

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

**LIST OF BUSINESS**

**SIXTH SITTING ON WEDNESDAY, THE 29<sup>TH</sup> SEPTEMBER, 2010  
(Time 10:30 AM to 1:00 PM and 2:00 PM to 4:00 PM)**

**QUESTIONS**

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

**LAYING OF PAPERS**

2. **Pu H. ROHLUNA**, Minister to lay on the table of the House a copy each of the following: -
  - 1) The Mizoram Water Prevention and Control of Pollution (Amendment) Rules, 2009.
  - 2) The Mizoram Water Prevention and Control of Pollution (Amendment) Rules, 2010.
  - 3) The Mizoram Air Prevention and Control of Pollution (Amendment) Rules, 2009.
  - 4) The Mizoram Air Prevention and Control of Pollution (Amendment) Rules, 2010.

**PRESENTATION OF REPORTS**

3. **Pu K. LALRINTHANGA** to present to the House the following Reports:-
  - 1) First Report of Subject Committee – II relating to Sericulture Department.
  - 2) Second Report of Subject Committee – II relating to Transport Department.
4. **Pu B. LALTHLENGLIANA** to present to the House the following Reports of Public Accounts Committee:-
  - 1) Eight Report on Action Taken by the Government on the recommendations contained in the First Report of the Public Accounts Committee on Para 4.9 and 4.10 of C&AG's Report 2005-2006.
  - 2) Ninth Report on Action taken by the Government on the recommendations contained in the Third Report of the Public Accounts Committee on C&AG's Report 2006-2007.

**LEGISLATIVE BUSINESS**

**Bills for introduction, consideration and passing**

5. **Pu LAL THANHAWLA**, Chief Minister to beg leave of the House to introduce “The Mizoram Finance Commission Bill, 2010”.

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

6. **Pu LAL THANHAWLA**, Chief Minister to beg leave of the House to introduce “The Mizoram Public Demand Recovery (Amendment) Bill, 2010.

*Also  
to introduce the Bill  
to move that the Bill be taken into consideration  
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  
stream.

Amos 5:24

We will now take up Questions and Answers. Pu Lalthansanga to ask Starred Question No.101.

Pu LALTHANSANGA : Thank you, Pu Speaker. Starred Question No. 101 –

Will the hon’ble minister for Food, Civil Supplies & Consumer Affairs Department be pleased to state –

- a) What action is taken by the government against persons who are involved in the case of misappropriation of supply of rice?
- b) Whether the government is aware of the condition of Weigh Bridge installed at FCI, Bairabi?
- c) Whether a bridge near Bairabi has already been repaired?

S P E A K E R : Pu H. Rohluna concerned minister to give the answer.

Pu H. ROHLUNA MINISTER : Pu Speaker, my answer is:-

- a) The government takes action against any person who is involved in the case of misappropriation of supply of rice as per law provided.
- b) Yes. The Weigh Bridge at FCI Bairabi is now being replaced with a digital Weigh Bridge. The system is now put into function from the 24<sup>th</sup> of this month.
- c) No, a bridge near Bairabi has not yet been repaired.

S P E A K E R : Pu Lalthansanga to ask supplementary question.

Pu LALTHANSANGA : Pu Speaker, as supply of rice arrived Bairabi by train, large amount of stock being carried away by boat obviously to Tripura and Gutmura is frequently witnessed. I believe this is the main reason for our deficiency in supply of rice. Besides, a bridge in question which remains unrepaired might also be one of the reasons. Hence, I request concerned minister to verify the condition of supply of food stuff arrived at Bairabi rail station. Again, I would also like to know the condition of monsoon stock of food-stuff. Is it true that scarcity of supply of rice during monsoon season is due to lack of monsoon stock of supply?

S P E A K E R : Concerned minister to answer the question.

Pu H. ROHLUNA MINISTER : Pu Speaker, allegation of shipping rice to Tripura is often repeated, yet, the government is not aware of it. As of Gutmura, the department deployed some Inspectors at the spot to see what is happening. In this regard, it is to be noted that the said supply which arrived at Bairabi rail station is not for Mizoram. So, it is difficult for the deployed staff to check it effectively. Pu Speaker, the stock entering Mizoram

should be well-monitored and it is our duty to inspect whether any of it is back-loaded.

Regarding issue of supply of food-stuff on special permit which has now been closed, it is to be noted that central authority never makes extra-allocation to that effect. But the general people accepted it as a must as it has been practiced since long time back. As the supply issued on special permit reduces allocation of ration quota intensively, concerned authority determined to stop it with effect from 1<sup>st</sup> August. Since then, the department is now able to maintain a stabilized stock position as the practice of misappropriation of stock is reduced to a large extent.

Pu Speaker, despite policy of the department to increase public share of ration quota, it is not yet possible to take effective step due to heavy rain falls. It will be increased as soon as stock position is improved. Regarding escalation of rate on supply of rice, scarcity of supply is not the reason. It is to be noted that the rate per kg is not less than ₹22 in most of the major cities in the countries. We some how manage to issue to the public at the rate of ₹9.50 @ kg whereas actual rate of delivery by the state government is ₹21.40 @ kg. It is not known how far the government will continue with this rate. All I could say now is that issue of rice to the public at a subsidized rate is not permitted by our financial position, yet it is done so due to concern given by the hon'ble Chief Minister and other leaders for the people.

S P E A K E R : Whether there is a determination to make special permit for mass dinner events considering the Mizo custom practiced till the present age?

Pu H. ROHLUNA MINISTER : Pu Speaker, I regretted to state that it is not permitted by the present stock position but it may be considered as soon as stock position is improved.

As stated by my fellow member, it is true that damage of bridges reduce the amount of stock to some extent. I have even discussed the problem with officials of PWD yet it is not a matter which could be resolved in a few days. In order to relief the situation, the department deployed number of trucks on the spot to receive load of supply on transit basis. Pu Speaker, I supposed I have answered all the questions. Thank you.

S P E A K E R : Now Pu K. Liantlinga to ask Starred Question No.102.

Pu K. LIANTLINGA : Thank you, Pu Speaker. Will the hon'ble minister for Trade & Commerce deptt. be pleased to state –

- a) Is it possible from the budget of Mizoram to allocate fund for purchase of locally produced vegetables?
- b) If so, which kind of vegetables is being purchased so far?

S P E A K E R : Concerned minister to give the answer.

Pu LALRINLIANA SAILO MINISTER : Thank you, Pu Speaker. Here is my answer: -

- a) Trade & Commerce department does not make provision for purchase of the said vegetables.
- b) Does not arise as the answer is 'No'.

S P E A K E R : Pu K. Liantlinga to ask supplementary question.

Pu K. LIANTLINGA : Pu Speaker, various kinds of vegetables are coming up in the market while we are discussing the budget of Mizoram here. What is the reason for Trade & Commerce department not to make provision for purchase of the said vegetables? Obviously, provision for the said was allotted by the department last year as ₹.45 lakh was spent for purchase of passion fruits. May the department consider allocation for the same this year?

S P E A K E R : Concerned minister to answer the question.

