weakness of this bill as pointed out by concerned minister, I opine discretionary power given to the President or Vice President is excessively high. It may be more appropriate if the case is made to be decided by vote on majority.

At the last portion of financial memorandum, there is a sentence, 'it will be decided as and which the rule is framed'. Here, 'as and which' should be corrected as 'as and when'. As a whole, this Bill is good as it is highly necessary for Mizoram and hence, I give my support to it. Thank you, Pu Speaker.

:

SPEAKER

Pu R.LALRINAWMA

Next, Dr. R. Lalthangliana.

Dr.R.LALTHANGLIANA

Pu Speaker, I am very thankful to the hon'ble minister for submitting this important Bill, "The Mizoram Medical Council Bill, 2010". During the previous

ministry, the Cabinet determined to do the same but could not be achieved due to some problems.

Some members may not understand very well the importance of this Bill that concerned matter which is essential in a developing state. With the increase of persons who claimed themselves as medical experts, it is highly necessary for our state to have a separate medical council to maintain doctor's registration. To a large extent, this will prevent Mizoram from quack practitioners and ill-disciplined doctor.

Pu Speaker, it is learnt that non-medical line such as AH & Veterinary and some technical departments also have Medical Council on their own. Some sort of errors or printing mistake might have occurred here in the draft but I opine it is not that serious to cause withdrawal of the Bill. Let it be implemented first as amendment may be made according to the necessity later on. Considering the limit of time, I opine it is better to pass this bill without further ado.

Pu K. LIANTLINGA	:	Thank you, Pu Speaker. As pointed out				
		already, it is inappropriate for our				
		doctors to get their registrations from the				
		central. Hence, I support passing of this				
		bill as it is indispensable to our state.				

Pu Speaker, it is regretted as the House has been criticized as receiving less number of Bill for discussion. It may, therefore, be important for any of the department to put more effort so that enough bills are received by the House.

S P E A K E R : Not only private member's resolution, it may as well be important for private members to determine some bills for the welfare of our state.
Pu K. LIANTLINGA : That is the exact point, Pu Speaker. Most of the resolutions received from the opposition members are rejected. I do have a strong urge to submit one bill for

discussion and I have no hesitation to do now, if it is allowed. Even if it is not drafted ideally, amendment may be made afterward. Pu Speaker, we the MLAs are just

legislators and what we can do is only to pass our budget once in a year and to see the House legislate appropriate rules. Hence, I opine Bill submitted by the Health minister also is good. As of the amount estimated for office expense of Mizoram Medical Council, I opine it is less than requirement and therefore, should be raised. It may not be necessary in case the office building is supposed to be provided by Health department. Hence Pu Speaker, I give my support in favor of passing of this bill. Thank you.

:

:

SPEAKER

Next, Pu Lalduhoma.

Pu LALDUHOMA

Pu Speaker, it is truly pleasing to hear from you an encouragement to give importance to formulation of bill for discussion in the House. The House

Leader clearly indicated that my resolution was rejected by the House not because it was under-estimated but for fear of supremacy over the ruling party. I truly appreciated his frankness. Pu Speaker, if the House is ready to pass the bill from my party, I must say that we have a couple of more bills. Not to mention of this bill, the other three we are having are processed from the light of our discussion in GPC only. Hence, this bill submitted by the hon'ble minister truly deserved unanimous support of the House as it is the only major bill which has been received in this session. However, it may be necessary for concerned minister to re-examine the bill as there are portions which required some sorts of modification. Unless concentration on Government Business Bill is given by the members, I am afraid the session is discontinued due to shortage of bill in the House.

Regarding the context of this bill, as pointed out by our fellow member Pu Lalrinawma, I also have felt the need to make change with the sentence in Clause 9(3) in which it is harshly stated, 'in respect of any matter'. I opine power vested to the president or vice-president is excessive. It is more appropriate if the concerned council referred such cases for the decision of the government and the said sentence may be modified as 'decision of the government of Mizoram shall be final'. Besides, I would like to delete the whole sentence of the proviso of section 31 relating to power to remove difficulty as it obstructed concerned authority to use it power when necessity arise. The only thing we could do then will be submitting an amendment bill. Hence, the whole sentence may be deleted as it is not appropriate to make rule which is not applicable for resolving the problem which may come after two years.

