

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

LIST OF BUSINESS

**TWELFTH SITTING ON FRIDAY, THE 22nd 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.

PRIVATE MEMBERS' BUSINESS

2. * Resolutions.

*Please see Bulletin Part-11, No.168, Sl. No.1 - 4 Dated the 19th July, 2011 for relative precedence of Private Members' Resolution to be moved.

VANLALNGHENGA
Additional Secretary

DEPUTY SPEAKER : Poverty and shame shall be to him that refused instruction, but he that regarded shall be honored. Proverbs 13:18.

We will now take up Starred Question. Pu B. Lalthlengliana to ask starred question No. 151.

Pu B. LALTHLENGLIANA : Will the Hon'ble Minister, Disaster Management & Rehabilitation Department be pleased to state: -

Is there any order for supply of poly-tarpaulin issued during May, 2011?

DEPUTY SPEAKER : Pu N.K. Chakma, Minister to give answer.

Pu N.K. CHAKMA : Pu Deputy Speaker, the answer is "Yes".
MINISTER

DEPUTY SPEAKER : Pu B. Lalthlengliana to ask supplementary question.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, whether Poly-tarpaulin supplied is to be approved by DPAB or STAB? Secondly, why did the hon'ble Minister allowed supply of poly-tarpaulin without call of tender?

Dr. R. LALTHANGLIANA : Pu Deputy Speaker, another supplementary question: -

- 1) What is the amount of fund proposed for supply of poly-tarpaulin?
- 2) Whether the Government already cleared the supply bill?
- 3) If so, whether the government takes action against supply of wrong quality of poly-tarpaulin?

Pu T.T. ZOTHANSANGA : Pu Deputy Speaker, whether the 3 Nos. Poly-tarpaulins issued to the members are meant to be given away in our respective constituency?

DEPUTY SPEAKER : Pu N. K. Chakma, Minister to give answers.

Pu N.K. CHAKMA : Pu Deputy Speaker, poly-tarpaulins issued to the members are meant for prevention of impending disaster which may occur at any time. In reply to the question of Pu B. Lalthlengliana, as per norms, it is done with
MINISTER

restricted tender. There is no fault in this regard, Pu Deputy Speaker. (.....Interruption.....).

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, if tender is called for, can I have a copy so that I may admit it if I am wrong? Secondly, why did the rate of poly-tarpaulin is higher than the preceding year and why did wrong quality is supplied?

Pu N.K. CHAKMA : Pu Deputy Speaker, the rate of poly- MINISTER tarpaulin is approved by the State Executive Committee. Mizoram lies in the seismic Zone-V so we should take precaution measures as much as possible. Hence, the government should not Purchase such a bad quality of poly-tarpaulin or without ISO mark. (.....Interruption.....)

DEPUTY SPEKAER : Let the hon'ble Minister complete his answer.

Pu N.K. CHAKMA : Pu Deputy Speaker, selection of quality MINISTER of the product is done as per Preferential Purchase Rules, 1994.

Pu B. LATHLENGLIANA : Pu Deputy Speaker, whether the state government misused the Industrial Promotion Policy and Preferential Store Purchase Policy of Mizoram?

Pu N.K. CHAKMA : Pu Deputy Speaker, we cannot prove MINISTER whether it is Industry or not. The fact is; it is of a genuine entrepreneurship with registration under the govt of Mizoram. Regarding the question of supply rate of poly-tarpaulin, it is ₹770/- where as the total expenditure for procurement of the supply is ₹38.50 lakhs and no payment has yet been made. Nothing is wrong in the process and so, no enquiry is needed.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, if there is approval of ₹770/- as the approved rate, the hon'ble Minister may please furnish a copy in the House?

Pu N. K. CHAKMA : Pu Deputy Speaker, I will look into the MINISTER matter.

DEPUTY SPEAKER : That is right. The minister issued the said material to the members in good faith.

Pu LAL THANHAWLA : I would like to add few points Pu Deputy CHIEF MINISTER Speaker. It is the desire of concerned authority to encourage the local entrepreneurs. The supplier himself also came to meet me and show me the sample of the item. He was then selected as he is of local entrepreneur. It is regretted if the supply included few underrated quality as it was received in bulk amount. The process is done as per Rules and guidelines. Our purpose is to break down monopoly which affected market price for a long time. Yet, it does not mean that supply of poor quality of the product is encouraged by the government.

PU B. LALTHLENGLIANA : Pu Deputy Speaker, the point of my question is not answered. I am not against purchase of local product, but it is obvious that quality of the supply is not the same with that of the sample as the practice is commonly known in the case of supply of other materials.

DEPUTY SPEAKER : Now, P.P. Thawla, to ask Starred question No.152.

Pu P.P. THAWLA : Will the hon'ble Minister, Higher & Technical Education Department be pleased to state: -

- 1) The amount of post-metric Scholarship per head?
- 2) The number of members of Board of Scholarship. Whether Board members are appointed annually?
- 3) Did the fund from centrally sponsored scheme are diverted for post-metric scholarship?

DEPUTY SPEAKER : Pu Lalsawta, Minister to reply.

Pu LALSAWTA : Pu Deputy Speaker, answer to starred MINISTER questions are: -

- a) The amount of Post Metric Scholarship is given according to the class which ranges from ₹1850 to ₹30,000/-.
- b) Ten members. The Board Members are appointed afresh every year.
- c) Yes, all scholarships are funded from centrally sponsored scheme. State Merit Scholarship, Research Fellowship and Incentive Cash Award are given from the State Plan Fund.

DEPUTY SPEAKER : Pu P.P. Thawla and Pu Lalduhoma to ask supplementary question.

Pu P.P. THAWLA : Pu Deputy Speaker, whether the amount of scholarship given to hosteller is not the same with non-hosteller? Secondly, what is the term of office of members of Scholarship Board? Whether they are appointed only when necessity arises?