Pu LALRINLIANA SAILO MINISTER : As per notification of the government regarding distribution of work to the departments, Pu Speaker, marketing of our agricultural products is the purview of Mizoram Agriculture Marketing Co-operation (MAMCO) too. However, it may not be appropriate to rely fully on MAMCO as it is just a corporation. I supposed the member gets wrong information as no provision is made for purchase of passion fruit.

Pu K. LIANTLINGA : Pu Speaker, it is quite confusing as the minister answered this question as 'No' whereas in reply to the same question on the 23<sup>rd</sup> March this year, the minister stated that the said provision was made for the year 2009-2010.

Pu LALRINLIANA SAILO MINISTER : Pu Speaker, I did not review the statement I have made last session. Anyway, it may be more appropriate to furnish my answer to the member in written.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, it is wrong to determine only of its marketing but not of whether provision is made in the budget. As the same problem happened with ginger product, free flow marketing is permitted to obstruct meddling of black marketers. Responsibility of the department is to act as a facilitator for the benefit of only the producers. As a facilitator of such production, we already have number of prospective buyers/companies who are willing not only to purchase the product but also to make donation to increase the production.

S P E A K E R : Now Dr. R Lalthangliana to ask Starred Question No.103.

Dr. R. LALTHANGLIANA MINISTER : Pu Speaker, Starred Question No.103. What is the situation of our budget and financial lapsed we have at the end of this financial year?

S P E A K E R : Pu Lal Thanhawla, hon'ble Chief Minister, who also is in-charge of Planning & Programme Implementation department to answer the question.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, I am ready to answer this question any time it is repeated. Pu Speaker, budget fund which is lapsed is ₹7.52 crores. It is surprising as some members seem to be happy than regretted for the cause.

Pu Speaker, the amount redeemed by the government so far is ₹22.8 crores which comprises ₹8.50 crore of plan fund, ₹14.08 crore of Centrally Sponsored Scheme, ₹30 lakhs from North Eastern Council and the rest which is mainly of plan fund will be revalidated in the budget of this year and could be utilized any time. Particularly ₹30 crore from NEC has already been revalidated. Apart from these, effort has been made for re-validation of certain amounts of fund for the projects which had already sanctioned. Re-validation of the whole amount may not be possible, yet it is hopeful that a larger portion may be expected.

Dr. R. LALTHANGLIANA : Thank you, Pu Speaker. I believe no member in this House is happy with this financial lapse of the budget. Hence, members on the left expressed our grievances for what had happened. We wish it is not repeated in future and in the current's budget.

My supplementary question in this connection is - it is shown in the report that there are four departments whose funds under CSS are not re-validated. They are Industry Department (₹5 crore), FCS & CA (₹4 lakh), AH & Vety (₹38 lakh) and School Education (₹1912 lakh). Whether such funds are re-validated after giving this report? Secondly Pu Speaker, figure given in the report is slightly different with that of answer from the hon'ble Chief Minister. Which one is to be accepted? Lastly, will the government take measures so that this kind of problem is not repeated in future?

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

Pu LAL THANHAWLA : I believe figure given in my copy is the correct one as the same could be obtained from Finance department. Pu CHIEF MINISTER Speaker, effort is made for re-validation and it is intended to approach the Auditor General to make reconciliation as much as possible. On the other hand, State Planning Department is approaching the central authority for the same purpose but it is not possible to mention now the exact amount for re-validation.

The question of measures to evade financial lapse of the budget, Pu Speaker, we have taken such measures before and now but unfortunately, it is flopped this time due to some defaulting departments. Hence, instruction is given to all departments not to cause such problems in future.

S P E A K E R : Next Starred Question No.104 and Pu C. Ramhluna to ask.

Pu C. RAMHLUNA : Pu Speaker, this is my question:-

- a) Is there a plan to repair Haulawng-Dawn-Zobawk road?
- b) If so, when will the work be started?

S P E A K E R : Hon'ble Chief Minister to answer the question.

Pu LAL THANHAWLA : Pu Speaker, answer to question – CHIEF MINISTER

- a) Yes.
- b) As pointed out in my reply to other questions, it could not be started due to this rainy season. Everything is set to be started as soon as rainy season is over.

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



Pu LALDUHOMA : Pu Speaker, I supposed answer could be given even if it is not relevant. Approach was made to concerned authority for the repair of road to Chawnpui as LPS Pro-Fight will be hosted here. May this road be repaired immediately so that it is dried up before the said event starts?

S P E A K E R : Another supplementary question from Pu C. Ramhluna.

Pu C. RAMHLUNA : Pu Speaker, let me inform the House that the condition of almost 300 kms length of World Bank Road near Pukpui is very poor and presently not crossable for buses and full loaded trucks. On the other hand, if attention is given to the repair of Haulawng-Dawn-Zobawk, diversion may be made by such vehicles until the said portion near Pukpui is in good condition. Since, this is a common problem as well as interest of the people of southern region; will the hon'ble Leader of the House give priority to the problem?

S P E A K E R : Next, Pu Joseph Lalhimpuia and Pu K. Liantlinga to ask supplementary question.

Pu JOSEPH LALHIMPUA : Pu Speaker, there are two things I would like to inform the hon'ble Chief Minister, who is in-charge of PWD. Firstly, in pursuance of a plan to repair land-slide on 54 National Highway near Dawn, a contractor has already been selected for the work, thanks to the concern of the hon'ble Chief Minister for the people of southern region. Thus, it is truly appreciated that ₹100 lakh is allotted for the work.

Secondly, regarding plan for improvement of road between Haulawng to Zobawk via Dawn, it was intended to serve as a substitute to World Bank Road. Since the said portion of road is used only by few vehicles whereas on the other hand, improvement of a portion near Pukpui is almost completed, the need for repair of the said road may not be taken into account. Thus, I would like to request the hon'ble Chief Minister to approach concerned authority of the company for the repair of the said road as improvement near Pukpui is not fully completed yet.

S P E A K E R : I do feel the need for the repair as it concerned the place where I belonged. Now, Pu K. Liantlinga to ask supplementary question.

Pu K. LIANTLINGA : Pu Speaker, construction of road which linked Republic field and College Veng is now in progress, thanks to the concern of the hon'ble Chief Minister. As this road is meant for black-topping, I request the hon'ble Chief Minister, who also is in-charge of PWD to consider black topping as soon as rainy season is over.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, I wonder if one has to break the rules to resolve the problem which may be preferred by an individual member. But since you, the Speaker, is vested with highest authority in this august House, it should be done as you wish. Regarding the problem of Chawnpui road as asked by Pu Lalduhoma, I have received words of appreciation from concerned authority of the construction as I was involved in the approach made to central authority and NEC to expedite the work. I am therefore, invited to inaugurate the function on this Saturday. Pu Speaker, concerned officials did not mention any problem with the said road, yet I opine it is necessary to take immediate action as it concerns reputation of the state government.

In reply to the main question, Pu Speaker, it concerned with 2 separate projects, one for improvement of National Highway 54 i.e. Haulawng-Dawn-Pukpui road and the other Haulawng-Dawn-Zobawk. Since the first one is under construction, the second one which serves as a substitute road too suffered damages as it is heavily used. As there is no fund allotted separately for the repair, it may be necessary to do from maintenance fund when monsoon season is over.