Regarding statement of Object and Reasons, Pu Speaker, it is important as it indicates that compulsory continuation of education to the medical doctors will be provided. Considering fast growing technology in today's world, it is necessary for our doctors too, to develop their knowledge and skill to cope with the situation. Youths of the upcoming generation are beginning to look down outdated skills and knowledge which are no longer befitted in this generation of advanced technology. Hence, it is appreciated to learn that Medical Council concerned with compulsory continuing education for medical doctors.

In this connection, I do not understand regarding objection to practice for unregistered doctor. It is easy to implement if the said registration concern only doctors who are practicing under the government. How about the case of number of MBBS who pursue their own business of private clinic and medical store since a long period of time? Whether they will also be restricted to practice privately unless registration is done?

It is further learnt that this compulsory registration does not cover Dental and Ayush doctors. If so, it may be necessary to pass another medical council bill particularly for Dental and Ayush in the near future as most of the alleged quack practitioners are of Ayush doctors with highly regarded certificate displayed at their clinic signboard after spending 4 or more years obviously for study. So, Pu Speaker, I may conclude my speech with this portion as I give my support to this Bill which concerns Mizoram Medical Council. Thank you.

:

:

SPEAKER

Next, Pu Lalsawta.

Pu LALSAWTA MINISTER Thank you, Pu Speaker. If we have to pass this bill today, it could be implemented from 2010. Rules previously used are of the Assam

Medical Act, 1916, the year of the First World War. Hence, it is no longer applicable for today. So, this bill submitted by the minister is truly appreciated as it indicates our lack of dismay for implementing outdated rules for such a long period of time. Considering popularity of alleged fake medical practitioners who attracts large number of patients today, it is utmost important for concerned authority to determine immediate eradication of quack practitioners.

The question of Pu Lalduhoma regarding MBBS who are practicing privately, let me inform the House that it is necessary for privately practicing MMBS too, to get registration even if the business or clinic is of private. Regarding the wording of 'section' or 'sub-section' in a Bill Pu Speaker, it may be noted that the word is not used in a Bill and should rather be put as 'clause' or 'subclause'. After a Bill is passed, it will be notified and then will become an Act. Act will then be followed by Regulations and Rules. Here, it indicates that after procedure is prescribed in the regulation, the department introduces the work accordingly. The department is again expected to take up dealing of regulations in the near future.

Regarding 'power to remove difficulties' as frequently stated in many Bill/Act, though I cannot explain, obviously there must be a reason. I believe it

is used to protect a particular rules or regulations from falsifying the context if it is found to be conflicted with other rules/regulations after lapse of time. I find no reason not to pass this Bill because of this portion and I accept it is quite good. I also accept that encouragement of the hon'ble Speaker to the legislators too is wise and may be followed without exception.

In connection with this matter, we have a question this morning as to whether the Commission of Enquiry Act, 1952 is extended in Mizoram. As my understanding is concern, Pu Speaker, any of the Central Act is supposed to be implemented automatically as soon as a particular state is came into being but with exception of scheduled areas such as Lai Autonomous District Council, Mara Autonomous District Council and Chakma Autonomous District Council. Besides, unless this august House passed customary law or any others laws which concerned us, certain Central Acts could not be implemented in our state. However, Commission of Enquiry Act, 1952 was automatically implemented as soon as the state of Mizoram came into being.

Pu NIRUPAM CHAKMA

who was once a Minister, an MLA, EM, MDC or else to obtain registration to practice at private clinic as pointed out.

Only one point, Pu Speaker. While expressing my support to this Bill, I want clarification from the concerned minister that whether it is necessary for a doctor MDC or else to obtain registration to

S P E A K E R	:	I now call upon concerned minister to
		wind up the discussion and move the
		House to pass the bill.

:

Pu LALRINLIANA SAILO	:	Thank you Pu Speaker. It is not possible		
MINISTER		to mention whether this bill is good since		
		it is concerned with matter which is		
		completely new to our state. Yet, it is		

laid on the table of the House with a positive thought. Regarding the question of Pu Nirupam Chakma, I cannot give the answer right now as it is not given in detail. I supposed the person in question is included if he chose to practice as a doctor as stated.

