

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

**LIST OF BUSINESS**

**THIRD SITTING ON MONDAY, THE 11<sup>TH</sup> JULY, 2011  
(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 ZODINTLUANGA**, Minister to lay on the Table of the House a copy of “The Mizoram Urban Sanitation and Solid Waste Management Policy, 2011.”
3. **Pu LALRINLIANA SAILO**, Minister to lay on the Table of the House a copy each of the following :
  - i) Ninth Annual Report of Mizoram Agricultural Marketing Corporation Limited (1.4.2001-31.3.2002).
  - ii) Tenth Annual Report of Mizoram Agricultural Marketing Corporation Limited (1.4.2002-31.3.2003).
  - iii) Eleventh Annual Report of Mizoram Agricultural Marketing Corporation Limited (1.4.2003-31.3.2004).
  - iv) Twelfth Annual Report of Mizoram Agriculture Marketing Corporation Limited (1.4.2004-31.3.2005).
4. **Pu P.C. LALTHANLIANA**, Minister to lay on the Table of the House a copy of “The Mizoram Juvenile Justice (Care and Protection of Children) Amendment Rules, 2010.

**LEGISLATIVE BUSINESS**

**Bills for introduction, consideration and passing.**

5. **Pu P.C.ZORAM SANGLIANA**, Minister to beg leave of the House to introduce “The Mizoram Motor Vehicles Taxation Amendment Bill, 2011.

**ALSO**

**To introduce the Bill;**

**To move that the Bill be taken into consideration;**

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

6. **Pu ZODINTLUANGA**, Minister to beg Leave of the House to introduce “The Mizoram Municipal Authorities (Prohibition of Defection) Bill, 2011.

**ALSO**

**To introduce the Bill;**

**To move that the Bill be taken into consideration;**

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

NGURTHANZUALA  
Secretary.

DEPUTY SPEAKER : Last of all, see that you are all in agreement, feeling for one another, loving for one another like brother, full of pity, without pride.

1 Peter 3:8.

Now, we will take up questions. Lt. Col. Z.S. Zuala may ask Starred Question No. 13.

Lt. Col. Z.S. ZUALA : Will the hon'ble minister, Home Affairs be pleased to state: -

- 1) Can you tell me the progress of construction of Assam Rifle Quarters?
- 2) When will construction of Assam Rifles Quarters be completed?

DEPUTY SPEAKER : Pu R.Lalzirliana, Minister to give the answer.

Pu R. LALZIRLIANA MINISTER : Hon'ble Speaker, my answer to Question: -

- 1) Construction of Assam Rifles quarter at Zokhawsang is not the purview of Home Affairs. Anyhow, the concerned department PWD is instructed to do so. Accordingly, eighty percent of the work has been completed.
- 2) As an agreement made with the contractors, date for handing over the quarters to the Assam Rifles is 31<sup>st</sup> March, 2012.

DEPUTY SPEAKER : Lt. Col. Z.S. Zuala, Pu Lalrinawma and Pu Lalduhoma to ask supplementary question.

Lt. COL. Z.S. ZUALA : Hon'ble Deputy Speaker Sir, will concerned department move home ministry for immediate completion of construction of Assam Rifles Quarters at Zokhawsang?

Pu R. LALRINAWMA : Hon'ble Deputy Speaker, there is an agreement between Government of Mizoram and Zemabawk village council to construct truckable road to Zokhawsang. But it is not implemented till date. Will it be constructed at an early date?

Secondly, the earth-work of Zokhawsang always disrupted National Highway 54 between Zemabawk and Tuirial and also water supply point of Beraw Lui. Will the problem be solved after the said earth-work is completed?

Pu LALDUHOMA : Hon'ble Deputy Speaker, whether proposal of acquisition of Bawngawn land for settlement of the Brigade is withdrawn? What is the present position?

DEPUTY SPEAKER : Pu Lalzirliana, the hon'ble minister to reply.

Pu B. LALTHLENGLIANA : Hon'ble Deputy Speaker, government of Mizoram is to move to the home ministry, central government for shifting of Assam Rifles to Zokhawsang. What step has been taken so far?

DEPUTY SPEAKER : Pu R. Lalzirliana, minister to give the answer.

Pu R. LALZIRLIANA MINISTER : Thank you hon'ble Speaker. We will approach the home ministry for immediate completion of the construction so that the Assam Rifles are shifted to Zokhawsang as early as possible.

Regarding ring road around Zokhawsang hill, it is possible that farmers in the area refuse the road to pass through their farms. Anyhow, we will examine the said agreement carefully.

Apart from this, there is a proposal to construct approach road from Zemabawk to Tlungvel via Chite ferry. If Zemabawk Village Council is willing, it may not be necessary to construct the said ring road.

It is learned that earth-work for the Assam Rifles settlement at Zokhawsang road often causes road blockage of the road between Zemabawk to Tuirial of 54 National Highway. I had even lodged a complaint to concerned Brigadier and so contractor was immediately instructed to be careful in future. Hopefully, there will not be any disruption there.

Regarding Vawngngawn land acquisition, obviously concerned authority is looking for another site for the said purpose.

DEPUTY SPEAKER : Pu R.L. Pianmawia to ask Starred Question No. 14.

Pu R.L. PIANMAWIA : Will the hon'ble minister, Home Affairs be pleased to state -

- a) Did the SDPO post been created at Sakawrdai?
- b) Is there any proposal to provide a vehicle in running condition for the said Police Out-Post?
- c) In which place the Headquarters of 5<sup>th</sup> IR Battalion will be constructed?

DEPUTY SPEAKER : Pu R. Lalzirliana, minister to give the answer.

Pu R. LALZIRLIANA MINISTER : Hon'ble Deputy Speaker Sir, answer to Starred Questions is: –  
a) No  
b) Yes  
c) PTC Training Centre at Sakawrtuichhun.

DEPUTY SPEAKER : Pu R. L. Pianmawia to ask Supplementary Question.

Pu R.L. PIANMAWIA : Hon'ble Deputy Speaker Sir, if the 5<sup>th</sup> I.R. Battalion Headquarters is settled, how about the proposed site for Company Headquarters at Khumlozawl, Darlawn?

Pu C. RAMHLUNA : Hon'ble Deputy Speaker, will the new vehicles be provided for Police Out-Post at Bungtlang South and Vaseikai?

Pu P.P. THAWLA : Hon'ble Deputy Speaker, will a new vehicle be provided to Police Out-Post of Tuipang?

Secondly, may the hon'ble minister inform the House, plan to reshuffle Headquarters of the other five I.R. Battalions?

DEPUTY SPEAKER : Pu R. Lalzirliana, hon'ble Home Minister to give the answer.

Pu R.LALZIRLIANA : Hon'ble Dy. Speaker, Khumlozawl, Darlawn  
MINISTER is under investigation for the Company  
Headquarters.

Regarding the demand for allotment of vehicle for police out-posts at Bungtlang 'S' and Vaseikai, we will verify the matter and may be allotted if necessary.

Pu C. RAMHLUNA : Hon'ble Deputy Speaker, I have been given the  
same answer again and again as enough importance  
is not given to this matter. So, I do earnestly request  
the Minister to provide vehicles for the said Police  
Out-Posts.