It is known to us all that the first one is projected by the National Highway 54. There is fund allotted for the repair and resurfacing of this road and the work is already allotted to M/S Sunshine Overseas Pvt. Ltd. The work will be started in full swing as soon as the weather is improved. Regarding the question of special permit for mass occasions, it is not necessary as enough supply is available from the market.

S P E A K E R : Next, Pu B.Lalthlengliana to ask Starred Question No.105 .

Pu B. LALTHLENGLIANA : Pu Speaker, Question No.105. Will the hon'ble minister for Environment & Forests department be pleased to state –

- a) Whether Autonomous District Councils are entrusted to execute Centrally Sponsored Schemes under Environment & Forests Department?
- b) If yes, what are these schemes and what is the allotment of fund made to each Autonomous District Councils against each schemes during 2008-2009, 2009-2010 and 2010-2011?

S P E A K E R : Pu H. Rohluna, concerned minister to give the answer.

Pu H. ROHLUNA MINISTER : Pu Speaker, answer to the questions are –

- a) Autonomous District Councils are entrusted by Environment & Forests Department to execute Centrally Sponsored Schemes.
- b) Allotment of CSS fund made to each Autonomous District Councils against each schemes during 2008-2009, 2009-2010 and 2010-2011 are as follows: -
  1. National Afforestation Programme: -
    - a) MADC: 2008-2009 - ₹135.00 lakhs  
2009-2010 - ₹178.83 lakhs  
2010-2011 - ₹123.74 lakhs
    - b) LADC: 2008-2009 - ₹70.00 lakhs  
2009-2010 - ₹90.70 lakhs  
2010-2011 - ₹73.54 lakhs
    - c) CADC: 2008-2009 - ₹50.00 lakhs  
2009-2010 - ₹80.00 lakhs  
2010-2011 - ₹54.91 lakhs
  2. National Bamboo Mission: -
    - a) MADC: 2008-2009 - ₹29.3887 lakhs  
2009-2010 - ₹15.00 lakhs  
2010-2011 - ₹18.89 lakhs
    - b) CADC: 2008-2009 - ₹28.5887 lakhs  
2009-2010 - ₹12.50 lakhs  
2010-2011 - ₹8.94 lakhs
  3. Intensification of Forests Management: -
    - a) MADC: 2008-2009 - ₹4.586 lakhs

- 2009-2010 - ₹9.375 lakhs  
2010-2011 - Nil
- b) LADC: 2008-2009 - ₹5.556 lakhs  
2009-2010 - ₹19.175 lakhs  
2010-2011 - Nil
- c) CADC: 2008-2009 - ₹4.106 lakhs  
2009-2010 - ₹19.177 lakhs  
2010-2011 - Nil

4. Integrated Development of Wildlife Habitat: -

- a) MADC: 2008-2009 - ₹62,40,000 lacs  
2009-2010 - ₹11,01,000 lacs  
2010-2011 - ₹9,70,000 lacs
- b) LADC: 2008-2009 - ₹28,21,000 lacs  
2009-2010 - ₹26,52,000 lacs  
2010-2011 - ₹18,26,000 lacs
- c) CADC: Does not arise as wildlife habitat is NIL.

S P E A K E R : Question No.106 and Pu K. Liantlinga to ask.

Pu K. LIANTLINGA : Pu Speaker, Starred Question No.106

- a) May I know the number of district-wise ration card in respect of BPL, AAY and APL issued up to August, 2010?
- b) What is the total amount of rice demanded for ration card holders of BPL, AAY and APL respectively?

S P E A K E R : Pu H. Rohluna, concerned minister to give the answer.

Pu H. ROHLUNA MINISTER : Pu Speaker, this is the latest condition of ration card in respect of BPL, AAY and APL: -

SI/No	District	APL	BPL	AAY
1	Aizawl District	90358	11190	7351
2	Lunglei District	36235	6681	4109
3	Saiha District	16142	4199	2459

4	Lawngtlai District	16393	3941	2300
5	Champhai District	34561	3214	3631
6	Mamit District	17082	4025	1850
7	Kolasib District	19775	4025	2352
8	Serchhip District	17363	3187	1948
<b>TOTAL</b>		<b>2,47,909</b>	<b>42,000</b>	<b>26,000</b>

- b) APL - 12,145 metric tons per month  
 BPL - 1,470 metric tons per month  
 AAY - 910 metric tons per month

Pu K. LIANTLINGA : Supplementary question Pu Speaker. Whether the government is able to lift ration supply as required by each category? What is the economic cost in respect of APL?

Pu LALDUHOMA : Supplementary question, Pu Speaker. Departments such as Food & Civil Supply, Rural Development and Electric have a separate list of BPL for their respective schemes. It is wise for the government to prepare uniform list of BPL to be used by all departments for their respective schemes. Is it possible for the government to eliminate a separate list of BPL used by various departments and provide uniform one?

Pu LALROBIAKA : Pu Speaker, will the hon'ble minister for Supply department make special consideration for regular supply of rice to my constituency as no vehicle is willing to carry load to Marpara?

S P E A K E R : Minister for Food & Supply department to answer the questions.

Pu H. ROHLUNA : Pu Speaker, in reply to the  
MINISTER supplementary question of Pu K. Liantlinga as to whether ration quota for BPL and AAY are fully lifted, Pu Speaker, unless FCI failed to allot the supply in the stipulated time, lifting of supply is done on regular basis. But on some occasions, it cannot be lifted in time as FCI failed to issue allotment as per R.O. received by the department. Lifting of supply for the month of August too was delayed due to road blockage, damage of bridges and the said FCI related problems. As a whole, it is done as expected.

As mentioned repeatedly, economic cost of supply of rice is intensely high whereas during April - September, ₹74.0795 crore is spent for purchase of 5,50,000 qtls. of rice. As of the question on maintenance of a separate list of BPL by aforementioned departments Pu Speaker, its applicability to supply department is slightly different with that of others as it concerns AAY and APL. List maintained by my department is not supposed to influence lists of other departments.

In reply to the question of Pu Lalrobiaka, it is regretted to mention that stock position in any region is not good due to reiterated season's related problem. Pu Lalrobiaka and other members too may kindly remember that intensive effort is made by the department as the government is not allowed to leave its people to starve. Thank you.

S P E A K E R : The next business is Laying of Papers. I now call upon Pu H. Rohluna, hon'ble minister to lay on the Table of the House the following Papers: -

- 1) The Mizoram Water (Prevention and Control of Pollution) (Amendment) Rules, 2009.
- 2) The Mizoram Water (Prevention and Control of Pollution) (Amendment) Rules, 2010.
- 3) The Mizoram Air (Prevention and Control of Pollution) (Amendment) Rules, 2009.
- 4) The Mizoram Air (Prevention and Control of Pollution) (Amendment) Rules, 2010.

Pu H. ROHLUNA : Pu Speaker, with your permission and of  
MINISTER the House, I lay on the Table of this House the following Papers –

- 1) The Mizoram Water (Prevention and Control of Pollution) (Amendment) Rules, 2009.

- 2) The Mizoram Water (Prevention and Control of Pollution) (Amendment) Rules, 2010.
- 3) The Mizoram Air (Prevention and Control of Pollution) (Amendment) Rules, 2009.
- 4) The Mizoram Air (Prevention and Control of Pollution) (Amendment) Rules, 2010.