I truly appreciate correction made by certain members in the draft of financial memorandum as it is done with a positive approach. If this bill is passed and become an Act, minor error in the draft such as 'when' or 'which' will be corrected with your permission, Sir. As of 'power to remove difficulty', I am not satisfied with it either. But as pointed out by the hon'ble minister Pu Lalsawta, it may be modified as necessary when this bill is passed to become an Act or a Bill. Regarding point raised by Pu Lalduhoma, the wording 'provided that....' is used as it is seen in most of the Council's Bill. Anyway, we will review the matter.

Pu Speaker, what we have heard from a member from Aizawl West-II constituency is true as there are many who spent 3 or more years away from Mizoram and came back with the status of a highly regarded doctorate degree. Hence, this Medical Council will play effective role in preventing our doctors from false allegation and fake doctor (quack practitioner) from practicing. So, Pu Speaker, I move the House to pass 'The Mizoram Medical Council Bill, 2010'. Thank you.

:

SPEAKER

Alright. The minister, after winding up the discussion, has now moved the House to pass 'The Mizoram Medical Council Bill, 2010'. Members who agree

to pass Clause 3 to Clause 32 of main body of the Bill may say, 'Yes' and those who don't may say, 'No'. (Members: - 'Yes'.) The House unanimously passed 'The Mizoram Medical Council Bill, 2010'. Members who agree to pass, Preamble annexation formula such as Clause-I (Short title) and Clause-II (Definition) may say, 'Yes' and those who don't may say, 'No'. This House unanimously passed Preamble annexation formula such as Clause-I (Short title) and Clause-II (Definition) of the Bill.

Alright. The House unanimously passed 'The Mizoram Medical Council Bill, 2010'.

Pu LALRINLIANA SAILO MINISTER	:	Thank you, Pu Speaker.
SPEAKER	:	Coming to the next Business, may I call upon Pu Lalsawta the hon'ble minister to move the House to discuss, 'The Mizoram Salaries, Allowances &
Pension of Members of the Legisla	ative Asso	embly (Fourth Amendment) Bill, 2010'.

Pu LALSAWTA : Thank you, Pu Speaker. With your permission and of the House, I move the MINISTER House to discuss, 'The Mizoram Salaries. Allowances & Pension of Members of the Legislative Assembly Fourth Amendment Bill, 2010'.

SPEAKER

It will be pleased if you could explain about it.

Pu LALSAWTA MINISTER Pu Speaker, I think it is important to explain it as it is possible for any listener or general people to allege the sitting members as having excessive interest on

dealing with matter which concern benefit for the members only. With your permission Pu Speaker, let me read out the context of this amendment bill for Rules section 7 that "a member and his family/relatives shall be entitled to travel in any mode of transport within India whether separately or together subject to the reimbursement of not exceeding ₹.1,00,000/- only in a financial year. Financial payment for the cost of such travel shall be made on production of relevant tickets or any other documentary proof". In this regard, it is to be noted that this amendment which we are discussing does not demand any additional amount of fund but only to extend entitlement of family member with the same and existing amount of fund allotted to that effect. It is done so in pursuance of our discussion on General Purpose Committee. Hence, this amendment Bill is forwarded for discussion in the House. Thank you.

SPEAKER : To start with, let me call upon Pu B. Lalthlengliana to express his opinion in this regard.

Pu B. LALTHLENGLIANA : Pu Speaker, I supposed entitlement for the said cover only those who are shown in family declaration certificate. However, the statement of the hon'ble

minister indicates family & relatives of a member or a minister may be covered. There is co-objection here and the minister should therefore, clarify the limit more specifically.

Regarding constituency allowances Pu Speaker, I have once applied for it. However, the Assembly Secretariat rejected for my constituency as it is said to be inapplicable. There may be an urgent need for a remote constituency like mine as well as Pu C. Ramhluna and Pu P.P. Thawla, to use the said fund accordingly. The minister is, therefore, requested to inform the member a specific limit of this entitlement.

Regarding the context of this bill, it seems that some texts are missing. Instead of plainly forming the sentence as "re-imbursement of not excluding", it may be more appropriate to add the words "an amount of" just before "not excluding". Besides, if "ticket" has to be included, "food and lodging" too should

35

:

be included. As I was not there in the discussion of GPC, I have no idea of the opinion of the committee on this issue. Thank you.