Pu LALDUHOMA : Pu Deputy Speaker, my questions are as follows: -

1. In addition to Scholarship, there are various financial aids provided to the students. Particularly in the course of technical and professional, expenditure incurred by the concerned students are forwarded to concerned authority for reimbursement. Is it true that expenditure of some students were not reimbursed?
2. May the government send reimbursement by means of cheque as it is practiced in other states?
3. If it is not completely reimbursed, what is the reason and what is the remedial measure?

Pu NIRUPAM CHAKMA : Pu Deputy Speaker, Supplementary Question: - What is the amount of Pre-metric scholarship per head?

DEPUTY SPEAKER : Pu Lalsawta, Minister to give answer.

Pu LALSAWTA : Pu Deputy Speaker, there is much difference between the amount of scholarship received by hostellers and non-hostellers. There are many schemes which are different from one another. So, it may be more convenient to supply the copy to the member. In the listed Institutions like NIT, there is a guideline for medical reimbursement and sufficient amount of reimbursement can be made. There are students who did not submit applications. In such case, no reimbursement is made.

Regarding the suggestion of cheque system, we are now following the system in which reimbursement is made in accordance with expenditure receipt they attached. If expenditures which may be incurred by the students are of the same amount, only such case, cheque system may be applicable. But it is necessary to examine all the applications as some students applied the said without attending the class. We now has website which could be used by concerned students as well as parents to get information of our educational system. Pu Deputy Speaker, pre-metric scholarship and post-metric scholarship has already been centralized. As such, allotment of scholarship is in the hands of Higher and Technical Education Department.

DEPUTY SPEAKER : Pu T.T. Zothansanga to ask starred question No.153.

Pu T.T. ZOTHANSANGA : Will the hon'ble minister, Excise and Narcotic Department be pleased to state -
How many persons have liquor permission in Mizoram?

DEPUTY SPEAKER : Pu J.H. Rothuama, Minister to give answer.

Pu J.H.ROTHUAMA : Pu Deputy Speaker, the answer is: -
MINISTER 2007 persons comprising 1838 Nos. ex-Servicemen and 169 Nos. civilian.

Pu T.T. ZOTHANSANGA : Supplementary question, Pu Deputy Speaker: -
1) Which Doctor can issue license for liquor?
2) From which shop license holders purchased liquor?
3) Is there any new idea in regards to MLTP Act?

Pu NIRUPAM CHAKMA : Pu Deputy Speaker, District Council Area is exempted from MLTP Act. If one purchased liquor from Silchar and brought to the District Council Area, will the liquor be seized in Aizawl District?

DEPUTY SPEAKER : Pu J.H. Rothuama, Minister to give answer.

Pu J.H. ROTHUAMA : Pu Deputy Speaker, I do not know MINISTER
whether a Doctor is appointed to prescribe Liquor license. Ex-servicemen purchased mostly from Assam Rifles canteen and others from Mizoram Excise and Narcotic Department.

If foreign dignitaries and tourists needs license during their stay in Mizoram, Excise and Narcotic Department may issue license to them. If a person from the District Council Area keeps liquor in Aizawl, it should be seized as Aizawl is prohibition area.

DEPUTY SPEAKER : Pu K. Liantlinga, to ask Starred Question No. 154.

Pu K. LIANTLINGA : Will the hon'ble Minister, Horticulture Department be pleased to state: -
How many Officers are there in Horticulture Department who remains at the same post and at the same place not less than ten years?

DEPUTY SPEAKER : Pu H. Liansailova, Minister to give answer.

Pu H. LIANSAILOVA : Pu Deputy Speaker, the answer is, 7
MINISTER officers.

DEPUTY SPEAKER : Pu K. Liantlinga to ask Supplementary questions.

Pu K. LIANTLINGA : Pu Deputy Speaker, the practice of
corruption would likely be involved in
such cases. May the government reshuffle those
officers?

Secondly, according to answer to un-starred Question No.17, there are 15 approved firms under Technology Mission. I would like to know the seedlings each of the firm supplied during the year 2006-2011?

Thirdly, under the Technology Mission, Grant-in-Aid received shall be used for public and private sectors where as private sectors fund should be used for development of farmers. To which firm the grants were given and what is the actual amount of assistance?

Pu H. LIANSAILOVA : In the interests of the department Pu MINISTER
Deputy Speaker, 5 officers remains at the
same post not less than for five years. Posting and transfer of officers are usually
determined by the department.

Pu K. LIANTLINGA : What special quality is found in such
officers to remain at the same post for
such a long time? I opine it is necessary
to reshuffle to maintain transparency.

Pu H. LIANSAILOVA : Pu Deputy Speaker, there is no hidden MINISTER
things but the department is in the
opinion of posting such officers on ground of their
experiences and special quality. Transfer, on the other hand is considered every year but as per
convenience of the department.

Pu K. LIANTLINGA : In regard to 'special quality' as
mentioned by the minister, I would like
to know whether partiality is involved in the
process. Regarding supply of seedlings, it is appreciated if the minister examined the case of LB
Nursery, Maria Nursery and Green finger Nursery.

Pu H. LIANSAILOVA : Pu Deputy Speaker, Officers MINISTER
transfer and posting is done as

per convenience of the Department. Regarding Nursery, we, as well as the Central government have a good Nursery Act. The Nursery is carried out by means of those Acts. The Department does not welcome any supply of crops from outside the state. Selection of supply of seeds is made from the firms supervised by the officials as supply is now made as per requirement only.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, supply of seeds is done usually in July every year. It seems that this is not an ideal season. So, it may be done during April to May.

Pu H. LIANSILOVA Deputy : According to experts Pu MINISTER Speaker, seeds kept in poly-pot can survive even up to August - September.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, as my experience as a farmer, only poly-pot seeds are sown in my firm and plantation done during June is generally survived. So, I suggest doing the supply during this month.

Pu H. LIANSILOVA : But, the experts in ICAR MINISTER recommended the period.