Pu R. LALZIRLIANA : As the member requested earnestly, we will  
MINISTER examine the matter and it may be allotted if it is  
deem necessary.

Regarding Headquarters of IR Battalions, 1<sup>st</sup> IR Battalion Headquarters is placed at Mualvum, 2<sup>nd</sup> IR Battalion Headquarters is at Khawzawl and the 5<sup>th</sup> IR Battalion Headquarters is at Lungverh. No Headquarters is set for the rest.

DEPUTY SPEAKER : Pu T.T.Zothansanga, to ask Starred Question No.  
15.

Pu T.T. ZOTHANSANGA : Will the hon'ble minister, Food, Civil Supply &  
Consumer Affairs department be pleased to state -

How many additional agencies are being opened by the Government of Mizoram to resolve the problem of supply of LPG in the state?

DEPUTY SPEAKER : Pu H. Rohluna, hon'ble Minister to give the answer.

Pu H. ROHLUNA : Hon'ble Deputy Speaker, the Government of  
MINISTER Mizoram opened three additional agencies, such  
as: -

1. M & B Indane Gas, Khatla,
2. Zothana Indane Gas, Luangmual and,

3. Seling Indane Gas, Seling. Apart from these, 12 Agencies under Block and Sub-Divisional Headquarter were selected under RGGVL (Rajiv Gramin LPG Vetrak Scheme) and one LPG distributor is appointed for Kulikawn, Aizawl. It will be opened after completion of go-down and attainment of explosive license.

DEPUTY SPEAKER : Pu T.T. Zothansanga to ask supplementary question.

Pu T.T. ZOTHANSANGA : Hon'ble Deputy Speaker Sir, my supplementary questions are: -  
1) What are the criteria for selection of LPG Gas Agency?  
2) How many LPG connections are issued by Government of Mizoram?

Pu LALTHANSANGA : Hon'ble Deputy Speaker Sir, my supplementary questions are: -  
1) What is the amount of sale tax charged for each LPG cylinder?  
2) What is the amount collected by the agencies for each cylinder?  
3) How many gas cylinders are imported by the government during 2010-2011?

DEPUTY SPEAKER : Pu H.Rohluna, hon'ble Minister to give the answer.

Pu H. ROHLUNA : Hon'ble Deputy Speaker, selection of LPG agency MINISTER is not under the authority of the state government as it is the purview of LPG company. As the company issued advertisement on Newspapers, the petitioners submitted their applications which are later sorted out by the company and then the selection is made from qualified applicants through personal interview. But under RGGVL, the distributors are selected on the basis of draw of lots, openly to the public. This is the criteria of selection of gas agencies.

Regarding LPG connection, it was very difficult to obtain new connection during 2008. Thanks to the effort of the new ministry, more than 50,000 connections were allotted to relief our problem. Regarding sale tax, the agencies collected 4% of sale tax per cylinder.

Pu LALTHANSANGA : Hon'ble Deputy Speaker, tax collected from the dealers is obviously 11%. Can you tell me whether 4% or 10% sale tax is collected per cylinder?

Pu K.LALRINTHANGA : Pu Deputy Speaker, gas cylinder theft is a common case in every locality. Is it possible to make a replacement as connection is still validated?

Pu H.ROHLUNA MINISTER : Hon'ble Deputy Speaker, if it is lost, it is necessary to submit FIR to the nearest police Station so that application of replacement of cylinder is submitted to the company along with Police verification report.

DEPUTY SPEAKER : Dr. R. Lalthangliana to ask Starred Question No.16.

Dr. R. LALTHANGLIANA : Will the hon'ble minister, LAD be pleased to state:— Is there any proposal to set up new village council at New Khawlek and Old Khawlek of Lunglei district?

DEPUTY SPEAKER : Pu P.C. Lalthanliana, Minister to the give answer.

Pu P.C. LALTHANLIANA MINISTER : Hon'ble Deputy Speaker, the answer is 'No'.

DEPUTY SPEAKER : Dr. R. Lalthangliana, to ask supplementary question.

Dr. R. LALTHANGLIANA : Hon'ble Deputy Speaker, the distance between New Khawlek and Old Khawlek village is about 8 kms. It is difficult for village council members to attend the meeting regularly. So, I would like to request the hon'ble minister to consider formation of a separate village council to New Khawlek.

Secondly, village council election is now at hand. Is there any plan to form new Village Council before the election?



Pu LALDUHOMA : Hon'ble Deputy Speaker, there are boundary disputes with some villages in my constituency such as Sairang and Chaltlang, Sairang and Sairang Dintar, Phunchawng and Chaltlang. It may be settled by concerned authority by discussing the matter with NGOs and concerned villages. May the hon'ble minister determine to resolve such boundary disputes?

Pu K. LALRINTHANGA : Hon'ble Deputy Speaker, how many village councils have been dissolved during this ministry and which party formed such village councils?

DEPUTY SPEAKER : Let us call upon the concerned minister to give the answer.

Pu P.C. LALTHANLIANA : Hon'ble Deputy Speaker, the situation of village council of Old Khawlek and New Khawlek stated by Pu R. Thangliana is true. Anyhow, V/C election is at hand, and the state government will consider formation of new village councils. The matter will be brought to the committee and will be settled by the government.

Eight village councils have been dissolved. Five village councils out of eight were formed by Congress (I) Party and the rest were formed by MNF Party. Thank You.

DEPUTY SPEAKER : Pu Lalrobiaka to ask Starred Question No.17.

Pu LALROBIAKA : Will the hon'ble minister, Printing and Stationery department be pleased to state: -

What steps have been taken by the government for improvement of government press?

DEPUTY SPEAKER : Pu P.C. Zoram Sangliana, minister to give the answer.

Pu P.C. ZORAM SANGLIANA : Hon'ble Deputy Speaker, DPR submitted by the state government submitted DP is already accepted by DoNER ministry. Now, the state government is preparing DPR and concept papers for construction of press building.

DEPUTY SPEAKER : Pu Lalrobiaka, to ask supplementary question.

Pu LALROBIAKA : Hon'ble Deputy Speaker, Printing & Stationery department is a full-fledged department. But it is not utilized by the state government as it ought to be particularly in stationery materials. Will the state government utilise this department as it is supposed?

Secondly, it is often mentioned that Printing Institute will be set up in Mizoram. If so, what step has been taken so far?

DEPUTY SPEAKER : Pu P.P. Thawla.

Pu P.P. THAWLA : Does the government press earn any revenue?

Pu LALDUHOMA : Hon'ble Deputy Speaker, the consultative Committee once recommended disposing unnecessary stocks. Did the government have implemented the recommendation? Secondly, in which site the press building will be constructed? Thirdly, does the present condition of government press been implemented as recommended by the consultative committee?

DEPUTY SPEAKER : Pu P.C. Zoram Sangliana, minister to give the answer.