:

Pu R. LALRINAWMA

Pu Speaker, the hon'ble minister has clearly explained whether the members always made easy decision to any bill which concerned their benefit. Rules

which we are now going to amend is of 1999 which entitled the member to avail free travel with 5 members of his family or more than 5, as permitted by the Speaker. There has been so much criticism about this practice not because liability brought by concerned members but due to lack of specific rules. The government, therefore, determined to amend the rules last year. Hence, the members now able to avail free travelling for him and his family members who may or may not be covered by the definition of a family member as long as expenditure to that effect do not exceed one lakh rupees. It is to be noted that this amendment does not intend to supplement free traveling fund benefitted the members but to enhance the concerned rules. I, therefore, stand in support of this Bill. Thank you.

:

:

SPEAKER

Next, Pu Lalduhoma.

Pu LALDUHOMA

Pu Speaker, I opine the members have no reason to hesitate passing of this bill out of speculation of opinion by the public as it is intended to control opportunity of

concerned members to avail free travelling allowance without actually undertaking the travel. This rule will necessitate concerned member to produce a ticket or other relevant documents to prove that he actually performed. Regarding the wording, 'within India', there is nothing to confuse as all the constituencies in Mizoram falls within India.

Pu Speaker, as a member of Sub-Committee of GPC which was formed under your leadership, I supposed I have the right to mention that the committee opined the word 'family' may be amended as 'family/relatives' which was then forwarded to GPC. Pu Speaker, I opine that as interpretation of 'relative' could be diversified, it is necessary to make a particular interpretation. If a separate clause is given for interpretation but without mentioning it finalization, it could not be interpreted correctly. Every member, after elected as an MLA, submitted a family declaration which comprises each of family members living with us. Despite inclusion in a family declaration, medical reimbursement in respect of our grand-son/daughter could not be applied which is considered as inappropriate. This amendment is considered as having diversified interpretation whereas the main purpose is to include such extended family members to enjoy the same entitlement of actual family members. Again, the aforesaid meeting further proposed inclusion of food & lodging as expenditure for the said journey will not exceed one lakh rupees by any means. Hence, the context of GPC found to be slightly different with that of Sub-Committee. Anyway, my party has no objection even if the majority insisted on passing of this bill as drafted. Thank you.

:

Pu LALSAWTA MINISTER Pu Speaker, amendment of this rule is felt to be necessary as any member is supposed to claim his entitlement on the basis of his own interpretation of rules

fund is not supposed to be utilized for a tour to our respective constituencies?

provided which we criticized as having diversified interpretation. Besides, another portion of the context of rules which needed amendment includes "A member and his family members accompanying him" and is followed by "whether separately or together". Here, Pu Speaker, the context "A member and his family members accompanying him" clearly indicates that no member is performing a journey separately. Hence, this portion also needs modification.

As questioned by Pu Lalduhoma as to whether a member has to apply free travel on the basis of his family declaration, it has been discussed in the General Purpose Committee. The problem is that definition of family in Section 2, Clause (b) is contradictory to family declaration. Family, according to the rules, includes only spouses of a member, their children, step-children, widow-daughter who are wholly dependent on such member. As the rules indicates "a family member wholly dependent on such member", it is a problem to include other family members such as parents of a member, minor brother, handicap and adult brother, sister and widow sister. Hence, the committee decided to propose inclusion of such extended relatives as they are actual member of a family as long as it will not exceed fund allotted. Regarding Constituency Allowance, my fellow member Pu B. Lalthlengliana has already explained that any constituency within our state is included as the rules indicate "Within India".

SPEAKER :		While you are standing, you may also explain the limit of Constituency Allowance as it is included in Pay & Salaries of the members.
Pu B. LALTHLENGLIANA	:	If so, why did the concerned authority rejected my application to avail Constituency Allowance? Whether the

Pu LALSAWTA	:	Pu Speaker, I supposed a member should
MINISTER		avail Constituency Allowance unless
		there is a rule which object to avail as a
		rule is meant to be followed. I opine it is
inappropriate to follow our own	n interpretati	on if the rules clearly indicate the limit.

Pu LALDUHOMA	:	If my memory serves me well, the
		committee proposed to add "grand
		children" in the context but not
		"family/relatives" as shown here since
(1 1 (1 (4 1 11	

the rules concerns not only free travel allowance, but also medical reimbursement. If the majority obliges to re-examine the case, I do not think it is inappropriate to deliberately pass this bill as it still can be done by the coming session.