DEPUTY SPEAKER : Now, Pu B. Lalthlengliana to ask Starred Question No.155.

Pu B. LALTHLENGLIANA : Will the hon'ble Minister, Land Revenue and Settlement be pleased to state: -

- 1) Is there any private land settlement within the New Secretariat complex?
- 2) When will land holders within Bawngkawn Brigade Area be issued permission to proceed further?

DEPUTY SPEAKER : Pu J.H. Rothuama, Minister to give answer.

Pu J.H. ROTHUAMA : Pu Deputy Speaker, answer MINISTER Starred Questions are as follows-

- 1) Yes. One LSC is issued by the name of Pu Vanhlira.
- 2) The site is of the Community Project occupied by the Brigade. Some people hold LSC within the cited area by means of producing false documents to the government.

DEPUTY SPEAKER : Any supplementary question?

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, if the said LSC falls within the demarcated area, why did allotment is made? Secondly, some people hold LSC within the area occupied by the Brigades even before the National Movement. They are the original landholders. When will stay order be withdrawn?

Pu LALDUHOMA : Pu Deputy Speaker, will the government stay order issued to construction of MUP building at Ramrikawn?

Pu J.H. ROTHUAMA : Pu Deputy Speaker, the government MINISTER objected issue of LSC within New Secretariat Complex. But LSC was issued following court appeal made by concerned person and as per court order. Secondly, there are number of landholders within Bawngkawn Brigade area some of which are even before occupation of the Brigade. So, Pu Deputy Speaker, the case is discussed in the cabinet meeting a couple of time but no firm decision has yet been made due to increase of number of landholders and existence of number of duplicate LSC. Survey is made by the Commissioner and the report has also been received. So, there are many cases which may be resolved before making the decision. Obviously there is a proposal to allot the site for the government.

DEPUTY SPEAKER : Now, we will take up Resolution. I call upon Pu C. Ramhluna to move his resolution.

Pu C. RAMHLUNA : Thank you Pu Deputy Speaker. My Resolution is, "Urban Local Body Grant allotted by 13 Finance Commission may equally be distributed to all Wards of Aizawl Municipal Council." I move this resolution so that the people of Aizawl may receive equal development fund. Aizawl is a vast city comprising of number of localities which need equal development fund.

Pu Deputy Speaker, the late Prime Minister Mr. Rajiv Gandhi too concern for rapid progress of Municipal Council in India. Hence, 74th Amendment of the Constitution was existed in 1992. Consequently, this House too passed Aizawl Municipal Act, 2007.

The Municipal Act does not include the Village Councils and Autonomous District Councils. As per section 8 of the Municipal Council Act, 2007 Aizawl Municipal Council is formed consisting of 19 Wards. Within, those wards members of various Political Parties so reside. That shows equal distribution of development fund in the city.

Pu Deputy Speaker, wards are formed for efficient and effective distribution of development fund. In view of the result of distribution of development funds by

the said Municipal Council, there is no equality. If this resolution is passed, there will be equal distribution of development fund. Consequently, the village Councils will follow the system. I, therefore, beg the August House to pass this resolution which concern development of the people in our state. Thank you.

Pu LAL THANHAWLA : Pu Deputy Speaker, during the election CHIEF MINISTER of member of the Municipal Council, MNF party, which my fellow member supported claimed the Municipal Council as not being included under the jurisdiction of the state but a direct funding from the central government. But now, he submitted this resolution to the House which i found it as quite confusing. Does it mean that the statement of MNF party during the election was wrong?

DEPUTY SPEAKER : We will now discuss. Each member will be allotted 5 minutes and Pu Zodintluanga, hon'ble Minister will start.

Pu ZODINTLUANGA : Thank you, hon'ble Deputy Speaker. MINISTER Our fellow members pointed out the reason and objective of this resolution. He further stated the reason for existence of the 74th Amendment of the Constitution and that the 13th Finance Commission has appropriate guidelines. He also mentioned that state government should not hold any fund provision more than five days. It is very quite surprising to learn that this resolution is brought into this august House knowing the system of de-centralized fund.

Again, Pu Deputy Speaker, the member pointed out the practice of their District Council. I am afraid the worst system is adopted in the House. It is to be noted that Urban Local Body grant allotted by the 13th Finance Commission should be used on the need-base which may be determined by the council. So, it is regretted to discuss the resolution which imply decentralization of Municipal Council power. I opine it is wise for the member to withdraw his resolution. Pu Deputy Speaker, 13th finance Commission provided appropriate guidelines for utilization of fund for ULB which may be divided into core service and non-core service. Core service concerns supply of water, waste management, sewerage, streetlight, civic amenities and services and construction of steps and road within the city. Non-core service concerns salary, wages, administrative cost, information, education, communication and data base system of the Municipal Council. Hence, the idea of equal distribution of ULB fund is absolutely wrong. But instead, the state government is planning to hand over administrative authority of Municipal Council of a particular area to the council itself. I, therefore, request the member to withdraw his resolution. Thank you.

Pu K. LIANTLINGA : Thank you, hon'ble Deputy Speaker, Sir. If we examine the provisions of the Constitution and principles of democracy very carefully, it appears that the mover is not clear with his resolution. In democracy, there are various local bodies. Decentralization of power is now one of the most important purposes of the 74th Amendment of the Constitution. So, passing this resolution violate the constitution. Under

the administration of various local bodies, development fund could not be distributed equally. It must be distributed population or area-wise of the local body and it should be done on need-base. I, therefore, opine this resolution is not good enough for passing.

Pu P.C. LALTHANLIANA : Pu Chairman, in 2010-2011, the MINISTER mover of the resolution wanted to give full power to the Aizawl Municipal Council. I wonder why he brought this resolution to over-rule the said Municipal Council.