Pu P.C. ZORAM SANGLIANA MINISTER : Hon'ble Deputy Speaker, as already stated in the answer of the original question, DPR was made for printing institute. The DoNER ministry is very interesting with it and changes the name as the first printing institute in the North East. The DPR is framed accordingly. But after studying the name carefully by Planning department, the name is again changed for the scheme as a measure to strengthen the government press. DPR and concept paper of the scheme amounting to ₹875 lakhs has been submitted to the DoNER ministry out of which ₹842.47 lakhs was accepted. ₹330.38 lakhs including the state share was already sanctioned. Now, quotation in nationwide is called for and the State Purchase Board will finalize the quotation. After finalizing the quotation, the most standard machines made of Japan or Germany will be installed. The second installment will be drawn as soon as the State Purchase Board handed over utilization certificate to the DoNER ministry. It is therefore, expected after

three or four months. Color printing machine will also be installed at the same site of directorate office. Improvement work as asked by Pu Lalduhoma also is fully implemented.

Building division of PWD is now framing a new DPR amounting to ₹10 crores which will be submitted to the DoNER ministry. If this fund is received, the building of the Government Press will be constructed at Luangmual/Chawnpui.

Regarding earning of revenue, target of revenue is ₹75 lakhs where as revenue earning is ₹89 lakhs. It is further to be noted that unwanted stocks has already been disposed. Regarding supply of materials, it is given only to the existing demand in case of stationery.

DEPUTY SPEAKER : Pu Lalrinawma, to ask Starred Question No.18.

Pu R. LALRINAWMA : Will the hon'ble minister, LAD be pleased to state –  
Is there any proposal to rectify wrong boundary notification of village council,  
No.LAD/VC-40/87/80 Dated the 6<sup>th</sup> Oct. 1987?

DEPUTY SPEAKER : Pu P.C. Lalthanliana, minister to give the answer.

Pu P.C. LALTHANLIANA MINISTER : Hon'ble Deputy Speaker, answer to the Starred Question of Pu R. Lalrinawma is 'Yes'.

DEPUTY SPEAKER : Pu Lalrinawma to ask supplementary question.

Pu R. LALRINAWMA : Hon'ble Deputy Speaker, obviously there was a mob rule between Sihphir and Lungdai village due to issue of wrong notification. Will the hon'ble assured to rectify the said boundary notification?

DEPUTY SPEAKER : Hon'ble minister to give the answer.

Pu P.C. LALTHANLIANA MINISTER : To answer the supplementary question raised by Pu R. Lalrinawma, complaint against the said notification is received also from Lungdai village council as the government is verifying the case for immediate rectification.

Pu R. LALRINAWMA : Hon'ble Deputy Speaker, notification of the said boundary was issued in 1987 and the case is raised to prevent mob rule which may erupt as a result of the dispute over demarcation of boundary between the aforementioned villages. In this regard, I must say that boundary claimed by Lungdai which crosses over Sakawrhmutuaitlang is absolutely untrue. Hence, I find no reason for concerned authority to consider the opinion of Lungdai village council.

DEPUTY SPEAKER : Concerned minister to reply.

Pu P.C. LALTHANLIANA : Hon'ble Deputy Speaker Sir, it is difficult to  
MINISTER make assurance to resolve the case as demanded.  
Yet, it is to be noted that the government is aware of the problem as notification paper will be re-examined and rectification will be made as necessary. Thank you.

DEPUTY SPEAKER : Now, Pu R.L. Pianmawia, to ask Starred Question No. 19.

Pu R.L. PIANMAWIA : Will the hon'ble minister, Law and Judicial department be pleased to state –

- a) Whether step has been taken for setting up of village court at the selected villages?
- b) Whether selection has been done for setting up of village courts?

DEPUTY SPEAKER : Concerned minister to give the answer.

Pu LALSAWTA : Hon'ble Deputy Speaker, answer to Starred  
MINISTER Questions No.19 are: -  
a) Yes.  
b) No village is selected other than twelve villages.

DEPUTY SPEAKER : Pu R.L.Pianmawia to raise supplementary question.

Pu R. L. PIANMAWIA : If so, Pu Dy. Speaker, will villages from Tuivawl constituency too be proposed?

DEPUTY SPEAKER : Pu Lalsawta, minister to give the answer.

Pu LALSAWTA, MINISTER : Hon'ble Deputy Speaker, the committee selected 12 villages for setting up of village court. Although we are allowed to set up the village courts, we have some problems from Finance department and all the proposals cannot be implemented as desired where as Lai, Mara and Chakma Autonomous District Councils are excluded from the scheme. Since selection for the first stage is not yet implemented, selection for the following stages may be renewed as necessary.

DEPUTY SPEAKER : We have only one minute left for question hour. So, let us call upon Pu T.T. Zothansanga to ask Starred Question No. 20 and supplementary question will not be entertained.

Pu T.T. ZOTHANSANGA : Will the hon'ble minister, Food, Civil Supply & Consumer Affairs department be pleased to state -

Whether the government has enough stock of rice for rural for the coming monsoon season?

DEPUTY SPEAKER : Pu H. Rohluna, hon'ble minister to give the answer.

Pu H. ROHLUNA MINISTER : Hon'ble Deputy Speaker, answer to Starred Question No.15 is 'Yes'.

DEPUTY SPEAKER : The next business is Laying of Papers. Let us call upon Pu Zodintluanga to lay the Paper on the Table of the House.

Pu ZODINTLUANGA MINISTER : Hon'ble Deputy Speaker, with your kind permission and of the House, I lay on the table of the House, "The Mizoram Urban Sanitation and Solid Waste Management Policy, 2011". Thank you.

DEPUTY SPEAKER : Let the copy be distributed. Now, Pu Lalrinliana Sailo, minister to lay on the table of the House, the Ninth to Twelfth Annual Report of Mizoram Agricultural Marketing Corporation, Ltd.

Pu LALRINLIANA SAILO MINISTER : Hon'ble Deputy Speaker, with your kind permission and of the House, I lay on the table of the House, the following Reports: -

- 1) The Ninth Annual Report of Mizoram Agricultural Marketing Corporation, Ltd. (1.4.2001-31.3.2002).
- 2) The Tenth Annual Report of the Mizoram Agricultural Marketing corporation, Ltd. (1.4.2002-31.3.2003)
- 3) The Eleventh Annual Report of the Mizoram Agricultural Marketing Corporation, Ltd. (1.4.2003-2004).
- 4) The Twelfth Annual Report of the Mizoram Agricultural Marketing Corporation, Ltd. (1.4.12004-2005). Thank you.

DEPUTY SPEAKER : Let the copy be distributed. Now, Pu P.C. Lalthanliana, minister to lay on the table of the House, "The Mizoram Juvenile Justice (Care and Protection of Children) Amendment Rules, 2010."

Pu P.C. LALTHANLIANA MINISTER : Hon'ble Deputy Speaker, with your kind permission and of the House, I lay on the table of the House, "The Mizoram Juvenile Justice (Care and Protection of Children) Amendment Rules, 2010." Thank you.

DEPUTY SPEAKER : Let the copy be distributed. Now, we have to Discuss the Bill. We will call upon Pu Zoram Sangliana, minister to beg and introduce the Bill to the House, "The Mizoram Motor Vehicle Taxation (Amendment) Bill, 2011."

Pu P.C. ZORAM SANGLIANA : Hon'ble Deputy Speaker, with your kind permission and of the House, I beg to introduce, "The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011."

DEPUTY SPEAKER : The hon'ble minister begged the House to introduce, "The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011." If permitted, let him introduce and move the Bill for consideration.