Thank you.

S P E A K E R : Next, Presentation of Reports. I call upon Pu K. Larinthanga, Chairman of Sixth Mizoram Legislative Assembly Subject Committee-II to present to the House the following Reports: -

- 1) First Report of Subject Committee-II relating to Sericulture Department - Cluster Development Project for Mulberry Cultivation.
- 2) Second Report of Subject Committee-II relating to Transport Department.

Pu K. LALRINTHANGA : Pu Speaker, with your permission and of the House, I present to the House the following Reports: -

- 1) First Report of Subject Committee-II relating to Sericulture Department - Cluster Development Project for Mulberry Cultivation.
- 2) Second Report of Subject Committee-II relating to Transport Department.

S P E A K E R : Let the copy be distributed. Next, Pu B. Lalthlengliana, Chairman of PAC to present to the House the following Reports: -

- 1) Eighth Report on action taken by the Government on the recommendations contained in the First Report of the Public Accounts Committee on Para 4.9 and 4.10 of C&AG's Report, 2005-2006.
- 2) Ninth Report on action taken by the Government on the recommendations contained in the Third Report of the Public Accounts Committee on C&AG's Report, 2006-2007.

Pu B. LALTHLENGLIANA : With your permission and of the House Pu Speaker, I present to the House the following Reports: -

- 1) Eighth Report on action taken by the Government on the recommendations contained in the First Report of the Public Accounts Committee at para 4.9 and 4.10 of C&AG's Report, 2005-2006.
- 2) Ninth Report on action taken by the Government on the recommendations contained in the Third Report of the Public Accounts Committee on C&AG's Report, 2006-2007. Thank you.

S P E A K E R : Let the copy be distributed. Next is Legislative Business. I call upon Pu Lal Thanhawla, hon'ble Chief Minister who is in-charge of Finance to move to the House to introduce 'The Mizoram Finance Commission Bill, 2010'.

Pu LAL THANHAWLA CHIEF MINISTER : With your permission and of the House, Pu Speaker, I move to the House to introduce, 'The Mizoram Finance Commission Bill, 2010' for favor of consideration and passing unanimously.

Pu Speaker, introduction of a new Bill in the House is not new in India as it is a common practice. It is often said that God relates to the people through five personalities which seems to be the outcome of Panchayati Raj. This remains important even after independence of India as it concerns Community Development Project. However, the progress is rather slow obviously due to some sort of faulty planning. Thus, Balwan Rai Mehta Committee was then set up to make enquiry to the system. According to the report of the committee, absence of local self government was the main reason for failure of Community Development Project. Hence, the committee recommended setting up a three tier local government such as Gram Panchayat, Panchayat Samiti for block level and Zilla Parishad for district level. Pu Nehru straight away accepted the recommendation for the policy of the Congress and of the government. Since then, it is commonly practised in the country till today. However, the system was not successful as expected due to the untimely death of Pu Nehru and also because it was not adopted by the Constitution. Intensive effort was then made to revive the system as the necessity of adopting in the Constitution of India was felt.

Pu Rajiv Gandhi, the late leader too intended to take this policy very strongly as indicated in his slogan 'Back to the people'. Even though the policy was not accomplished during his lifetime, the next Prime Minister Pu P.V. Narashimha Rao continued the unfinished mission by moving it in the 73th



Amendment of Parliament. After passing this amendment bill, power and function of the local self government was then clearly demarcated. This further resulted in setting up of State Finance Commission to resolve financial problem of a particular state.

At the same time, 74<sup>th</sup> Amendment of Municipal Council had also been done as the 73<sup>th</sup> Amendment exempted Mizoram. As a result, we are able to achieve Municipal Council for Aizawl too. In order to implement Municipal Council, the rules demanded Finance Commission of its own for each state. Thus, the 13<sup>th</sup> Finance Commission Report (para 6, section 61) allocated ₹2.30 crore under the head of Grant Fund of local body in respect of General Performance Grant for Mizoram. As demanded by the Constitution, this Bill is moved to the House to notify qualification for setting up of State Finance Commission by using Act. It is to be noted by the members that unless this is achieved first, it is not possible to exercise the said Act. Since Performance Grant is meant to be effective from 2011-2012, it is necessary for us to pass this Bill within this financial year.

I do not think it is necessary to explain the detail of the Bill as draft copy is distributed to the members. So, Pu Speaker, I appeal to each member to examine this bill very carefully and point out what is felt to be necessary. Thank you.

S P E A K E R : The hon'ble Chief Minister has now moved to the House, "The Mizoram Finance Commission Bill, 2010". I call upon Pu R. Lalrinawma to start the discussion.

Pu R. LALRINAWMA : Pu Speaker, it is truly appreciated as the hon'ble Chief Minister moved this Bill keeping in mind the need for Mizoram to catch up with other advanced states in the country in regard to administrative system.

In the meantime Pu Speaker, we see here 2 columns under the head of Short title such as 'commencement' and 'extend' whereas the definition for 'commencement' is seen but 'extend' seems to be missed out. This should be included when edited. Again, under section 8, Power to make Rules, Pay & Allowances of the Commission members is fixed whereas qualification for Chairperson is not defined. I opine discretionary power to that effect is too much whereas the status of the member or chairperson should be based on his salary. It may be more appropriate if it is defined too. Thank you.

S P E A K E R : Next Pu H. Zothangliana.

Pu H. ZOTHANGLIANA : Thank you, Pu Speaker. Bills which have been passed during this Session concerned mostly to safeguard the right of the citizens. In the same manner, Bills moved by the hon'ble Chief Minister such as "The Municipalities (Amendment) Bill, 2010" and "The Mizoram Finance Commission Bill, 2010" also concerned the rights to citizen as the main objective is an enhancement of power to the people. Pu Speaker, it is to be noted by the members that this Commission, if passed by the House, will be much beneficial for maintenance of local bodies and certainly for the three Autonomous District Councils.

Obviously the three Autonomous District Councils are at ease whenever Congress party is in power but saddened by intervention of other parties to form the ministry since concerned leaders were in confusion due to lack of appropriate administration. Thus, moving of this Bill is truly appreciated. I, therefore, express my appreciation to all concerned leaders and officials without whom this will never be achieved. So, Pu Speaker, I express my desire that "The Mizoram Finance Commission Bill, 2010" be passed by the House unanimously. Thank you.

S P E A K E R : Next Pu T.T. Zothansanga.

Pu T.T. ZOTHANSANGA : Pu Speaker, it will be pleasing if the members are furnished with a copy of an Act of any amendment which may be moved to the House as it is difficult for a new member like me to make opinion on such bills only from the amendment portion provided to the members.

Secondly Pu Speaker, it is truly appreciated that "The Mizoram Finance Commission Bill, 2010" is moved to the House as many years has lapsed for Mizoram without having appropriate financial control. Hopefully, Mizoram will then be able to start with an ideal system of financial control whereas decentralization of administration is already adopted by the Directive Principles of the Constitution. Hence, I give my support to this Bill. Thank you.