As I come across grant received by each ward during 2010-2011 and 2011-2012, the differences of the amount received by each wards is reasonable. If a particular ward receives lesser grant in 2010-25011, it is bound to increase in 2011-2012. In the same manner, if a particular ward receives more amounts during 2010 – 2011, it will be lesser for the year 2011-2012. So, it is not a good idea to over-rule the Aizawl Municipal Council. If the mover insisted on to proceed with the resolution, it will be voted by the House and opinion of the majority will be shown. Thank you.

Pu LALTHANSANGA : Pu Chairman, it seems that mover of the resolution Is not having enough confidence as he hesitantly Demanded improvement of the system of distribution of ULB fund. It is wise to respect the authority of the councilors as Aizawl Municipal Council is in fact, formed by this august House. Accordingly, the House may have suggestion for improvement of the same. As a result of implementation of the Aizawl Municipal Council, people elected ward members from various political parties. The election indicates equal distribution of development fund.

Pu Chairman, the hon'ble minister stated in the discussion that Zarkawt may need less fund compares to others. As a resident of Zarkawt, I would like to express in the House that this locality also need improvement. We utilize a lot of water which flow through drains leading to lower areas. If any septic-tank leaks and flows in those areas, it ultimately leads to a bad reputation for the whole locality. We really need to chalk out a proper drainage system.

Whenever we talk of the city of Aizawl, we refer to the localities of Chanmari, Zarkawt and Dawrpui. We need to focus on cleanliness and hygiene, even more than the other localities.

I also wish that the AMC move forward with integrity, which will remove feelings of discrimination. I feel that the mover of this resolution has done so with this in mind. Our party has been a great blessing, especially since we have revived parties that were sinking. The Congress party holds two successive terms because of us. We also assisted the MNF when they were on the verge of losing. So, Mr. Deputy Speaker, I would like to stress on the fact that our party will support whatever benefits the state and its people.

DEPUTYSPEAKER : Your words imply that you support both sides. Now, I call upon Mr.Lalduhoma.

Pu LALDUHOMA : Pu Deputy Speaker, although the term '13th Finance Commission' is used, the funds can be distributed only by the Municipal Council. I find this inappropriate to discuss something that is not in line with the constitution.

It would seem disrespectful if we try to decide everything for them. Besides it is not practical. If we were to demand the Indian Government to distribute budgets equally to all the states, it wouldn't suit some states. We have districts and blocks each with their own different needs, and it would be much wiser to distribute funds according to the needs. We must be more concerned with the needs of the people. The funds that were distributed during the MNF government were distributed based on the needs. We must think about what would benefit everyone. We could focus on a particular ward, although that does not have to mean that there is any kind of partiality. MLA constituency-wise budgets are not made by the government, so just because it is the Municipal Council it does not mean budgets have to be ward-wise or councilor constituency-wise. We have been discussing about demand on this ongoing Budget Session, and there has been no mention of equal budgets for the MLA constituencies. Therefore, I feel it best to withdraw this resolution.

The executives make the budget allocation and sectoral allocation, and the ruling MLAs do not interfere. The ministers have now laid the demand before us, and the ruling and non-ruling MLAs have not participated in any way.

I also notice a note of bitterness with the distribution of the funds. I feel it is quite uniform as the amount falls between 20-30 lakhs. Funds are distributed according to the needs, and those that received a higher amount this year might not receive such an amount next year. If we have given the responsibility to the officials, it is not our place to interfere in any way.

Whatever department funds that come, be it from LAD, UD and PA or RD, they have never been distributed by the MLAs. Just because the councilors are of the Municipal Council, we cannot assume that they can distribute the funds. Opposition MLAs have also never been informed about the work within their constituencies, although there have been requests made for copies to be provided.

We told ourselves before the Municipal elections that it was not like the MLA elections, and that it would in no way, affect the State governance. So we focused on electing councilors who would represent our constituencies well before the state government. For example, we have 8 to 9 local councils in our ward while another councilor has only 3. If we were to distribute the funds equally, it would suffice some of them. Therefore, instead of distributing funds equally, I propose that they be distributed according to the needs.

There was also a concern that we do have enough meetings for discussions, on which I would like to say that each party or group has different agendas which need to be discussed amongst themselves. I hope such weak concerns not be brought up again.

I propose that the council look at the needs of the constituencies and distribute the funds accordingly. Therefore, I cannot support the resolution.

DEPUTY SPEAKER : I, now call upon Mr. B. Lalthlengliana.

Pu B. LALTHLENGLIANA : Pu Deputy Speaker, I support the resolution of the hon'ble member as it is obviously the system which should be followed in a democratic government. I should say that the existing criteria for distribution of funds are quite difficult to understand.

As per the initial observation, the system is based on ruling and non-ruling authorities whereas communities of the outskirts generally need more funds but do not receive as deserved. In the seminar of Local Council held at YMA Hall Chanmari, the hon'ble minister of UP&PA stated that ULD grant is not supposed to be distributed equally. Thus, I assume the councilors follow the system of distribution as stated. It is regretted to learn that funds for the constituencies in which help is needed most have been reduced by 20 to 21 lakhs.

Pu Duhawma alleged the system as unconstitutional but in my opinion, Anti-Defection Law which has been passed a few days ago is more unconstitutional. The Councilors should maintain equal distribution of funds to develop our city. Even though instruction is given to allot Rs.20 lakhs each, the conclusion as we have learned is not much satisfactory. Firstly, it is wise for concerned members to take up their responsibilities as a Christian. It is regretted to learn that the system of distribution is not a need-based. So, Pu Deputy Speaker, it will be much more appropriate if it is distributed uniformly. I, therefore, strongly support the resolution of the hon'ble member, Pu C. Ramhluna. Thank you.

DEPUTY SPEAKER : Only 5 minutes is left. Now, P.P. Thawla to make his speech.

Pu P.P. THAWLA : Pu Deputy Speaker, I find the resolution of the hon'ble member Pu C. Ramhluna to be quite satisfying.