Pu P.C. ZORAM SANGLIANA : Thank you Hon'ble Deputy Speaker, I lay on the table of the House, "The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011." This Amendment Bill is formulated as a result of pressure of the owners of private motor vehicles and of the central government. It is an obligation for the state government to collect taxes from motor vehicles especially from owners of private motor vehicles. I supposed all members examined the paper in detail. It concern way and means of earning revenue from owners of private motor vehicles. There is one mistake in the title of the Bill as '2010' is to be corrected as '2011' and I request the members to make correction accordingly. I, now, move to the House the Bill for consideration.

DEPUTY SPEAKER : Pu P.C. Zoram Sangliana, minister moved the Bill for consideration in the House. We will have discussion. Each member will have five minutes.

Dr. R. LALTHANGLIANA : Hon'ble Deputy Speaker, I would like to request the hon'ble minister to make a comment on the provisions of the Bill in general.

DEPUTY SPEAKER : If so, let him comment on the main theme of the provisions in general.

Pu P. C. ZORAM SANGLIANA : Thank you, hon'ble Deputy Speaker. The state has no Vehicles Taxation Act or Rules before 1997. Road Tax is imposed by means of Assam Motor Vehicles Taxation Act, 1936 and of Assam Motor Taxation Rules, 1936. The state collected taxes by means of the Mizoram Motor vehicles Taxation Act, 1996 and The Mizoram Motor vehicles Taxation Rules, 1997 till date. Generally, the rate of taxes is usually revised every ten years. Other states collected vehicles tax by means of Vehicles Classification and Road Tax Revise Rate recommended by the Government of India since five years back. State government applied the same rate for thirteen years without any revision. It is, now, formulated the Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011 in compliance with the rate recommended by the Government of India.

Hon'ble Deputy Speaker Sir, I want to add that the consultative committee too gave us signal and after that, it has been raised for agenda to the cabinet meeting. It is then introduced in the House for consideration today.

Regarding the rate of taxation, Transport Vehicles (Public Carrier) is increased by 20% as non-transport vehicles by 50% only. The scheduled of taxation is not heavy comparing to other states.

As so practiced in other states, life time tax is scheduled for non-transport vehicle, that is, two wheelers and private cars. If life time taxation is practiced in our state, the owner of vehicle has to pay road tax for fifteen years at the time of registration of his vehicle and taxation problems will then be solved. The department usually received oral pressure to practice this life time taxation system. Anyhow, this life time tax system has to be applied in all the states. As soon as this ministry is in power, the concerned prioritized the case as it is raised the agenda of the Cabinet Meeting. Thus, "The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011," has been laid on the Table of the House for consideration. Thank you.

DEPUTY SPEAKER : Now, we will have discussion. Each member will have five minutes and Pu Chawngtinthanga will start.

Pu CHAWNGTINTHANGA : Thank you hon'ble Deputy Speaker. This Bill contains scheduled-I and scheduled-II. Scheduled-I concerns transport vehicles while Scheduled-II concerns non-transport vehicles. Non-transport vehicles have to clear tax for fifteen years when registration is done where as transport vehicles have to pay tax annually. As the mover said, it has to be applied to all the states. Since no tax revision is made for a long period of time, life time tax is meant to solve default of taxation. It is truly appreciative as it has to be applied also in our state as government revenues is expected to increase by 1.14 crore if the Bill is passed.

Regarding taxation, I would like to point out my opinion that the people in our state are ignorant of the necessity of payment of tax. Even the legislators did not know how to formulate rules for collection of various taxes. Even the rules for collection of taxes were formulated as a result of a number of reactions both from public and legislators. Hence, I opine it is necessary to have awareness campaign in the state.

In the amendment portion, there is no provision for imposition of tax in Section 3 of the principal Act. I opine it is appropriate to add, "There shall be levied on". Thank you.

Dr. R. LALTHANGLIANA : Hon'ble Deputy Speaker, this is a matter of much important. Due to escalation of price, I opine it is necessary to make amendment as good citizen has



to pay tax regularly. Yet, I have a question regarding the system of payment of tax. Since life time of a vehicle is generally fifteen years, one has to pay tax for fifteen years despite problem of concerned owner of vehicle. I opine we have to determine as to whether owners of vehicle has financial problem to pay the tax as demanded.

Regarding increment rate of taxes, tax of non-transport vehicle is increased by 50% where as transport vehicle is increased by 20%. So, I would like to know the practice of other states in this regard. Then, Pu Dy. Speaker, I support the Bill for passing. Thank you.

Pu LALDUHOMA : Hon'ble Deputy Speaker Sir, it is regretted as sudden revision of tax is a common practice of the government which indicates irregularity of the government as well as concerned department. On the other hand, alteration or increase of taxes, bills, fees, etc are often opposed by the public even by observing total bandh.

Regarding scheduled 11, life time tax is encouraged both for non-transport vehicles or private vehicles as it is not heavy for owner of new vehicle as it will be more profitable for government. But in case of Scheduled-I, it is not appropriate to impose the same amount of tax from to old vehicle and the new ones. So, it is wise to consider old vehicles as shown in the scheduled-II.

Various committees of the Assembly are aware of the fact that Transport department has large sum of tax which has not been received from the public. It is further learned that certified officer has even reduced actual amount of tax one have to pay instead of losing the whole amount as no alternative solution is found. It is, therefore, important for the government to consider an easy mean for the public so that payment is made without causing much problem. Thank you.

Pu JOHN SIAMKUNGA : Thank you hon'ble Deputy Speaker. There are number of vehicles for which tax has not been paid. This happened not only in the remote area but also in the city. Period for payment of tax is generally opened during the month of March only but not throughout the year. Generally one delays to submit the tax due to ignorance and left it for the next year which causes one to pay for a couple of years at a time. It is regretted as number of vehicle evaded traffic police due to non-payment of tax.

What is important for the government is to give awareness to the public of the necessity of tax. Since computerization of payment of tax, concerned authority is expected to easily root out any miscreant. Yet, the department is still confusing who do not pay tax till date. It is appreciated as life-time payment of tax will to be adopted. But I opine it is important for the government to determine the system of payment for old vehicles separately as it is inappropriate for concerned person to pay the same amount to be paid by owner of new vehicle. We also have

to consider as to whether reimbursement could be made if a vehicle met accident after clearance of life-time tax. Lastly, I do support passing of this Bill. Thank you.

Pu K.S. THANGA : Thank you, the hon'ble Deputy Speaker. This bill concerns only of taxation of motor vehicles. I opine it is also necessary to consider the problem of garage. With increasing problem of traffic in Aizawl and other major towns, it is time forus to formulate rules to that effect. Being legislators, we are able to formulate rules so that immediate action to taken.

Regarding matching share, it is regretted as the state failed to contribute Rs.100 crore of its matching shares to the central government. It will be pleasing if the hon'ble minister taken immediate action to meet the requirement.

Regarding payment of lifetime tax, it is important for the members to consider that a particular vehicle could be running in good condition for 15 years. If so, how will we determine the tax beyond 15 years? Anyhow, it is good to pass this Bill without delay. Thank you.