S P E A K E R : Suggestion made by Pu T.T. Zothansanga is very important. Members who have experienced in the House before may have a fair copy of any amendment moved to the House but it is difficult for a new member to understand the detail of such bills only from a brief portion of the amendment distributed to the members. Hence, it may be pleased if departments placed fair copy of an Act for

amendment to be moved at the library of Legislative Assembly for reprocessing as required. It will be returned after the discussion. Next Pu Lalsawta.

Pu LALSAWTA : At the outset, Pu Speaker, I congratulate the hon'ble Chief Minister for moving this important Bill which concerns decentralization of administration. This will surely help the government for improving the system of financial administration of our state. If State Finance Commission is implemented, matter which deals with collection of revenues, distribution of grant-in-aids, financial administration of District Councils, Village Councils and Municipalities will then be maintained in appropriate manner. Apart from this, any Autonomous District Council, constitutional or statutory body will then be able to make recommendation to the concerned authority as per requirement.

Regarding suggestion made by Pu R. Lalrinawma to amend the portion, 'It extends to the whole of Mizoram', I opine it is wise to make a change by means of your prerogative so that the sentence, 'to the whole of Mizoram' may be added. At the same time, Pu Speaker, this House too may consider few patent errors which may be made in the Bill by means of your prerogative. Thank you.

Pu S. LALDINGLIANA : Thank you, Pu Speaker. I would like to make few points in support of this Bill.

The peculiarity of America is that each citizen identifies himself as an American despite their originality as a particular tribe or ethnic group. Likewise, there are numerous tribes in India having a particular language and religion. Thus, the late leader Pu Rajiv Gandhi, from his research on the problem of various ethnic groups of people to identify themselves as Indian, found that the main reason could be because democracy does not reach-out to the actual owners i.e. the people of grass-root level.

Part-IV of the Constitution of India underlines that any state may implement a local self government as its own desire. Under the system, the said leader found out that democratic power was not vested to the people. Intensive effort was then made for the adoption of Article 73 and 74. Even though it was not achieved in his life-time, his successor Pu P.V. Narashimha Rao continued the mission and achieved it during his tenure as Prime Minister. This is the main reason that we could have meaningful administration of local body.

So, Pu Speaker, it is highly appreciated as we are going to pass "The Mizoram Finance Commission Bill, 2010" which is essential for decentralization of democracy. I congratulate the hon'ble Chief Minister on his initiative for the achievement of "The Mizoram Finance Commission". Thank you.

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

Pu C. RAMHLUNA : Pu Speaker, it is, in a way, interesting to discuss a matter which is of great importance. On the other hand, it is quite difficult to understand the detail. It may be understood if the minister for Law Department and Chairman of Law Commission were queued behind to explain some points of confusion. For example, State Finance Commission could be adopted only on the basis of Act 243-I of the Constitution which concerns only Village Panchayat. As for Mizoram, we do not have Village Panchayat but only a full-fledged Village Council with its separate Act. If we have to implement Village Panchayat, it is necessary for us to pass a resolution first which has not yet been done. Hence, it is to be noted by the members that without Village Panchayat, the right to implement State Finance Commission could not be availed. Likewise, the same is not applicable with the status of Village Council. Hence, this Bill is quite confusing.

In regard to implementation of Finance Commission in the Autonomous District Councils, I also ask the mover of this Bill whether it is necessary to adopt first in the Sixth Schedule as there is no provision for Finance Commission to function in the Sixth Schedule. We may be able to make any Rule but we have to consider whether it is based on the Constitution. If not, how could it be empowered? The hon'ble minister for Law or Chairman of Law Commission may be given the chance to explain it? Anyway, the Bill body itself is quite good and is much appreciated.

In regard to empowerment also, Pu Speaker, I do not think it is necessary to empower the State Finance Commission much to the extent of Civil Procedure Code (CPC) and Indian Penal Code (IPC). Even if there is a problem which concerns CPC or IPC, it is supposed to be determined by the central after information is received from the State Commission. The said power may be referred to the State Commission if it is deemed to be necessary.

Pu Speaker, constitutionally, we do not have power to extend the fixation of State Finance Commission to the 6<sup>th</sup> Scheduled areas. Legally, it may be safer to constitute the Commission first and then extend its jurisdiction by an executive order, if that is necessary. It is also necessary to review the Municipality Bill which had been passed by the House yesterday as it is not appropriate to fix qualification of a member at 25 years of age whereas according to the Constitution, a person of 21 years of age has the right to contest in the election. Hence, it is wrong to pass any Bill against the Constitution of India. Thank you.

Pu LALSAWTA : Pu Speaker, our fellow member Pu C. MINISTER : Ramhluna alleged the procedure of this Bill as against the Constitution. In this regard, it is to be noted that qualification is completely different from disqualification. In the case of qualification, educational qualification of concerned member is fixed whereas in the case of disqualification, a qualified member may be disqualified. For example, to disqualify an elected municipal member of 23 years of age, it should not be on the ground that he is less than 25 years of age. The purpose is only to defend a member from disqualification on the ground that he is less than 25 years of age.

Pu C. RAMHLUNA : Pu Speaker, Article 243-V underlines that a person shall be disqualified for being chosen and for being a member of the municipality –

- a) if he is so disqualified by or under any law for the time being enforced for the purposes of election to the legislature of the state concerned provided that no person shall be disqualified on the ground that he is less than 25 years of age if he has attained age of 21 years. It means that a member of 21 years of age is entitled to be chosen as a member. Hence, it is wrong to fix the age of qualification at 25.

Pu NIRUPAM CHAKMA : Pu Speaker, Municipal Bill is introduced and passed in the House after vetted by Law Department. Hence, point raised by our fellow member is not relevant. Let the discussion be continued.

Pu LAL THANHAWLA : Pu Speaker, let other members expressed their opinion first as he may continue to explain it more afterward. CHIEF MINISTER

Pu LALDUHOMA : Pu Speaker, before attainment of independence, Mahatma Gandhi wished to set up government of Villages in India by which each village may have its own government except Railways, Defense and Foreign Affairs etc. which may be put in the hands of central government. However, as the Constitution of India was formed, system of the government was set up but not as planned by the said leader nor federal

or unitary system but quasi federal form of government. However, plans set up by Mahatma Gandhi were adopted in the Directive Principle of State Policy. As a result, the progress of Indian political system greatly hampered smooth administration. The power of the central government keeps stronger and stronger every year whereas decentralization process could not make any progress. The same problem affected Mizoram too for many decades as grass-root level planning could hardly be carried out effectively.

Due to this, central government ceaselessly gives instruction to all the state governments to implement grass-root level planning and as a result, we now have Block Development Committee under each BDO which surely is a great achievement.

Strong effort was then again made for implementation of the said grass-root level planning, thanks to the concern of the late leader Pu Rajiv Gandhi. Consequently, Pu P.V. Narashimha Rao, as soon as he succeeded the late leader, adopted amendment of Article 73 and 74. As a result, we are able to discuss today this important Bill.

Even in Mizoram, various autonomous bodies such as MPSC, Information Commission and Election Commission have already been set up with presently discussed Finance Commission to be the next in line. Hence, Pu Speaker, what is important for the members is to understand the main objective of amendment to Article 73 and 74 which is to make the best out of grass-root level planning and to accommodate beneficiary as much as possible at the stage of planning as well as implementation. Since this bill concerns achievement of the aforementioned plans, it is necessary for us to have this bill passed by the House.