SPEA	KER			:		On the 15 th October, 2012, GPC also
						discussed matters relating to Local Area
						Development as well as Former
						Legislator Association of Mizoram and
follow	up action	was then	taken	by t	he	Ministry of Parliamentary Affairs. If this

portion of rules has to be interpreted as to be applicable for constituency within the headquarters, I opine amendment is a must.

:

Pu K. LIANTLINGA

Pu Speaker, one minute please. As far as my understanding is concerned, the committee proposed to change the wording of "family" as "relatives" as

amendment could not be made as the matter concerned government service rules. As the government has its own procedure to deal with this kind of matter, the committee decided to propose to add the word "relatives" to be applied only within the Legislative Assembly.

Regarding the Constituency Allowance, obviously this bill does not cover a member elected from constituency within the headquarters. If so, is it permissible for the family of such members to perform a journey to the constituency of the concerned member along with the member himself? I supposed at least such families are entitled to bill. Besides, there is a concept with most of the members that the said allowance is made available also for travelling beyond his constituency, for example Saiha or Lunglei etc. In regard to TA/DA, I supposed interpretation of the House should be as the context, "Final payment for the cost of such travel shall be on production of relevant ticket". As of the wording "relative", I thought we have discussed in the meeting that it may be added as it does not conflict with the existing rules. Hence, Pu Speaker, I supposed there will be a problem in passing of this Bill.

Pu P.C. ZORAM SANGLIANA MINISTER

While discussing this Bill Pu Speaker, point which most of the members of the General Purpose Committee necessitated for inclusion in the rules such as

expenditure for food & lodging is not included here. Thus, I opine it is wise for concerned minister not to take it in a bad sense and refer the case for consideration by the coming session. There will then be more chance for concerned officials for preparation and re-examination of the draft so that any context of the Bill is not misinterpreted.

Regarding the context "within India", we may consider the actual meaning which is intended to provide free travel facilities for the member and his family members within India. Hence, I opine it is insignificant to deliberately interpret the context as expenditure of a member for a journey to his constituency to be covered by the rules just because the rules used the term, "within India".

:

:

SPEAKER

Next, Pu R. Lalrinawma.

Pu R. LALRINAWMA

I have few points regarding the term, "relatives". Pu Speaker, rules of medical reimbursement as well as pension will be affected if the definition of family is

amended. Hence, I opine it is enough to add the term "relatives" in the rules concerning free travel where as ceiling of entitlement of fund remained the same.

Dr. R.LALTHANGLIANA : Pu Speaker, I support the opinion of the hon'ble minister, Pu Zoram Sangliana as discussion on this matter may not be concluded. It is more appropriate if the matter is reviewed by GPC as the members too may have suggestions to make in this regard.

SPEAKER : We will now have 15 minutes recess. When we come back, we may be able to conclude the discussion with firm decision. Discussion will be resumed at 4:00 PM.

<u>4:00 PM</u>

SPEAKER

Obviously it is difficult to make conclusion as the statement of those who attended the meeting of GPC on 10th October were not the same. It is quite

confusing for the members who were not at that meeting. Now, let me call upon the concerned minister if he has something to say.

:

Pu LALSAWTA:Thank you, Pu Speaker. As mentioned
already, the rules itself is clear enough
and so are with the members. I opine
there is no problem to implement. With

your permission, Sir, I would like to explain the procedure. Under you leadership, Pu Speaker, the General Purpose Committee had its sitting and decision of the committee was then forwarded to Parliamentary Affairs Committee. However, the number of members who attended the meeting is not clear. Yet, I do not think it is necessary to withdraw the bill and it may be passed as it is. There is no rule which is not amendable and if the situation demands, amendment could still be made in future.

S P E A K E R : If so, members who agree to pass "The Mizoram Salaries, Allowances & Pension of Members of the Legislative Assembly (Fourth Amendment) Bill, 2010" may say, 'Yes' and those who don't may say, 'No'. [Members: - 'Yes']

Alright. This House passed, "The Mizoram Salaries, Allowances & Pension of Members of the Legislative Assembly (Fourth Amendment) Bill, 2010".

Pu LALSAWTA MINISTER	:	Thank you, Pu Speaker.
Pu B. LALTHLENGLIANA	:	Pu Speaker, we have no choice except to support passing this bill if concerned minister, with your permission insisted on passing it in spite of criticism from the majority.