God has led Mizoram to its present state as we have been protected by the Peace Accord for 25 years. Now God has spoken to our leaders to give importance to upliftment of the status of Aizawl city which consequently brought election of municipal last November. We had a good start as each political party has its own representative member being elected to the council. So, the elected leaders should perform their duty in God's will, and work hard during their tenure of 5 years and the effort which may be made for our state will certainly bring a favorable result

Pu Deputy Speaker, I request the councilors to perform their duty not as some political offices does but to serve the city of Aizawl well and be a great blessing. Their actions will then impress outsiders who may visit Mizoram anytime. With this hope, I support the resolution for upliftment of the status of our city Aizawl. Thank you.

DEPUTY SPEAKER : We will have a recess and the meeting will be resumed at 2 O'clock.

Recess: 1:00 PM

2:00 PM

DEPUTY SPEAKER : We will now continue with our discussion on the resolution of Pu C. Ramhluna, "The Urban Local Body grant sanctioned by the 13th Finance Commission for upgrading the city may equally be distributed to each ward of the Aizawl Municipal". Seven members have participated in the morning session. I, now call upon Dr. R. Lalthangliana.

Dr. R. LALTHANGLIANA : Thank you, Pu Deputy Speaker. The hon'ble member, Pu C. Ramhluna's resolution concerns an important matter. Let us remember that the Councilors were elected with true sense of democracy and so we need to honour their position. I wish the elected members of AMC the very best as they have an important role to play. It is to be noted that the resolution does not concern merely of distribution of 20 lakhs to each to each ward but a resolution for a good beginning. So, Pu Deputy Speaker, we need to start in the right direction by passing this resolution.

It will not be right to compare our AMC with that of Andhra Pradesh and Uttar Pradesh having more than 80 MPs. I remember the sermon of a Pastor at Vanapa Hall that Mizoram as needing a salamis society which means equality not suppression by the haves upon the have-nots. We can distribute the funds on need-based as well as in uniform. I received several messages during a break and as I am surprise to learn that the councilors of the ruling party shares their views and opinions on the resolution being discussed to some leaders through phone message which indicates this resolution a good one.

Pu Deputy Speaker, I opine the elected body can function smoothly if started with healthy atmosphere. An unhealthy begins often entail unfavorable precedence. We must set a solid example to the district headquarters and we must begin with justice as in a democratic country.

It is undeniable that funds allotted in each constituency of MLA are not uniform but we cannot make such comparisons. The main concern of this resolution is to have equal funds for a healthy beginning which the councilors would utilize to develop their respective wards.

I have been in this House for several years, Pu Deputy Speaker and a favorable resolution like this has never been rejected even if moved by the opposition parties. If each member today is asked his opinion on this resolution, I believe we would all go for it. However, when it comes to politics, there are certain principles and some members may therefore, hesitant to give their support. Thus, I move this resolution be passed by the House.

Just because we are discussing matters that concern AMC, it does not mean we are interfering in the duty of members of AMC. We have our responsibilities as a member of this House and we are only doing what we feel we should do. I hope the hon'ble members to your right think carefully and support this very important resolution. Thank You.

DEPUTY SPEAKER : I now call Pu K.S. Thanga, who will be followed by Pu T.T. Zothansanga, Pu Selthuama and Pu Lalsawta.

Pu K.S. THANGA : Thank you, Pu Deputy Speaker. As reflected on our resolution, I cannot help but think why such a resolution has been moved.

There does not seem to be any possible way in which we could proceed with the present funds. I was not in Mizoram before the Local Council Elections, and when I returned, I noticed that the main topic of debate is 'The joint MNF and MPC parties declared that the sole authority lies with the local council, and the government cannot interfere in any way'. The Congress party and ZNP countered such declaration, saying that the government would need to aid in certain areas. The Public must have listened because we gained majority at the Municipal elections and could form the Executive Body. The hon'ble members here somehow seem to still have the same mentality as their predecessors, Pu Deputy Speaker, which is why they keep changing their minds. It is confusing for their Councilors too, as the actions of their leaders do not tally with their words.

We have had our crucial topic regarding the LADC. If the MDC utilizes the development funds equally, it could be harmful for the progress. We kept saying this and the public listened. We won in the Congress Lai District Council and we removed the equal shares. I wonder if the hon'ble member, who himself is from that district has proposed the resolution without realizing that it has the same outline as the one already revoked. I believe he is still living in the age of equal shares. Mr. Deputy Speaker, this resolution does not need any further discussion.

We heard a few words from Pu Lalthansanga (Chatea), and that his referring to Zarkawt several times could only mean his plan to return to Local Council. I thought we would hear more about the State's concern, but we heard more about Zarkawt, Pu Deputy Speaker. I implore that the hon'ble member remain with us.

Pu Deputy Speaker, the members who have made their speeches focused only on this year. I am certain that they are aware of the previous year's situation. It is rather immature to bring in such minor concerns.

In conclusion, I would like to say that in my constituency, we have three villages within our Municipal Council. They were once a part of the city but are lack of good facilities like the one in Zarkawt. Mr. Hiato, the minister came to survey and promised water connections as development is needed. It is not our place to assign duties to the Councilors because they know their duty, distributing funds according to the public's needs. Therefore, I request that the resolution be withdrawn. Thank you, Pu Deputy Speaker.

Pu T.T. ZOTHANSANGA : Thank you, Mr. Deputy Speaker, sir. This resolutions quite unfortunate as today, every Indian Assembly is moving towards decentralization of power but we are discussing a topic of the 1970s. With your permission, Pu Deputy Speaker, let me read out Article 234(W) - "to function as institution of self government and such law may contain provision for the development of powers and responsibilities upon the municipalities". It is unfortunate that we are trying to take municipal power away while the country is setting up certain principles for them to run.

The proposal of this resolution indicates a concern for one owns party even if it is right or wrong. Those responsible for the resolution are the ones who could not differentiate between the Union, State and Concurrent Lists. We have to be cautious so as not to disappoint the public.

