

14th. SITTING OF THE 10TH. SESSION OF 1.10.1996

PRESENT

Pu Vaiveng, Speaker at the Chair, 15 Ministers and 20 Members were present.

QUESTIONS:

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

Private Members' Business:

2. Resolutions:

Pu Vaivenga (Speaker) : *'From the fruits of his lips a man is filled with good things as surely as the work of his hands rewards him'* Proverb 12:14.

Pu P. Lalbiaka, Minister has applied for leave as he is not feeling well. Pu R. Tlangmingthanga has also applied for leave due to illness and the House Leader Pu Lalthanhawla has also applied for the same and authorised Pu J. Lalsangzuala to take charge of his department.

We shall take up question, question No. 183 by Pu Lalsawta.

Pu Lalsawta : Pu Speaker, I ask starred question No. 183.

Will the honourable Minister i/c. Law and Judicial be please to state —

- (a). Whether copyright Act, 1957 has been in force in Mizoram.
- (b). Is there any other Act besides copyright Act of 1957?

Pu C. Vulluaia (Minister) : Pu Speaker, copyright Act has already been handed over to GAD in 1987 and therefore the Minister in-charge GAD can answer the question.

Speaker : Let us summon the Minister in-charge GAD.

Pu J. Lalsangzuala : Pu Speaker, as I am not prepared to answer the question, I will later give the reply to the Minister in writing.

Pu F. Malsawma : Pu Speaker, if the Minister of Law and Judicial cannot answer the question, he should inform the Secretariat.

Pu Lalsawta : Pu Speaker, the subject under questioning is in regard to the law and the Law Minister is supposed to be able to answer questions concerning the law.

Pu C. Vulluaia (Minister) : Pu Speaker, I will give my replies to the Member in writing.

Pu Lalkhama : Pu Speaker, has the Govt. of Mizoram kept record or list of the Acts that are being in force?

Pu C. Vulluaia (Minister) : Pu Speaker, yes. The Govt. of Mizoram has five volumes of such records.

Dr. J.V. Hluna : Pu Speaker, I ask starred question No. 184.

Will the honourable Minister, in-charge Home Dept. be pleased to state —

- (a). Whether the Chief Minister of Mizoram and Assam has held talks after 1994 to settle the boundary dispute between Mizoram - Cachar.
- (b). If yes, what is the outcome of the talks?
- (c). Whether the Chief Minister of Mizoram and the AGP Ministry of Assam has held talks to settle boundary dispute.
- (d). If yes, what are the outcome of the talks?

Pu J. Lalsangzuala (Minister): Pu Speaker, regarding the question raised by Pu J.V.Hluna, the two Chief Minister of Mizoram and Assam had proposed to discuss border dispute. However, due to the inconveniences arose from the side of Assam, it has not yet been held.

Pu Lalhmingthanga : Pu Speaker, the authorities from the Central Govt. had arranged for a talks to settle boundary dispute between Mizoram and Assam. In spite of this, the two Chief Minister failed to have talks till date, which is regrettable. It is a question that why this programme has not yet been fulfilled till date. Can the Govt. take immediate step in this regard?

Pu Lalkhama : Pu Speaker, to settle this boundary dispute once and for all, will it be agreeable to make a practical solution with Assam?

Pu Lalsawta : Pu Speaker, the subject of state boundary and inter-state boundary has been allocated to the Minister of Land Revenue and Settlement. But, my question regarding State boundary was answered by the Minister of Health and Family Welfare while it was supposed to be answered by Land Settlement Minister.

Pu F. Malsawma : Pu Speaker, as stated by Pu Lalhmingthanga, the Deputy Commissioner and Chief Secretaries from Assam and Mizoram had negotiations. However, the Chief Minister of Assam and Mizoram, who are the main key figure at the political level failed to reach specific negotiations. If the Govt. really want to settle this boundary dispute, it may be suggested that a memorandum be submitted in the name of Joint Party when the Prime Minister comes to visit Mizoram. If a memorandum is submitted in the name of joint political party, we can attract the attention of the Central Government.

Dr. J.V. Hluna : Pu Speaker, I would like to ask whether the Survey of India has been consulted regarding the boundary between Mizoram and Assam.

Pu J. Lalsangzuala (Minister): Pu Speaker, this boundary dispute is not a matter of party politics but the interest of all the people of Mizoram. Pu Lalsawta has stated that his question should be replied by the Revenue Minister as it concerns revenue matters. But, the House Leader is responsible to some extent in all the departments. Being authorised by the House Leader, I have replied the question.

As I have stated earlier, the talks have been postponed as there are inconveniences arose from Assam.

Regarding the questions raised by Pu Lalkhama and Pu Malsawma, this boundary dispute and other complicated matters are hoped to be settled after the negotiation.

The Prime Minister is expected to visit Mizoram on the 11th. of this month and all the political parties will be given chance to approach the Prime Minister. As this matter is an ethnic issue, various party pressure would

be more effective rather than joint memorandum.

As mentioned by Pu Lalkhama, we are still standing on the Lushai Hills Boundary made in 1893. It is not necessary to consult Survey of India as the same is familiar with this matter.

Pu Lalkhama : Pu Speaker, the reference regarding the year pointed out by the Minister was incorrect. So, it may be corrected as his speech is to be recorded.

Pu J. Lalsangzuala (Minister): Pu Speaker, I apologize for incorrect reference. It should be 1875.

Pu F. Malsawma : Pu Speaker, has the Survey of India come to settle this boundary disputed as expected?