Pu B. LALTHLEGLIANA : Hon'ble Deputy Speaker Sir, I have no criticism in particular, yet, I would like to express my opinion on the system of tax collection in our state. Usually opposition members criticize increased of taxes despite its importance. However, the members today support this Bill as it is good for the state government. Being Mizoram as a special category state, the central government contributes matching share of 90% of development fund where as only 10% has to be contributed by the state government. We should be a shame as we could not even achieve 10% of state share. Despite strong criticism from the opposition party on increase of land revenue from 2/- to 10/-, it is to be noted that this will become an important source for contribution of our matching share.

Regarding increase of tax on private vehicle from 25% to 50%, I opine it is important for the minister to consider as to whether it is a burden for concerned owner of vehicle. In this relation, I would like to question the hon'ble minister of how to determine the case of payment for a vehicle of 14 years old whereas only a year is left. I do not oppose the bill for payment of tax as it is our responsibility as a citizen of Mizoram and tax is paid regularly in other states. In this connection Pu Dy. Speaker, I wonder how one vehicle in Mizoram is servicing without registration or payment of tax. It is important for concerned authority to check such vehicles to improve source of revenue. I, therefore, support the Bill. Thank you.

Pu K. LIANTLINGA : Thank you, the hon'ble Deputy Speaker. If we examine scheduled 1 & 2 of the Bill, The Mizoram Motor Vehicle Taxation (Amendment) Bill, 2011 is a must. I am very happy for we are now discussing the Bill yet, it may be burdensome for owners

of vehicles. Payment of lifetime tax system, over all, is good whether it is in sale or accident. Fitness is very important and it must be observed carefully. Any motor vehicle without fitness is strictly prohibited in other cities as even vehicle with unfinished paint is not allowed to service. Improvement of the appearance of our city requires appropriate rules of vehicle which concern maintenance of fitness of vehicle, uniform quality of name/number plate and control excessively decorated vehicle. Besides, it is necessary to make rules that concern purchasing permit and garage of vehicle. It is an eyesore to see vehicles parking along the roadsides of our city. So, I request STA to see rules of parking and designation plates. I do not think owners of shop are hesitant to pay any amount of parking fee which may be demanded by the authority. It may also be suggestive to make the rule that no vehicle should be purchase without having appropriate garage first. Besides, it is wise for the government to consider rules to control vehicle related air pollution. Thank you.

DEPUTY SPEAKER : Regarding garage, one should clarify availability of garage when registration for newly purchased vehicle is applied and concerned authority should also verify whether it is true, prior to registration of any vehicle.

Pu C. RAMHLUNA : Hon'ble Deputy Speaker, I do support this Bill while making a suggestion that motor vehicles (including tri-cycles plying inter-state for hire and accommodating four passengers (excluding driver and conductors) may be regarded as taxi as there is no difference with passengers car of 800 cc.

The hon'ble minister, while moving the bill stated that the rate imposed on private car is increased by Rs.50. In my opinion, it is not appropriate as cars we are using today are generally of 1000-2000cc. and we are supposed to pay Rs.750 for it whereas actual payment of tax for the same is Rs.1000/- which is higher than 50% as shown in column No.4.

Besides, it is important to consider as to whether payment should be necessitated for a second-hand motor vehicle purchased from outside as most of such vehicles seems to have cleared a life-time tax previously. Should tax paid be once again for a second-hand vehicle which may be purchased from outside?

Pu T.T. ZOTHANSANGA : Thank you, hon'ble Deputy Speaker. It is much appreciative to pass The Mizoram Motor Vehicle Taxation (Amendment) Bill, 2011. As the hon'ble members said, I would like to point out the need to determine increase of tax base revenue resources. If the tax base is enhanced, more people will pay tax to the government with a sense of belonging which is the practice of developing countries also.

Regarding increasing rate of tax, I opine proposed rate is reasonable both for transport vehicles and non-transport vehicles which are increased by 20% and 50% respectively where as wages of labor and salary of government servants on the contrary, is increases many times.

Some members opined the rate of tax of vehicles should not to be based on quality of the vehicle since it is a matter which concerns usage of road and more tax should be imposed on old vehicle.

Regarding section 3, I opine it may be more appropriate to add “There shall be levy on tax,” after section 3 of the principal act. Besides, instead of writing it as ‘Gazetted, therein after, and, after and referred’, I opine it should be written as ‘gazette therein after, and, after and referred.’ Thank you.

Pu H. ZOTHANGLIANA : Thank you, hon’ble Deputy Speaker. It is appreciated as we are having the opportunity to discuss “The Mizoram Motor Vehicle Taxation (Amendment) Bill, 2011” here in the House.

I opine it is time for concerned authority to determine increase of tax based revenue resources from the public. If the people pay more tax to the government, they will have sense of belonging of the state. Regarding amendment of the provision, it may be more appropriate to add “there shall be levied on” in section 3 of the Bill. Again, the word ‘gazetted’ may be corrected and also “therein after” may be corrected as “herein after” of short title and amendment. In the same manner, the words “reffered to” may be corrected as “referred to”. I do support passing of this Bill. Thank you.

Pu LALTHANSANGA : Thank you, the hon’ble Dy. Speaker. The bill is quite good and I have nothing to criticize as the rate of increment under scheduled 1 and scheduled 2 also is reasonable. But considering increase rate of per capita income of the state and of the central government, Is not it better to reduce lifetime of a vehicle from 15 years to 12 years? It may also be considered that this will further result in increase of rate of commercial transport automatically.

I would also like to know whether there is provision for rental car to pay the tax as it is treated as non-transport vehicles but in practical, it is a transport vehicle. Thank you.

Pu LALSAWTA : Thank you, the hon’ble Dy. Speaker. The bill is already vetted by Law department but there might be a mistake in the process of vetting. The whole context of Section 3 of the Principal Act needs to be changed, but with your permission

Sir, let me read it out, “The Government may, by notification, from time to time, direct that a tax shall be levied on any motor vehicles used and kept for use in a public place in the state.” This may be modified as “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2011.” There are three sub-sections such as 1, 2 and 3 which may also be amended. I, therefore, make an appeal to the House to agree with my proposal.

As a member of the House, I do agree with the suggestions made by the hon’ble members. At present, the people are not aware of the necessity of direct tax as much regard has not been given due to ignorance. However, necessity compels us to implement it with increase population of the rich. On the other hand, it is important for concerned authority to formulate the rules so that poor section of the people is less suffering. Pu Speaker, I am truly appreciated for the chance to discuss the Bill. Thank you.

SPEAKER : The time now, is 1:00 PM. We will have a recess and discussion will be resumed at 2:00 PM.

## **2 : 00 PM**

DEPUTY SPEAKER : Discussion of the bill, “The Mizoram Motor Vehicles (Amendment) Bill, 2011” will now be resumed. I call upon Pu Lal Thanhawla, Leader of the House.

Pu LAL THANHAWLA : Hon’ble Deputy Speaker Sir, it is quite pleasing to know that the members are actively participated in the discussion of this Bill despite the needs to modify some portions. It may be noted by the members that this Bill is highly essential. Yet, the House often neglected the importance of five-yearly reviewing of any tax even though it is not a difficult task.

Regarding garage, it is unfortunate that most of the houses and shops along the roads usually ignored the reserved roads and parked the vehicles on road sides. It is, therefore, important for concerned authority to observe strict regulations to solve traffic problems particularly of the capital. Besides, it is also important to maintain discipline by restriction of shirtless driving or smoking cigarette while driving to evade accident. The regulation may immediately review by concerned authority.