I have read the bio-data of the leaders and I applaud their achievements. The resolution shows a hint of suspicion and mistrust upon the leaders. We have to carefully think if our actions would only be destroying the peace that exists. We should consult the Constitution before taking any step. While we cannot interfere in the Village Council funds, how can we even think about meddling with the municipal which is much higher? The opposition did not receive even one silpauline during the MNF party in power and I believe they have come into this House with that same mentality.

The hon'ble members said that we should accept a good resolution and undertake whatever we say we should. However, that would only create a bad precedent. The words may sound appropriate, but we cannot submit to things only by the way they seem. Let us instead listen to our inner voices and think cautiously. I am content with the way things are right now and I wish that the resolution be withdrawn. Thank you.

Pu R. SELTHUAMA : Thank you, Mr. Deputy Speaker, sir. The resolution seems fine at a glance on but examining closer, we can see that it has been sugar-coated. They have viewed only at this year's distributions of funds to the AMC. I would like to remind them that the 13th Finance Commission distributed the funds since last year. If we compare the funds in each ward, we will notice the differences between them. Their claim of "more funds in the Chairman's constituency" is rather shameful. It is just a way of embarrassing some individuals. They have proposed something they don't really want and I request that the resolution be withdrawn.

I have lived in Aizawl since 1954 and I have noticed that the wants of the people vary from one to another. For example, in the previous government, construction work of steps and repair of roads were done in the constituency No.14 which ended up to the limit of the boundary. Now, the constituency No.15 needs the same repairs as the previous construction excluded their area.

We also heard the hon'ble member speak about the needs of Zarkawt which could not be the same with the needs of other constituencies. Other constituency may wishes to have what has already been attained by Zarkawt constituency. There were talks of direct funding during the municipal elections, so how come we still talks of funds today? Honestly speaking, the municipal leaders are way more learned and wiser than some of MLAs here. I do not see any reason why we should have a say in their business. Let us be more attentive towards our own duties. The MLA funds are distributed to the constituencies and are used whichever way necessary. Each constituency has their own needs; therefore, the funds cannot be made equal. The councilors have been chosen by the public and I am sure they are very capable of understanding whatever task lies before them. It is not wise for us to make suggestions from here. So, I request the hon'ble member to withdraw his resolution. Thank you.

Pu LALSAWTA : Pu Deputy Speaker, our topic today is a MINISTER very important one. We chose 40 people to govern the state and they are legislators. It would be shameful to pass today's resolution because we would be degrading ourselves as well as the Municipal Council. It is a serious matter because we are trying to claim someone else's authority. We no longer have kings as such in Mizoram and nobody can make us do what we do not want. We are the representatives of the people and we can flourish only if we go according to the Constitution.

I would like to remind every member present here today that the hon'ble leader, Mr. Lal Thanhawla has never led us to believe in unity to support the wrong or to oppose whatever the opposition proposes. As long as something feels and sounds right, we will support, no matter from which party it is moved. We have also supported private resolutions before, Pu Deputy Speaker.

India is a sovereign country and the levels of each governing body differ. There is the Central Government which is followed by the State Government. Each State, no matter how big or small is equal to all the other states. Therefore, to interfere in another's authority is something I absolutely do not want to be a part of. As we are legislators, our concerns should also be something bigger. Let us allow our 19 councilors to do their duties without us telling them how. The Constitution has assigned each of our duties. On the other hand, there are areas where we can contribute and advise in the proceedings of the Municipal Councils and Ward Committees; but that does not imply that we do not give them space.

Pu Deputy Speaker, these funds cannot be distributed equally. If we were to upgrade constituencies like mine, we have to keep in mind that when we have foreign visitors, what they see is their concept of what Mizoram is. So, comparatively the funds will have to differ.

We have to take a careful step in this regard or else it could lead to drastic consequences. So, for each and everyone's well-being, I request the hon'ble member to withdraw his resolution. Thank you.

DEPUTY SPEAKER : Mr. Nirupam Chakma, next.

Pu NIRUMPAM CHAKMA : Thank you, Mr. Deputy Speaker, sir. First, let me read out the resolution of the hon'ble member, Mr. C.Ramhluna – “The Urban Local Body Grant of the 13th Commission for upgrading the city may equally be distributed to each ward of the Aizawl Municipal”. If we examine this resolution closely, we will notice that there is no mention of it being submitted to any authority. If so, who will give this sum? The Mizoram Government cannot cross autonomy. So, no one can undertake this except the Municipal Council itself. We have to accept the Aizawl Municipal Council's Annual plan of 2011-2012 (which has been termed as the action plan). It has been submitted to the Finance Department FC & MC Mizoram through the Directorate and Secretariat of UD & PA. We cannot interfere in the proceedings as the Mizoram Government will submit it to Delhi. Thus, this resolution is technically defective. In order to avoid precedence, it is wise to avoid taking it as Autonomy engrossment. If the Resolution had instead been 50 lakh for the MLA funds, we could support it. There is no authority to undertake the resolution and the Council itself does not want to take it up. Therefore, I request them to withdraw it as it is technically defective.

If the development fund were to be given equally, we would not be able to enter the areas of Aizawl and Lawngtlai. This resolution has been made without having any idea about the Autonomous Areas. Therefore Mr. Deputy Speaker, I cannot support the resolution.

DEPUTY SPEAKER : Next, Pu P.C. Zoram Sangliana.

Pu P.C. ZORAM SANGLIANA : Mr. Deputy Speaker sir, I am moved by MINISTER the hon'ble member Mr. C. Ramhluna's resolution. I am sure that he will not be able to undertake this himself nor would he be able to find any mean to do so. It is unfortunate that such a resolution has been brought into the State Legislature. Municipal Corporations have existed in the big cities of India for a long time and are well established. We, as a younger state are in the process of establishing such corporations and the way I see it, we are trying to take a big a leap. I compare our status to a baby inside a womb standing next to a 50 year old adult. We had handled the campaigns as such. I had also mentioned before the Municipal elections that false teachings could harm the community. We are aiming for a farfetched goal.