It may also be noted by the members that this bill will not be benefitted only for maintenance of Municipal Council, but also for the Municipal Board when it is implemented. Likewise, the same will take care of matters outside the influence of Municipal Council like Autonomous District Councils as we will be sharing one Finance Commission throughout the state. Hence, it is essential to make extension as “the whole of the state of Mizoram” by using your prerogative power in the House.

Regarding the term of members of this Commission, we see the sentence, “to such period as may be specified in the order of the Governor”. I opine it is wise to fix as it is done in other Commissions too. As of qualification of the members, we see the sentence, “person who has no financial or other interests”. Here, I supposed the wording of ‘other’ means ‘political interest’. This indicates that he should be the one who will not take advantage of the Commission for his political or financial interest but to discharge his duty as a partisan of the Commission. This should be a prerequisite quality of any member before and after his appointment as a member of the Commission.

Lastly Pu Speaker, as time given for setting up of the Commission, it will be pleasing if it is followed accordingly and established in due

time. It is, as well desirable if the bill is prepared so that amendment or extension is no longer necessary in future. So, with this speech Pu Speaker, I express my support to this Bill. Thank you.

S P E A K E R : Next Pu R. Lalthangliana

Dr. R. LALTHANGLIANA : Thank you, Pu Speaker. The government today as well as in the previous years has many deficiencies in its system. It is a common practice to make diversion of fund received from Finance Ministry, particularly non-plan fund for other purposes. It is always confusing for the government to deal with funds earmarked by the central. Departments who are more capable of obtaining Centrally Sponsored Scheme (CSS) seem to be more efficient than the rest no matter how such funds are utilized.

Pu Speaker, since this Financial Commission Bill concerns an important step for the progress of Mizoram, it is, in certain ways difficult to understand whether it is good to pass as some portions of the bill body is found incomplete. For example, whether there is a determination to indicate existing rate of state-owned revenue and comparatively its growth rate as well as newly planned revenue and the estimated growth rate. It may be appropriate to indicate at least brief summary of financial plan relating to taxation.

In the meantime, it is quite informative for the members if the House is informed about existing condition of the State Resources Assessment of Finance department. Again, it is known to us that Panchayati Raj is not implemented in Mizoram except Municipality which covers only some parts of Mizoram whereas election to that effect is coming up. How will the government take care of this matter? I doubt the hon'ble Chief Minister too could make a clear answer to that effect.

Besides, Pu Speaker, I would also like to know from which fund the State Finance Commission is supposed to make sanction for pay under local bodies. Is it from plan sector or other sources such as CSS? If the State Finance Commission is set up in accordance with the recommendation of Central Finance Commission for 5 years term, will this system be followed by the State Commission for the next term? As far as my knowledge is concerned, Finance Commission recommended funds in respect of backward regions or the three Autonomous District Councils to be allocated under state plan. If so, does it mean that the State Finance Commission should interfere in every financial aspects or funds sanction made by the State Planning Department to such regions? I must say that the decision in this regard is mandatory. Anyway, necessity compels us to have this Financial Commission so that every citizen gets equal share from the government. Let us hope that the Commission is able to function effectively.

As we have listened, the State Information Commission, commonly known as RTI and the State Election Commission were implemented during the previous ministry. What is important for the government is to enhance such local bodies with sufficient monitoring and evaluation power so that transparency is maintained to the public. As this bill concerns matters of utmost necessity as stated, I give my support to it. Thank you.

S P E A K E R : We will have a recess now and discussion will be resumed at 2:00 PM. Sitting is adjourned.

**2:00 PM**

S P E A K E R : To resume the discussion, I call upon Pu P.P. Thawla.

Pu P.P. THAWLA : As a member from Autonomous District Council area, Pu Speaker, this Bill reminds me that my district is at the mercy of the state government and that harsh action could be taken against it for a petty fault committed by such Councils. Hence, it is, in a way, unfortunate to have this Bill. Viewing from the point of Sixth Scheduled Amendment, the State Finance Commission is considered not to intervene in financial matters of the Autonomous District Councils. However, it is a common practice with the state government to dissolve or find fault against Autonomous District Councils which may be formed against the wish of ruling ministry of the state government.

It is my wish that the state government will not use this Commission to do harm against the said District Councils. If so, I have no reason to vote against this Bill. Thank you.

S P E A K E R : Next Pu K. Liantlinga.

Pu K. LIANTLINGA : Pu Speaker, let me start with my appreciation to this Bill as it concerns decentralization policy.



Pu Speaker, I supposed most of the members have seen notification issued by concerned departments for allocation of fund under the 13<sup>th</sup> Finance Commission even before passing this Bill. For Village Council also, distribution for 1-5 categories has already been issued which seems to be of great advantage. Section 3 (a) underlines “the distribution between the state and the Village Council Municipal Board, and the Autonomous District Council” and Section No.2 underlines definition regarding tax, duties, tolls and fees whereas sub-number is given up to (f) only because the rest are well-understood by the officials who drafted the Bill. Hence, I opine it is necessary to show in the Bill the definition of Governor, Members, State, Government and Legislature. Regarding the context, “to extend the whole of Mizoram”, it may as well be necessary to put clear definition to that effect as it also concerns Autonomous District Councils. Lastly, Pu Speaker, I support “The Mizoram Finance Commission Bill, 2010”.

Pu NIRUPAM CHAKMA : Pu Speaker, plan to set up Mizoram Finance Commission is based on Article 243(1) and Panchayati is based on Article 243. There is a provision for Nagar Palika Municipality at 243(y). Hence, Finance Commission could be set up in respect of Panchayat and Nagar Palika on the basis of Article 243(y) and 243(1). It is, therefore, inappropriate to set up Municipality Act without applying Panchayat. If we have to set up Municipality in Mizoram, let us apply Panchayat otherwise our purpose will remain incomplete.

Again, if this Bill is intended to intervene in financial matters of District Council Municipality and Village Council, there is a constitutional implementation which is not applied to Panchayat or Municipality in the District Council. If it has to be applied, only the Parliament can extend Article 243 as it is seen in part not to apply 243(z) and (c) which reads, “Notwithstanding anything in this Constitution, Parliament may, by law extend the provision of this part to the Scheduled Areas and tribal Areas referred to in clause 1, subject to such exception and modification as may be specified in such law, and no such law shall be deemed to be an amendment to this constitution for the purpose of Article 368”. Whereas, part of not to apply to certain areas, as seen in Article 243(m) concerns Panchayat.

What I am afraid with passing of this Bill, Pu Speaker is that we may informed afterwards that it is not applicable to Sixth Scheduled area. Yet, if we study the provisions, we could have a Commission set up within the provision of Panchayat underlined in the Indian Constitution to review the financial position of Village Council, Municipalities and Municipal boards if the Governor deems it necessary. It is, therefore, important to consider legal aspects.

So, Pu Speaker, if we have to implement Municipality in Mizoram, it is necessary to apply Panchayat beforehand. Otherwise, it will not be applicable for Village Council too as the same is not covered under Municipality. Thank you.

S P E A K E R : As we are able to implement the Election Commission as well as State Public Service Commission before, we may be able to do the same for the State Finance Commission.