Let us hope for the best as the bill already won unanimous decision of the House.

Before we continue with the next business, I would like to use this last hour to express what I feel as important even though I do not know whether it is my purview.

Out of 21,087 Sq. Km of the total area of Mizoram, Forest Reserved Area and Village Reserved Area seems to be decreased every year whereas on the other hand, number of well-to-do privates who hold excessive areas of lands are increasing. It is sad that such well-to-do privates greedily surpassed the underprivileged to acquire even a small portion of land as the Bible says, "They pant after the dust of the earth which is on the head of the poor and pervert way of the humble".

The government is concerned with the condition of the poor, is now planning to uplift condition of the underprivileged by means of NLUP. In this connection, I appeal to the people particularly the rich who are having vast area of land, to give back for free at least 30% to 50% to the poor who disposed of their land on distress sale. The Bible says, "If you are willing and obedient, you shall eat the good of the land; but if you refuse and rebel, you shall be devoured by the sword". Thank you.

Pu LAL THANHAWLA CHIEF MINISTER

Pu Speaker, I truly appreciate your speech, hon'ble Speaker. It is highly important for the government as well as the people to give more efforts for

preservation of forest as the volume of river water in our state decreases day by day. Otherwise, we may turn our very own state into a dry desert land. In this connection, I opine the existing penalty against mass killing of fishes and birds is not harsh enough. It may, therefore, be strengthened so that concerned persons would not repeat the practice.

:

It is true that there are many who are having asset of land much more than enough. It is important for concerned people to determine whether this practice oppressed the underprivileged. In fact, it is necessary for us to have strong rules for improvement of our land tenure/land reform system. Despite the existence of government, ideal decision may not be made by the concerned authority on which opinion and suggestion from experts is very important as long as it concern our common welfare. Thank you.

S P E A K E R	:	As scheduled	by t	he Mizo	ram State
		Legislative	Asse	mbly	Advisory
		Committee,			
		commenced or			
we are going to conclude today	7, the 5 th	April, 2010. He	re is th	ne summa	ary of this
Budget Session.					

•	ESTIONS AND ANSWERS			
Star	red Questions: -			
a)	No. of Question entered		-	3
b)	No. of Question admitted		-	2
c)	No. of Question rejected		-	3
d)	No. of Question allotted		-	1
	under List of Business.			
e)	No. of Answer given in the House	-	93	
f)	No. of Answer not given in the Hou	ise	-	1
Unst	tarred Questions: -			
a)	No. of Question entered	-		2
b)	No. of Question admitted	-		2
c)	No. of Question rejected	-		
d)	No. of Starred Question converted	-	71	
	to Unstarred Question			

2. This Session, being a Budget Session and the first session of the year addressed by His Excellency, The Governor of Mizoram. Motion of Thanks to the Governor's speech is moved by Pu John Siamkunga and the following members participated in the discussion:-

- 1) Pu R. Lalrinawma
- 2) Pu Lalduhoma
- 3) Lt. Col. Z.S. Zuala
- 4) Pu B. Lalthlengliana
- 5) Pu T.T. Zothansanga

OBITUARY 3.

1.

Pu Lal Thanhawla, Leader of the House and the following members give obituary reference in respect of former member of the House, Pu L.N. Tluanga: -

- 1) Dr. R. Lalthangliana
- 2) Pu K. Lalsawta
- 3) Pu K. Liantlinga

In respect of the departed member, one minute silence is then observed in the House

PANEL OF CHAIRMEN 4.

The following members are appointed as Panel of Chairmen.

- 1) Pu B. Lalthlengliana
- 2) Pu Nirupam Chakma

- 3) Pu Lalduhoma
- 4) Pu K. Lianzuala

5. **PRESENTATION OF REPORTS**

The following Reports are presented during this session: -

- 1) Business Advisory Committee Report (for this session), presented by the hon'ble Speaker, Pu R. Romawia.
- 2) Third Report of Committee on Gov't Assurances, presented by Pu K. Liantlinga, Chairman, Gov't Assurances Committee.
- 3) First, Second, Third, Fourth and Fifth Report of Public Accounts Committee, presented by Pu B. Lalthlengliana, Chairman, PAC.