From past incidents, we know that there clashes between the Mizos and Mizos. But God, in his infinite wisdom has led this land and its leaders to bring peace and development. As we are moving forward, it frightens me to think about the consequences such false teachings could bring just for the sake of gaining votes.

I have the privilege of befriending people working in the Municipal Corporations in the big cities. There are vast differences between the opposition and the ruling

party. We received the trust and votes of the public and I truly find it wrong to mislead them at this time.

According to the Finance Minister's budget, we have 25 lakhs for each constituency as of the previous was a considerable amount. The government has taken great care to assure that they function well. One's views and opinions differ from another's because of his status. Therefore, I wish that we would stop day dreaming and for something more worthwhile.

Pu Deputy Speaker, our resolution sounds impressive but it is not practical. It is a violation of the constitution. Therefore, I request the resolution be withdrawn. Thank you.

DEPUTY SPEAKER : Now, I call Pu R. Lalrinawma, who will be followed by Pu H. Zothangliana.

Pu LALRINAWMA : Thank you, Pu Deputy Speaker. The members before me have said enough and I have not much to add. I thought I would speak about my resolution - "The undertaking of Mr. Lal Thanhawla's led government in bringing about progress in the field of sports among the Mizo youths is truly commendable". However, time does not permit me, so I would like to say a few words about what we have been discussing. The objective of this resolution is quite unclear as the mover concentrates more on the Mizo History.

Before the Municipal Council acquired funds, they were compared to shopkeepers without shops. But the words of their leaders imply that they would be incapable of running such shops. We are still discussing about village councils and legislatures which has been going on for a long time.

Though it may be an autonomous body, it was formed by the state. The constitution has assigned us specific duties but we cannot interfere in each of its functions. Just as we would not appreciate the Parliament interfering in our State's governance, the council would feel the same way if we do. Each area received funds amounting to at least 20 lakhs each, which could be accepted as an equal distribution of funds.

The hon'ble member compared his resolution to the Anti-defection law, but I find no similarity between the two. This morning's newspapers said that the MNF is ashamed of passing their resolution, and Mr. Chairman, I would like to read a few lines from it. - "They find it shameful that a private member's resolution was passed without the opposition members. The resolution was a alleged as a mean of buttering up the Chief Minister. The resolution about gratitude for power supply brought in by the Congress MLA Mr. R. Lalrinawma was also unbecoming". If they have anything to be grateful for, I request that they bring that in too. It is more unbecoming to bring in a resolution that interferes with another's jurisdiction.

When we look at the progress in different areas, we have a lot to be grateful for. The Congress government brought much improvement in power supply and sports. The public is happy and I would like to stress on that matter. Thank you.

CHAIRMAN : Now, I call upon Mr. H. Zothangliana.

Pu H. ZOTHANGLIANA : Thank you, Mr. Chairman. I do not support our esteemed member's resolution as I opine the issue is quite ancient. I am reminded of the time when the MNF party demanded the omission of all Autonomous District Councils. I was also shocked to hear Mr. Nirupam's use of the term 'deputation' and I feel he has been led astray by his party.

We talked about equal shares before and I would like to add a few more words. In order for us to understand, I would like to talk about the funds for the physically challenged in the MDC constituencies. I still hear a lot of grief over that matter as the funds was wrongly utilized. Thus, we can understand that equal share system has many disadvantages as for that reason our leaders ended it. So why should we renew something that was discarded by all?

So, Pu Chairman, I find this resolution quite immature. They should have studied last year's distribution of funds before submitting this resolution. I request the hon'ble member to check his resolution once more and withdraw it. Thank you.

CHAIRMAN : Next, Mr. Chawngtinthanga.

Pu CHAWNGTINTHANGA : Mr. Chairman, I thought we would have time to discuss the next resolution, but I would like to say a few words on this resolution anyway. Before the recent district council elections, Mr. K.S. Thanga and I paid a visit there. Our main concern was to resolve the problems of Lairam politics. We talked ending the equal share system as it paves a way for corruption. They must have shared our views as they elected us. But it is rather surprising that a man from that district, Mr. C. Ramhluna could bring in such a resolution.

I am concerned about the legal point as well. One Law Minister once clearly stated that we are all in this House to protect the Indian Constitution and it is uncalled for a resolution like this to be brought in without looking into the provisions of the Constitution. The Indian Constitution has set up a Social Republic Democratic Government and focuses on power decentralization. I find no similarity between this resolution and the Anti-defection bill that was passed. The Constitution has permitted us to set up our own principles and it was through this that the Aizawl Municipal Council was formed. As they had no particular principles and delegation of duties, we had to do it for them. We gave them the funds to distribute, but it would be a violation of the Constitutional provision if we told them how. If we pass this resolution, it would mean a break in our promise to protect the Indian Constitution as legislators. Therefore, I request that this resolution be withdrawn. Thank you.

DEPUTY SPEAKER : Do we have anyone else who would like to speak? May we call the movers again?
Pu John Siamkunga.

Pu JOHN SIAMKUNGA : Mr. Deputy Speaker, I would like to say a few words. I believe those who received the SMS today know the reason why this resolution has been moved. It is because of that pressure that this resolution was brought in, and it is certainly shameful. It seems that not much thought was put into it before being brought in. It is contempt against the Municipal Council.

The Aizawl Municipal Council was set up without funds, and when funds were brought in, we found a problem with the distribution. Why are concerned only about funds? Should not we rather focus more on the work and method?

We should remember that the fund from the 13th Finance Commission is not development fund for the municipal area and it is not similar to the Area Development Fund. It should not be distributed equally. The Aizawl Municipal Council Executive Body will decide how to utilize it as we cannot interfere in the decision. The reason we made an Anti-defection law was to prevent the free will of the individual members and to help uplift the Aizawl Municipal Council. This resolution has defiled the honor of the House.