The definition at part IX and IX (a) clearly underlines about the exemption. This Bill is not based on part IX or IX (a) yet, it is intended to serve the purpose for the state of Mizoram.

So now, let us call upon Pu Lal Thanhawla, the honb'le Chief Minister to wind up the discussion.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, reaction from the members, as we have listened, is mostly appreciation of this Bill.

Pu Speaker, one of the most crucial points in our discussion seems to be its short title, "to extend to the whole of Mizoram". I have no idea whether it is better to delete the word, 'extend' by amendment or by prerogative of the Speaker and whether it is necessary. So, let the House decide.

Pu P.P. Thawla expressed his discontent with this Bill as it may be exercised to dissolve the Autonomous District Council. It is to be noted that if this Finance Commission Bill becomes an Act, it is not applicable for the said purpose and hence, there is nothing to be afraid of. Regarding inclusion of District Council areas by this Commission, it is left to the discretionary power of the Governor as stated "as the Governor may deem it necessary". Hence, it is purely the decision of the Governor.

Regarding period of term of the "recommended period" indicates that the Commission will function as soon as it is set up and length of term depends on the time when recommendation is submitted. The sooner it is submitted, the sooner it will expire and the later it is submitted, the later it will expire. Usually, terms of Central Finance Commission is 2<sup>1</sup>/<sub>2</sub> year but it may be extended if necessary. As soon as it is expired, the Governor, as per recommendation may set up another 5 years term.

Regarding the question of plan and non-plan as asked by Pu R. Lalthangliana, there may be a time for Finance Commission to involve in plan fund but only after the gov't of India, as terms of reference prescribed by such states, finalized it for the whole country and for the states.

As stated already, the system is truly a democratic decentralization policy and Finance Commission Bill which is discussed today is expected to play a significant role in case of devaluation of fund for the state. So, with

your permission, Pu Speaker, I move that the Bill, “The Mizoram Finance Commission Bill, 2010” be passed by the House. Thank you.

S P E A K E R : The mover has clearly explained and moved the House to passed the Bill. Now, the House will take up the clauses of the Bill. The question is, clauses 3 to 9 do stand as part of the Bill. Those in favour may say ‘Aye’. (Members said ‘Ayes’) Clause 1 short title and clause 2 definition does stand as part of the Bill. Those in favour may say ‘Aye’. (Members said ‘Ayes’) ‘Ayes’ is the ruling. Those in favour of passing the Preamble and Enacting Formula may say ‘Aye’. ‘Ayes’. have majority.

Now, those in favour of passing “The Mizoram Finance Commission Bill, 2010” may say ‘Aye’ (‘Ayes’) ‘Ayes’ have it. “The Mizoram Finance Commission, 2010” is now adopted by the House.

Next is Legislative Business. Pu Lal Thanhawla, hon’ble Chief Minister, who also is in-charge of Finance Department, may now move to the House, “The Mizoram Public Demand Recovery (Amendment) Bill, 2010”.

Bill introduced be taken into consideration. Those in favour of introducing the Bill may say ‘Aye’. The members said, ‘Ayes’. ‘Ayes’ have it. If so, the hon’ble Chief Minister may now introduce the Bill to the House.

Pu LAL THANHAWLA : Thank you, Pu Speaker. With your permission and of the House, I introduce to the House, “ The Mizoram Public Demand Recovery (Amendment) Bill, 2010”. And with your permission, I move to the House to discuss the same.

As indicated by the theme, this Bill concerns recovery of loan. It is a common practice with the Mizos to avail loan without necessitating for its recovery. Besides, there are many who deliberately evaded taxes and it is deeply regretted. Thus, “The Mizoram Public Demands Recovery (Amendment) Bill, 2010” is moved to prevent such practices.

Limit of loan, under the existing rule is below ₹10 lakh whereas most loanees in this category are of below-average families and the above are of well-to-do families who are not covered by the existing rule. Hence, there is a proposal to wipe-off the limit, so, amendment is considered necessary.

Latest report of loan recovery received by Finance Department which concerns defaulters under The Mizoram Public Demands Recovery Act are as follows: -

1)	Saiha District	-	164 Nos.
2)	Mizoram rural Bank	-	58 Nos.
3)	State Bank of India	-	106 Nos.
4)	Aizawl District	-	969 Nos.
5)	Custom Deptt. related	-	7 Nos.
6)	Taxation	-	8 Nos.
7)	ZIDCO	-	15 Nos.

Pu Speaker, it is regretted that our status as poor recovery of loan created problem for our state to avail another share. It is, therefore, unyielding to urge for more share whereas our loan recovery is considerably poor.

In regard to the portion of the Bill, "Article 2, amendment of section 1 of Principal Act", the main clause, section 2 stated, "the provision of this shall apply subject to the provision of recovery of that due to Bank and Finance Institution Act, 1993" there is an opinion that Commissioner of Revenue Department be replaced by the Deputy Commissioner.

Again, section 31 of No. 4 provides amendment of the existing rules by which more severe penalty can be given in case of failure to repay loan. Another amendment is replacement of Land Revenue & Settlement Head by Collector or Deputy Commissioner.

So, Pu Speaker, I beg to move that "The Mizoram Public Demand Recovery (Amendment) Bill, 2010" be passed by this august House. Thank you.

Dr. R. LALTHANGLIANA : Pu Speaker, The Mizoram Public Demand Recovery (Amendment) Act, 2010 came into being since 2001 with statement of objects and reasons clearly specified. In concern for improvement of loan recovery, I support the idea of wiping-off limitation of loan amount. In the same manner, it is a good idea to change responsible officer as gazetted officers in Revenue department are in shortage. It is a burden for them to perform other duties in addition to their existing works of the department.

Pu Speaker, it is an unusual practice in a state of 100% Christians like ours to ignore recovery of loan after availing it with a pledge of recovery. It only indicates our lack of honesty in financial matters. So, I support this Bill as it targets on recovery of loan. Thank you.

S P E A K E R : Next Pu T. T. Zothansanga.

Pu T.T. ZOTHANSANGA : Thank you, Pu Speaker. India had been laying inactive long enough in regard to recovery of loan. As a result, Recovery of Debts due to Banks and Financial Institution Act was adopted in 1993. From the light of this Act, tribunal was meant to be set up in every state. In 1996, tribunal for North-eastern region was set up at Guwahati. Regarding point raised by Pu Thangtea, Guwahati tribunal too accepted ₹.10 lakh as a limit of its jurisdiction. It will be pleasing if the same is done at the level of Mizoram. Yet, it may be necessary to deal with the matter very carefully whereas Guwahati tribunal is functioning under the presiding officer effectively. As tribunals of other states, the one at Guwahati too is placed under the supervision of High Court and so, we may be able to make the best use of it when needed.

Pu Speaker, it is difficult for the members, particularly first-time members to understand the detail of this Bill only from the amendment portion. We may be able to make firm opinion if fair copy of this Act is provided. Anyway, I give my support to this Bill. Thank you.

S P E A K E R : Next Pu Lalduhoma.

Pu LALDUHOMA : Pu Speaker, I may not repeat the importance of this Bill as most of the members have already pointed out.