6. LAYING OF PAPERS

The following Papers are laid on the Table of the House: -

- 1) The Mizoram State Employment Guarantee Fund Rules, 2009.
- 2) The Mizoram Rural Employment Guarantee Scheme, 2009.
- A copy of Delimitation of Parliament and Assembly Constituencies in the State of Mizoram, Publication of Commission's Notification, Dated 27.5.2005.
- 4) Finance Accounts for the year 2008-2009 relating to Gov't of Mizoram.
- 5) Appropriation Accounts for the year 2008-2009 relating to Gov't of Mizoram.
- 6) The Mizoram Road Fund Rules, 2010.
- 7) The Mizoram Private Security Agencies Rules, 2009.
- 8) The Mizoram Grievance Redressal Rules, 2009.
- 9) Corrections of Answer to Starred Question N0. 56 asked by Pu Lalduhoma, MLA on the 23rd March, 2010.
- 10) Report of the Comptroller & Auditor General of India for the year ended 31st March, 2009.
- 11) Statement on Sixth Monthly Review of the Finance Minister on the fiscal position of the Gov't of Mizoram for the first half of 2009-2010 (April September, 2009).

7. STATEMENT BY A MINISTER

The following hon'ble Ministers have given in the House, the following Statements: -

- 1) Pu Lalzirliana, Minister Regarding death of our very own Mizos at Guwahati.
- 2) Pu S. Hiato, Minister Regarding fire that destroyed Multipurpose building at Berawtlang.
- 3) Pu Lalzirliana, Minister Regarding Mizoram State Transport Bus being raided in a route between Kalyan and Masimpur of Assam.
- 4) Pu Lal Thanhawla, Chief Minister Regarding number of households and livings devastated by cyclone in various places within Mizoram.

8. **RESOLUTIONS**

There are 52 nos. of Private Members' Resolution in this Session and Resolutions such as from Pu Lalduhoma that any Rules implemented under the Government of

Mizoram may be put in Mizo language' and from Pu S. Laldingliana a resolution on appreciation of the step taken up by the government for construction of Airfield near Lunglei which concerned alleviation of problems of the people of southern constituencies and that the state authority may further approach central authority for immediate completion were discussed in the House out of which the first Resolution submitted by Pu Lalduhoma was voted out whereas the second Resolution submitted by Pu S. Laldingliana was passed.

9. BILLS

During this Session, the Total No. of Bills submitted is 7 and all were admitted. After discussing such Bills respectively, all were passed by the House such as: -

- 1) The Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly (Fourth Amendment) Bill, 2010.
- 2) The Mizoram Salaries and Allowances of the Minister (Fourth Amendment) Bill, 2010.
- 3) The Mizoram Salaries and Allowances of the Speaker (Fourth Amendment) Bill, 2010.
- 4) The Mizoram State Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2010.
- 5) The Mizoram Medical Council Bill, 2010.
- 6) The Mizoram Appropriation No. 1 Bill, 2010.
- 7) The Mizoram Appropriation No. 2 Bill, 2010.

10. SHORT DURATION DISCUSSION

i) After Pu Lalduhoma spent his time to speak about "Disaster Management and Tlawng River, Sairang", Pu Nihar Kanti, concerned minister pointed out action taken to that effect whereas Pu Zoram Sangliana and Pu R. Lalzirliana too, expressed their opinion on the same.

ii) Pu Lalrinmawia Ralte spent Short Duration Discussion for bringing up issue of financial lapses of the government during 2009-2010 on which Pu Lal Thanhawla, the hon'ble Chief Minister elucidated the problem. The following members too participated in Short Duration Discussion: -

- 1. Pu Lalduhoma
- 2. Dr. R. Lalthangliana
- 3. Pu R. Lalzirliana
- 4. Pu Nirupam Chakma

11. CALLING ATTENTION MOTION Pu Lalduhoma

12. PASSING OF DEMANDS

The members participated in the discussion of Demands of various ministers; the House passed them by unanimous decision.

It is much pleasing that we are able to conclude this Session without any interruption yet, most of the answers prepared by concerned departments were hard to understand whereas few of them were found to be incomplete. In the same manner, there may be mistake with my department too on which I beg consideration of the members. It will be pleasing if all the departments put more efforts so that only an ideal answer is furnished from now on.

Last, but not least, on behalf of the officers and staff of the Assembly Secretariat, I extend my thanks to all the members as well as the departments for their valuable cooperation.

The House is adjourned Sine Die. (4:30 PM)