Pu Deputy Speaker, even though the House found the bill body not to be good enough, I opine it is good to pass at least for further amendment. Thank you.

DEPUTY SPEAKER : Now, I call upon concerned minister to wind up the discussion.

Pu P.C.ZORAM SANGLIANA MINISTER : Hon'ble Deputy Speaker Sir, it is deeply regretted for some errors which are found in the main theme of the amendment for which I beg consideration of the House. I am glad that some members supported the amendment despite criticism from certain members. I would also like to thank to the hon'ble Chief Minister and thirteen members for their constructive participation.

Pu Dy. Speaker, points raised by the members, as a whole, are important and concerned officers sitting at the official gallery are expected to note down each points for further consideration.

Secondly, I want to point out that lifetime tax from other states required fresh registration as the Government necessitated imposition the said tax to all motor vehicles. Besides, the government, in view of the importance of designation plate, any officer are expected to put their designation plate even on a privatized car.

Regarding registration of old motor vehicle, it is to be noted that even if road tax is cleared for ten years, he has to pay for another five years and so on. Again, if a vehicle is in service after fifteen years, the registration may be renewed for another five year. Validity of registration is 15 years because life of any vehicle is estimated as fifteen years. Regarding unregistered motor vehicles, it is already shown in the audit report and is no longer need to explain in detail. Thank you.

Pu K. LIANTLINGA : Hon'ble Deputy Speaker, even if a life-time tax is paid for a commercial vehicle, it still require national/zonal permit for inter-state where as in the case of private car, it is pliable to all India if life-time tax is validated. If a vehicle is not registered in other states, it should be automatically registered in Mizoram. It is appropriate if it is implemented as suggested.

Pu P.C. ZORAM SANGLIANA MINISTER : Pu Dy. Speaker, it has already been implemented through out the country. So, it is not necessary to register a vehicle in other states if registration is done in Mizoram. But, if it is imported vehicle, fresh registration is necessary.

- Pu K. LIANTLINGA : Pu Dy. Speaker, if one purchased a vehicle with life-time registration from other states, does it mean that it is not necessary to change name of the owner except the registration?
- Pu P. C. ZORAM SANGLIANA MINISTER : Hon'ble Dy. Speaker, if it is purchased from outside it has to be registered afresh in Mizoram.
- DEPUTY SPEAKER : We have certain cases such as a vehicle registered In Mizoram is in Silchar without payment of lifetime tax. Can such vehicles be remaining in service in Assam?
- Pu P.C. ZORAM SANGLIANA MINISTER : That is the reason for the needs of amendment, Pu Dy. Speaker. Vehicle from Silchar etc. came to Aizawl, Kolasib or Mamit to obtain registration as Mizoram is considered as safe-haven. Hence, the government often incurs heavy loss and so amendment has to be made.
- Pu K. LIANTLINGA : Pu Deputy Speaker, there is vehicle registration for Mizoram at Kolkata, Delhi and other states. If a lifetime tax is paid by bearer of such registration, it is pliable to all India. In the same manner, any vehicle whether of Mizoram or else is pliable in Mizoram if lifetime tax is paid at any of the given places.
- Pu P.C. ZORAM SANGLIANA MINISTER : Pu Deputy Speaker, this is the reason for the central government to introduce one-time tax payment in every states and anyone who evaded violates the law. Therefore, this Bill has been introduced to facilitate owner of vehicles to avoid violation of law and so amendment is needed in order to follow the norms.
- DEPUTY SPEAKER : There is one thing which is not clear. If Lifetime registration for Mizoram is done at Delhi, does this mean that the registration is valid also in Delhi?

PU P.C. ZORAM SANGLIANA : No, it is not pliable as registration of New Delhi  
MINISTER should be obtained if the vehicle is meant for New Delhi.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, I purchased a vehicle in Delhi  
10 years back on which road tax for 20 years was paid under Delhi Registration. After expiry, I can resume payment for another year but in Mizoram without necessarily changing the original registration. So, amendment should also be made to cover such kind of cases.

Pu P.C. ZORAM SANGLIANA : There is no reason for invalidating such kind  
MINISTER of registration. If it is purchased from other state, it should be registered within 12 months. In order to sort out the problem, onetime payment is preferred by the state government and so amendment is being introduced. In case of accident of vehicle, it is to be noted that lifetime tax is not reimbursable. Hence, we have to give priority to Insurance Policy in order to get back loss from the accident.

Apart from this, there is a plan to introduce uniform dress code for drivers of all public service vehicles where as to set an example, the department of transport supplied uniform to all drivers and conductors of the department which may be followed by the rest. By keeping up with the discipline, I opined any visiting tourists from outside could easily be impressed.

Regarding car rental, it cannot be clubbed with the current amendment as it is exercised under the 1989 Rental Cab Scheme. Regarding the problem caused by parking, the government gives priority to having garage by each owner of vehicle but many of us neglected. Parking of vehicle at public places is frequently seen and we are trying to solve this problem by recruiting MR based employees under MVI to verify during registration as to whether owner of the vehicle actually have a garage for his vehicle.

DEPUTY SPEAKER : Can this be verified in prior of purchasing a vehicle?

Pu P.C. ZORAM SANGLIANA : Pu Deputy Speaker, there is no rule to do  
MINISTER verification before purchasing a vehicle. If the government has to take necessary action, there should be rules to support the action. Thus, your suggestion is not applicable as yet. So, Pu Dy. Speaker, what I want to appeal to the House is to approve verbal amendment as being sought for. Thank you.



- Pu LALDUHOMA : Pu Deputy Speaker, I want the hon'ble minister to clarify as to whether lifetime road tax paid in other states is still pliable in Mizoram as the Bill does not indicate matter concerning that point.
- DEPUTY SPEAKER : If verbal amendment is sought for, there may be some points to add.
- Pu P.C. ZORAM SANGLIANA : Pu Deputy Speaker, we have to know that this is a road tax which concern Mizoram but not Nagaland or Delhi. Therefore, it will only be validated in Mizoram. Yet, suggestion made by the members will be noted down by the officials for further study.
- Pu K.LIANTLINGA : Pu Deputy Speaker, road tax in Mizoram is collected under the Motor Vehicle Act, 1988 which was amended in 1989. As such, we have to be careful in amending the process so that the central act is not contradicted.
- Pu P.P. THAWLA : One question, Pu Deputy Speaker. Supposing an officer purchased a vehicle and paid life-time road tax in Mizoram and he was then transferred to other state for a period of 3 years. If the existing rule has to be applied, the concerned officer has to make double payment of road tax. May the minister clarify the case?
- Pu P.C. ZORAM SANGLIANA : Pu Deputy Speaker, I cannot furnish the answer at present as our rules do not concern such cases as it is meant to be applied only in our state. I opine what is not pliable in Mizoram will not be pliable to other states too. We will examine the case Pu Dy. Speaker. It appears that Amendment Section 3 is the portion which needs amendment and the spelling mistakes and inappropriate languages which needed correction are noted down by our officials and will be corrected accordingly. We have nothing to say but to request the House for verbal amendment of the case and beg to pass the Bill.
- DEPUTY SPEAKER : The minister has begged the House to pass the Bill. If we agree to pass, let us say, 'yes'. It seems that we all agree to pass the Bill. "The Mizoram

Motor Vehicle Taxation (Amendment) Bill, 2011” is now passed by the House.