Various Assembly Committees, particularly PAC too has taken up number of cases of loan defaulter. Apart from ZIDCO and Banks, the departments having such cases most are Forest Department, Taxation Department, Transport Department, Revenue Department and Supply Department. Such departments, after failing to make effective collection, usually handed over the case to the Certificate Officer. PAC then determined to call upon Certificate Officer at the meeting to get the detail information of such cases. The case in Transport Department is most serious as necessary information during pre-computerization of the system could not be updated particularly of unregistered vehicles and registration which has not been renewed in due time.

Pu Speaker, most of the defaulters are shop-keepers and suppliers against whom the authority instructed to clear their dues. It is obviously a common practice with such defaulters to negotiate with concerned officer for reduction of their dues which seems to be one of the reasons for the government to incur loss of revenue. Anyway, let the Commission be made to function first and more revenue may be collected by the government if the said tribunal is set up. Collector which may be appointed in any district is expected to be a senior officer with efficiency. It will also be necessary for concerned department to practically see that officer appointed for the purpose executed his duty appropriately. Thank you.

Pu R. SELTHUAMA : Thank you, Pu Speaker. This Bill moved by the hon'ble Chief Minister is truly appreciated. If my memory serves me well, the idea to have this Bill was started in 1997 with the thought that rule adopted during the time of District Council is no longer applicable. Thus, experts from outside were hired to prepare the draft and was adopted in 2001. After a decade, the need to amend the said Act arises out of which "The Mizoram Public Demands recovery (Amendment) Bill, 2010" is now moved. Considering the significance of this Act, I opine it is necessary for the House to pass this Bill. Thank you.

S P E A K E R : Now, let me call upon the hon'ble Chief Minister to wind up the discussion and move to the House to pass the Bill.

Pu LAL THANHAWLA CHIEF MINISTER : Pu Speaker, point raised by Pu Lalduhoma clearly indicates that the existing system is more profitable for the concerned Certificate Officer than the government. Hence, it is also important for us to determine prevention of such practices. Obviously there will be no more chance for a defaulter to negotiate with the Certificate Officer as he will be sent right away to face the tribunal.

So, Pu Speaker, I move the House to pass "The Mizoram Public Demands recovery (Amendment) Bill, 2010" with the hope to improve the Mizo's perception on loan recovery. Thank you.

S P E A K E R : The mover has moved the House that the Bill be passed. Now, the House will take up Clause II to Clause IV of the Bill body. Now, those in favour of passing may say 'Aye'. Next, we will take up Clause I, Short title Preamble and Enacting Formula. Now, those in favour of passing may say 'Aye'.

Now, those in favour of passing "The Mizoram Public Demands recovery (Amendment) Bill, 2010" may say 'Aye'. "The Mizoram Public Demands recovery (Amendment) Bill, 2010" is now adopted by the House.

Pu LAL THANHAWLA CHIEF MINISTER : Thank you, Pu Speaker.

S P E A K E R : Sixth Session of the 6<sup>th</sup> Assembly is now completed. Discussion takes 9 days i.e. 20<sup>th</sup> September – 29<sup>th</sup> September. Here is the summary of the Sixth Session of the 6<sup>th</sup> Assembly, 2010 which is held from 20<sup>th</sup> September, 2010 to 29<sup>th</sup> September, 2010:-

1. **QUESTIONS AND ANSWERS**

**Starred Question: -**

(a)	Number of Question entered	:	160
(b)	Number of Question admitted	:	152
(c)	Number of Question rejected	:	8
(d)	Number of Question entered into the List of Business.	:	118
(e)	Number of Answer given in the House	:	41
(f)	Number of Answer not given in the House	:	77

**Unstarred Question: -**

(a)	Number of Question entered	:	13
(b)	Number of Question admitted	:	13
(c)	Number of Question rejected	:	Nil
(d)	Number of Starred Question converted to unstarred Question.	:	28

2. **PRESENTATION OF SUPPLEMENTARY DEMAND FOR GRANT**

As Pu Lal Thanhawla, the hon'ble Chief Minister presented to the House, First Supplementary Demands for Grants, 2010 – 2011 and First Supplementary Demands for Grants for regularization of Excess Expenditure for the year 2004 – 2005, 2005 – 2006, 2006 – 2007 and 2007 – 2008, the House passed it unanimously.

3. **PRESENTATION OF REPORTS: -**

During this Session, the following Reports are presented to the House –

1. Pu R. Romawia, hon'ble Speaker : - Business Advisory Committee Report.
2. Pu B. Lalthlengliana, Chairman, Public Accounts Committee : -
  - (i) Sixth Report of Public Accounts Committee.\
  - (ii) Seventh Report of Public Accounts Committee.
  - (iii) Eighth Report of Public Accounts Committee.
  - (iv) Ninth Report of Public Accounts Committee.
3. Pu K. Lalrinthanga, Chairman, Subject Committee-II: -
  - (i) First Report of Subject Committee-II,
  - (ii) Second Report of Subject Committee-II.

**4. BILL: -**

10 Bills entered during this Session were all passed by the House unanimously, such as: -

1. The Mizoram Public Servants Personal Liability Bill, 2010.
2. The Mizoram Appropriation (No.3) Bill, 2010.
3. The Mizoram Appropriation (No.4) Bill, 2010.
4. The Mizoram Fiscal Responsibility and Budget Management (Second Amendment) Bill, 2010.
5. The Mizoram Municipalities (Amendment) Bill, 2010.
6. The Mizoram Money Lenders and Accredited Loan Providers (Regulation) Bill, 2010.
7. The Mizoram Co-operative Society (Amendment) Bill, 2010.
8. The Mizoram Shops and Establishments Bill, 2010.
9. The Mizoram Finance Commission Bill, 2010.
10. The Mizoram Public Demands Recovery (Amendment) Bill, 2010.

**6. STATEMENT BY A MINISTER: -**

Pu Lal Thanhawla, hon'ble Chief Minister made a Statement in the House about sinking ground of Mamit.

**7. PRIVATE MEMBERS' RESOLUTION: -**

(a) A Resolution with the theme titled "May the Government of Mizoram provide fertilizer to cultivators as it is done in the previous years" is moved by Pu Lalduhoma.

(b) A Resolution with a theme titled "Step taken by the Government for development of Sports enthusiast youths in Mizoram is appreciated" is moved by Lt. Col. Z.S. Zuala.

**8. OFFICIAL RESOLUTION: -**

Official Resolution with a theme titled "The House expresses its gratitude and appreciation to the Central government for approving the scheme and awarding the funds required under the Comprehensive and Integrated Socio-Economic Development Project under the New Land Use policy (NLUP) of Government of Mizoram to be implemented in Mizoram State for alleviation of poverty from financial year of 2010 – 2011".

After discussion the Resolution is unanimously passed by the House.

It is unfortunate that the senior-most member Brig. T. Sailo and Pu B. Lalthlengliana were unable to attend this session due to health problem. Likewise, Pu Zodintluanga and Pu John Rotluangliana were unable to attend the session regularly due to some problems whereas Pu Lal Thanzara also absent from today's session due to the demise of his father in-law.



Anyway, it is appreciated as rest of the members attended this session regularly and so we are able to conclude today without any serious problem. The sitting is now adjourned.

**Sitting is adjourned sine die at 3:10 PM.**