In conclusion, I would like to say that we should give the AMC space to undertake their duties and move towards the development of the city. Let us allow them to carry on with their responsibilities. Hence, I request that the Resolution be withdrawn as I cannot support it, Mr. Deputy Speaker. Thank you.

Pu R.L. PIANMAWIA : Mr. Deputy Speaker, Sir, although I have not received any such messages, I cannot support the resolution of the hon'ble member. I believe it is meant to disrupt the administration and we should block such an agenda.

It is rather late for the House to receive his theory of equal distribution of funds otherwise the Darlawn division could have received more plantations during his office in the Forest Department. I opine this resolution inclines towards a communist feeling.

I advise the mover not to proceed further and forget it. A lot of thought must be given to any resolution before being submitted or else, it could lead younger members astray. I request that this resolution be withdrawn, Mr. Deputy Speaker. Thank you.

DEPUTY SPEAKER : 20 members have spoken on this resolution and our opinion seems varied. Now I call upon the mover of the resolution to explain his resolution and say a few words, if any.

Pu C. RAMHLUNA : Thank you, Mr. Deputy Speaker. I am grateful to the House members for actively participating in the discussion of my resolution.

We have the ruling party saying the matter as concerning the municipal Council and not ours. In this regard, we have to realize the government's position. The Municipal Council is an autonomous body but there are certain areas where the state government can make principles for it to follow. We have power to make rules in both Section 301 and Section 286. I am not comparing it to the Anti-defection law in, anyway.

What I want to remind everyone here is that the elected body had not been formed when the funds were first distributed. The funds were unequally distributed which resulted in a lot of complaints. When the elected body came into being, Mr. Deputy Speaker, it was really grieving to hear that the respected minister of UD & PA stated at the Chanmari YMA Hall about equal distribution as not being necessary.

Even though the ruling ministry claims they have no say in the distribution of funds, they have influenced the proceedings. The difference between the funds is also too wide.

Although they talked about need-based funding, they planned the sums amounting to not more than 20 lakhs for the MPC and MNF and 30 lakhs for the rest. This is what makes it so difficult.

Mr. Deputy Speaker, we have Pu Lalduhoma, the hon'ble member from ZNP here with us today. I have always admired his intelligence and work. However, I was taken aback to hear his views today; so I request him to please rethink this clearly.

In the past years, we looked up to our leaders; but today, that kind of decent behavior is hardly seen. I am not very familiar with the matters of LADC, CADC or MADC, but the distribution of funds has not been uniform as I have heard several complaints from the MADC and LADC. They made many promises but we have seen how that has actually been undertaken. The members are not satisfied with it. Let us improve the city of Aizawl. If we have equal distribution of funds, it would change the face of Mizoram in a good way.

The MLA fund, being a ULB grant, is completely different. If the funds are for the city's upliftment, we should utilize it to that purpose. Napoleon once said, "Impossible is the word found in the dictionary of fools". So if it is a good thing, we can work on it. Therefore, I would like to stress on the fact that the funds be distributed equally.

I would also like to say a few words about the matter of 2010 and 2011, Mr. Deputy Speaker. (Pu LALSAWTA, MINISTER: Mr. Deputy Speaker, we are only talking about what the constitution says and the fact that we cannot interfere in all the minor details of the distributions). Mr. Deputy Speaker, I do not find it written anywhere in the constitution that one cannot interfere in matters of distribution. (Pu LALSAWTA, MINISTER: We need to know the Legislators Law. It is written in Article 243 that we can, for which we took up the Anti-Defection Law).

We received work order in 2010-2011 like construction of RCC culvert at Falkland and of RCC culvert of jeepable road in Salem and the Municipal Council were prepared as to how to undertake such a task.

Pu ZODINTLUANGA : Mr. Deputy Speaker, this is a place MINISTER
where one should speak the truth.
Concerning the Salem locality, we
looked into the matter with their Village
Council.

Pu LALDUHOMA : Mr. Deputy Speaker, members of each
party wish to be in a constituency of the
hon'ble Chief Minister, a constituency of a minister
or at least the ruling MLA. The mover of the resolution should sit awhile and feel what it is like
to be a part of the opposition first.

Pu C. RAMHLUNA : Mr. Speaker, if the need arises, we shall
go through it. We wanted to be an MLA
so that we could serve Mizoram. We said we have
authority, but the way I see it, it seems like we do. I have enquired about the elections of the
Local Council and I was told that it would be looked into after discussions with the state Election
Commission. In Rule 15, the elections are to be conducted by both the Local Council and State
Election Commission. If we say we have authority in some areas and none in others, how can
this Municipal Council function? I sincerely hope that my resolution be passed today. Thank
you.

Pu LAL THANHAWLA : Mr. Deputy Speaker, I have listened CHIEF
MINISTER closely to everything that has been said
today. In the past, the State Government had no
authority. The people were quite confused when it was said that it was a direct funding from the
Central. The hon'ble member then said that had been a mistake and that the State Government
could interfere. Therefore, I don't think the resolution deserves to be passed.

DEPUTY SPEAKER : Alright. It is now 4 o'clock, and the time
is over now. However, we have not
voted on the matter. The hon'ble member, Mr. C.
Ramhluna has moved are solution to be adopted. Those who support it say, 'agree' and those who
don't, say, 'disagree'.

So, the resolution moved by Mr. C. Ramhluna - 'to equally distribute the
Urban Local Body Grant given by the 13th Finance Commission for the upliftment of the city to
the Aizawl Municipal Wards' has been rejected by the House.

Pu C. RAMHLUNA : Mr. Deputy Speaker, I am grateful to the
House for having given me the time to

speaking. I am sure that the Public will soon learn the truth.

DEPUTY SPEAKER : Our business for today is done. We shall meet again on 25.7.2011 at 10:30 AM

Sitting is adjourned at 4:00 PM