- Pu P.C. ZORAM SANGLIANA  
MINISTER : Thank you, Pu Deputy Speaker.
- Pu B. LALTHLENGLIANA : Pu Deputy Speaker, the amended form should be circulated in the House as it will be slightly different from the previous copy.
- Pu K.S. THANGA : Pu Deputy Speaker, I request the subject of garage should also be reviewed as House leader and the members gives their earnest participation.
- DEPUTY SPEAKER : Next, Pu Zodintluanga, hon’ble minister to introduce “The Mizoram Municipality Authorities (Prohibition of Defection) Bill, 2011”.
- Pu ZODINTLUANGA  
MINISTER : Pu Deputy Speaker, with your permission and of the House, I beg to introduce “The Mizoram Municipal Authorities (Prohibition of Defection) Bill, 2011”.
- DEPUTY SPEAKER : Do we agree ? If so, let him introduce the Bill.
- Pu ZODINTLUANGA  
MINISTER : Pu Deputy Speaker, I introduce “The Mizoram Municipal Authorities ( Prohibition of Defection ) Bill, 2011”. Thank you.

In a democracy, the people, after examining each proganda of a party elected their representative who they believe to be the right one to fulfill their demands. As such, a government for the people is set up. If the government governs well, the benefit goes to the people. However, many representatives moved from one party to another for their own benefit but not as interest of the welfare of those they represented. In order to stop this, the Parliament formulated Anti-defection Law in 1985 under the 52<sup>nd</sup> Amendment Act of the Indian Constitution to be implemented in the Parliament and the State Legislative Assembly. It does not include elected members of local bodies such as Municipal Corporation, Municipal Council, Panchayat etc. Therefore, many States passes a bill to be exercised only in their own state. I hope that in the same manner, we may pass this bill in order to have a strong and efficient municipal

council. Pu Dy. Speaker, there are minor mistakes in the bill as in the statement of objects and reasons which may be amended later. Now, I introduce the bill for consideration of the House. Thank you.

DEPUTY SPEAKER : After three days of Sitting, it is regretted to have number of mistakes in our bills. I urge all concerned ministers to take measure to minimize mistake. Now, we will have a discussion on “The Mizoram Municipality Authorities (Prohibition of Defection) Bill, 2011”. To start with, I call upon Pu B. Lalthlengliana.

Pu B. LALTHLENGLIANA : In my opinion, Pu Deputy Speaker, we are in a hurry to implement Defection Law in the House as it's been barely a year since Aizawl Municipal Council was put into function. Other states as referred by the minister are practicing the same for 30 to 50 years in which they faced many problems. Hence, I cannot give my support to this bill as I opine that we have to wait for another 2 or 3 years. As the minister pointed out reference to the constitution regarding this subject, the constitution allowed making rules in the Autonomous District Council except the right to make defection law. The neighboring state Meghalaya also tries to make defection law in regard to Khasis Autonomous District Council and was appealed to Guwahati High Court and was rejected. I, therefore, think it is too early for us to implement this kind of rules. So, I cannot give my support to this bill. Thank you.

Pu R. LALRINAWMA : Pu Deputy Speaker, I give my support to this bill presented by the hon'ble minister. This bill was prepared to go in parallel with the tenth schedule of the constitution and is made in the interest of the people to evade undesirable incident. I, therefore, give my full support with the hope to ensure safety from any defection which may come in future. Thank you.

DEPUTY SPEAKER : It is to be noted by the members that any political party may not take advantage of any bill which may be discussed in the House. If it concern for the welfare of our state, we must support it. Now, let us invite Pu Lalduhoma.

Pu LALDUHOMA : Pu Deputy Speaker, it is known to us all how the Autonomous District Council faces defection time and time again particularly when the ministry is changing. This can be avoided if this law is

implemented. Man needs law to bind us from straying. Most of the defectors are of opposition or ousted members who are eager to enjoy the same platform as ruling members. Anti-defection acts are mostly for the benefit of the opposition to maintain stability within their party. As we see today, the existing AMC councilors are loyal to their own party but their fate cannot be foretold. Hence, it is important to make law to prevail a secure future.

Pu Speaker, I want to point out the weakness of this bill. First, in Section 3(b) sub-section, the definition of political merger is vague. It stated that if 2/3 of political party members agree, there can be a merger where as no members hardly know his strength in a party. Therefore, it is not realistic as every party has its own constitution. Some of us may think this will be finalized by the party's high command or the executive. As such, this violates the party constitution. May the minister make clarification in this regard and if necessary, this may be re-examined.

DEPUTY SPEAKER : Are we going to re-examine first or proceed on amendment of this bill? Let us invite Pu C. Ramhluna.

Pu C. RAMHLUNA : Pu Deputy Speaker, the Municipal Council was elected only last year and today, we introduced defection bill which I think is quite embarrassing. I opine that chance should be given to the council to accommodate with the system as it is not necessary to rush for implementation of the said laws.

Pu Deputy Speaker, Anti Defection Law concerned with the 10<sup>th</sup> schedule of the constitution which underlines that "In this schedule unless the context otherwise requires". We, therefore, have to determine whether it is our right to proceed as our own desire. In response to Defection Law demanded by the Khasi Hills Autonomous District Council, the Guwahati High Court ruled out that "The Khasi Hills Autonomous District Council Prevention of Defection Rule, 2005 are declared invalid and null and void and are, accordingly struck down". It is to be noted that unless and until the Parliament made amendment of rules concerning the District Council or Autonomous Body, there is no provision to make another rules on our own. Thus, I opine we are a bit rush to implement this rule. The Mizoram Municipality Act, 2007 was made from Part 9 of the Constitution and in the 74<sup>th</sup> Amendment Act Article 243(R) which gives us the power to make rule but this does not include the right to make Anti-Defection Law. As such, Pu Deputy Speaker, we have to examine the case more carefully. Since the said council is not a Legislative Body but Executive, it is set up to work, not to make law. Why should we try to fence them with this law as if they are a Political Institution? I, therefore, I cannot give my support to this bill for now.

Pu LALTHANSANGA : Pu Deputy Speaker, it is unfortunate to sit here to

discuss the “The Mizoram Municipality Authorities (Prohibition of Defection) Bill, 2011”. As soon as I have learned about the bill, I asked myself what could be the reason which I assume later that the ruling party is afraid of losing its members as the margin of their victory is considerably slim.

There is a plan to make amendment twice in a short period of time. As the ruling party strengthens its stand with voting right, it is not a necessity to have a Defection Law. We better wait for another time and let the office start the work properly. It is not appropriate to misuse the council as a political platform.

Pu NIRUPAM CHAKMA : Pu Deputy Speaker, I think this bill is a must for political stability. Besides, we all know that the district council was jeopardized many times because of political instability. If we had such law, we could have stability in the past. So, it is very important to pass this bill if not for today but for tomorrow. Therefore, I give my full support to pass this bill.

Pu K.S.THANGA : Pu Deputy Speaker, Anti Defection Law introduced by the hon’ble minister is a common interest of all political parties. Its sole purpose is to safeguard the government in which the people elect their representative as to protect the elected members against any act of defection. Since the status of councilor is next to the legislator, responsibility of the members is quite important. Therefore, it is very important to arm them with this defection law. Law department vetted the said on 7.9.2010 after carefully studied as to whether it contradicts the Indian constitution. If we pass this bill, we will have a good system of government. I do not know if the opposition against this bill is just for the benefit of their own party. Lastly, I request the minister to carefully examine the case prior to introduction in the House particularly the wording and typing mistakes. Thank you.

Pu LALSAWTA MINISTER : Pu Deputy Speaker, I think we have to study rules more carefully when a bill is prepared for introduction in the House. We heard about the High Court ruling on the Khasi District Defection Law as the power vested to us by the Constitution under the 7<sup>th</sup> Schedule of List 2 at Entry 5. Besides, Article 243 clearly defined how the State is empowered to make rules and the limitation. Despite the importance of Municipal Council, Legislative Power is not vested as making rules is in the hand of the State government. Thus, disqualification of the member is defined in the Article 243, clause ‘B’ that “if he is so disqualified by or under any law made by the Legislature of the State”. This proves that the State Legislature can make rules for disqualification if deemed necessary. With this knowledge, the Law Department vetted this bill. Thank you.

Dr. R. LALTHANGLIANA : Pu Deputy Speaker, it is not that we against the bill in general but too early to pass the bill as the municipality is in function for only half a year. We have the Act only in 2007 and is now followed by introduction of defection Bill which opine as untimely. Even for any political party, there is hardly a time for preparation as to scrutinize the bill.

Pu Deputy Speaker, if we study carefully, we may found printing mistakes and incorrect wording which is regretted. I want the minister to make clarification on page 4 Section 3-A, Disqualification on ground of defection not to apply in case of split. Here, it is stated, "He shall not be disqualified under sub-section (1) of section 3 on the ground". And in (b), we have seen a long sentence which I think may be the longest sentences having 94 words with no full stop. Is there a way to make the sentence short and simple? Besides, as Pu Lalduhoma raised the subject on page 5, it is not proper to make all political party to act in this way. Again, in page 7, 'Power of state government to make rules', I hardly understand the meaning. It will be appreciated if the wording is arranged to our understanding.

Apart from this, i think it is appropriate to set up a select committee to study and analyze the bill before introducing it to the House as of today, it is not clear what we are going to pass. So, let us not rush even if it is good but wait for the right moment to pass this bill.

Pu K. LIANTLINGA : In my opinion, Pu Dy. Speaker, it is good to implement it but not in such a hurry. Even if it is incomplete, it can be amended as necessary later on. The Municipal Act, 2007 too was found to be incomplete and need some sorts of amendment. But after doing amendment twice, it can be applied only in 2010. One of the propogandas during election campaign is that the council can execute the fund without permission of the state government. But the hon'ble Law minister pointed out how the council lies under the jurisdiction of the state. Therefore, we have to remember that the Municipal council is being set up to work for improvement of Aizawl city and to look after accordingly. It is not meant to make law or pass the bill but to execute the work under the state authority. In the meantime, I think it is also important to enhance the power of this council and to amend allocation of business rules, 2007. Above all, I want to say that it is a must that we have the rules and the rest will follow accordingly. Thank you.

Pu CHAWNGTINTHANGA : Pu Deputy Speaker, obviously we can make this Act according to the constitution. This Anti-Defection Law was made by our leaders which protect us from illegal practices and to perform according to the law. Pu Dy. Speaker, I doubt the statement of the

hon'ble member Pu Thangtea that he does not understand regarding Section 3(b) since he is educated and obviously knows very well, the "power to make rules" as shown in the sentence. In 10<sup>th</sup> Schedule, we see that "If he votes or abstain from voting in such House contrary to any direction issued by the political party to which he belongs or by any person or authority, authorized by it in this behalf, without obtaining, in either case, the prior permission of such political party, person or authority and such voting or abstention has not been condoned by such political party, person or authority within 15 days from the date of such voting or abstention". Therefore, as a Legislator, we have to be thoughtful in making law as it is intended to prevent political defection in our State. Therefore, I give my support to pass this bill. Thank you.

Pu P.P. THAWLA : Pu Deputy Speaker, I may not be able to dwell for long on this subject and the rules & regulation as it will be my first time, yet, I do not think it is necessary to rush for introduction of this bill, in the first place. We have just concluded election of the representatives of first Municipal Council and it is quite early to consider the case of Defection Law as The Municipal Act of 2007 was implemented only in 2009. If it is insisted, I cannot give my support. Thank you.

DEPUTY SPEAKER : Next, Pu Zodintluanga, hon'ble minister to wind up the discussion.

Pu ZODINTLUANGA MINISTER : Thank you, Pu Deputy Speaker. First of all, I would like to convey my thanks to members who participated in the discussion of the Bill. Many of us support the bill while the others opined it as too early to do.

The opinion of Pu C. Ramhluna that there is no law making power in the Mizoram Municipal Act, 2007 is true to some extents but the power vetted under the Act is law making power of subordinate legislation which includes its own power to make any law. Since the constitution pointed out that local bodies are the state subject, the state has the power to make rules and regulation for its own protection and so this bill is introduced. It is not early to introduce the bill as opined by some members since it concern the welfare of the electors as well as the elected. It will further safeguard the interest of each member from defection.

Regarding the meaning of 'Whip' as questioned by the hon'ble member Pu Lalthansanga, any member who acts against his party is punishable under the power of whip. Relating to the point raised by Pu Lalduhoma, it is our fault and so verbal amendment of the House is needed. With your permission and of the House, I will read the correct term, 'The merger of the political party of a counselor shall be deem to have taken place if and only not less than two-third of the counselor concerned have agreed to such merger'. This is done so following the constitution.

Many of us are questioning the reason for introduction of this bill in such a short period of time. The reason, as already stated, is the need to prevent defection from unforeseen circumstances which may come any time.

Pu LALDUHOMA : Pu Deputy Speaker, verbal amendment we just made was also reflected in 3(a) as ‘...political party in such group consists of not less than one third of members of such political party’. Here the term ‘members’ may also be amended as ‘counselors’ as we make verbal amendment. Besides, in 1(b) we see ‘....contrary to any direction issued by the political party to which he belongs or by any person or authorized’. Here, instead of using only ‘authorized’, it should be amended as ‘authority authorized’ as the 10<sup>th</sup> schedule of the constitution.

Pu ZODINTLUANGA MINISTER : As already stated, Pu Deputy Speaker, I beg permission of the House to make correction on minor mistakes we see in this bill. I request all the members to support passing of “The Mizoram Municipality Authorities (Prohibition of Defection) Bill, 2011”.

DEPUTY SPEAKER : We will now take a vote as the hon’ble minister begs the House to pass the bill with necessary verbal amendment. Those who are in favour may say ‘Ayes’. The ‘Ayes’ have it. “The Mizoram Municipality Authorities (Prohibition of Defection) Bill, 2011 is now passed by the House.

Pu ZODINTLUANGA MINISTER : Thank you, Pu Deputy Speaker.

DEPUTY SPEAKER : Our business for today is ended. Meeting will be resumed on Tuesday, the 12<sup>th</sup> July, 2011 at 10:30 AM.  
Sitting is adjourned.