Pu J. Lalsangzuala (Minister): Pu Speaker, as far as I am concerned the Survey of India has not take any steps in this regards.

Speaker : Question No. 185 by Pu Zoramthanga.

Pu Zoramthanga : Pu Speaker, as authorised by Pu R. Tlanghmingthanga, I ask starred question No. 185.

Will the honourable Minister, in-charge Social Welfare Deptt. be pleased to state whether there is a Boards of Visitors from Mizoram jail.

Pu P.C. Zoramsangliana (Minister): Pu Speaker, Board of Visitors has been constituted in each districts. As the Board of Visitors for Chhimtuipui District is consisted of Govt. Officials, Instruction is given to make reappointment. The Board of Visitors for Aizawl District Central Jail consists of —

District Magistrate, Aizawl	—	Chairman
Addl. District Magistrate	—	Members
Non-Official		
Pu F. Malsawma, MLA Member		
Central YMA President Member		
President, MHIP Hqrs. Member		
Moderator, Mizoram Synod Member		

- Lunglei District**
- District Magistrate - Chairman
- Addl. District Magistrate, Lunglei Member
- Non-Officials**
- Pu F. Lalzuala Member
- Rev. Dr. C.L. Hminga Member
- President, YMA Lunglei Member
- President, MHIP, Lunglei Member

Pu Lalsawta : Pu Speaker, I ask starred question No. 186.
 Will the honourable Minister, in-charge Home Department be pleased to state —
 Who is responsible for the killing of Pu Vanlalpeka of Khuangleng?

Pu J. Lalsangzuala (Minister): Pu Speaker, the case has been under investigation.

Pu Lalsawta : Pu Speaker, does the Govt. has any suspect?

Pu F. Lalremsiama : Pu Speaker, I would like to ask how far enquiry has been taken in this case?

Pu H. Thangkima : Pu Speaker, will the Government give ex-gratia payment to the family of Pu Vanlalpeka?

Pu Lalkhama : Pu Speaker, I ask which faction of the CNA is responsible for the murder of Pu Vanlalpeka?

Pu J. Lalsangzuala (Minister): Pu Speaker, the incident under discussion took place on the 4th. Aug, 1996 and it was first reported that the CNF was responsible. After further investigation, Havildar Lalruma was suspended on the 19th.. As the case is still under investigation, I cannot disclose who is responsible for the incident.

Regarding the compensation, the family of the deceased will be given ex-gratia.

Pu F. Malsawma : Pu Speaker, I ask starred question No. 187.

- (a). The amount of loan taken by MIZOFED from Apex Bank.
 (b). What is the date of sanctioning?
 (c). What is the outstanding balance of payment?

Pu J. Lalsangzuala (Minister): Pu Speaker, as the Mizoram Apex Co-operative Bank is designed to finance cooperative societies, the latter is entitled to spend Rs. 50 lakhs from Cash Credit accommodation. Sanction has been made since 24th. Sept. 1995. The outstanding balance along with the interest has come to Rs. 1,27,79,253.00.

Pu F. Malsawma : Pu Speaker, can the Minister take a more rapid steps in order to clear the outstanding balance?

Pu J. Lalsangzuala (Minister): Pu Speaker, various state level cooperatives have caused to the increase of liabilities in MIZOFED and this has been a problem. The government has taken this as a serious matter and is finding ways and means to reduce the liabilities.

Dr. J.V. Hluna : Pu Speaker, I ask starred question No. 188.

Pu J. Lalsangzuala (Minister): Pu Speaker, for the answer to the first question - all the victims except Lalnunhlima have recovered.

Lalnunhlima was taken to Guwahati by helicopter and admitted to Neurological Research Centre and was discharged from the Centre on the 16th. December. As advised by the doctors, he was again sent to Guwahati on February 1996 and then to AIIMS, New Delhi on June, 1996. On 13th. September he was admitted to Psychiatric Ward at Aizawl Civil Hospital. According to the report of the doctors, his condition was better. The Govt. of Mizoram will cover all the medical expenses.

The OC of Tlabung, who was responsible for the assault of Lalnunhlima was transferred from Tlabung.

The Magistrate, in-charge has submitted his enquiry report on the 17th. December. However, the copy of his Report is confidential and cannot be disclosed to the Members.

Pu Lalsawta : Pu Speaker, a supplementary question please. Why is

the OC of Tlabung Mr. Liantluanga was transferred to Lunglei which is a better place?

Pu F. Lalremsiama : Pu Speaker, is it a fact that the Govt. of Mizoram refuse to give final permission to undergo medical treatment at AIIMS, New Delhi.

Pu F. Malsawma : Pu Speaker, I ask whether action has been taken to any person regarding this incident.

Dr. J.V. Hluna : Pu Speaker, it appears from the enquiry that Pu Liantluanga, the then OC of Tlabung was responsible for the assault of F. Lalremsiama and therefore, he should be punished.

I would further like to make an appeal to the government to sent the victim Lalnunhlma to AIIMS, New Delhi on medical refer.

Pu J. Lalsangzuala (Minister): Pu Speaker, Pu Liantluangal, the OC of Tlabung was transferred to Lungsen as he was alleged to be responsible for the assault of Pu B. Lalnunhlma.

Regarding the medical expenses of Pu B. Lalnunhlma, the government will take process according to his conditions.

Pu F. Malsawma had enquired whether actions have been taken against the OC of Tlabung. In this case, action will be taken on the basis of the report.

As for the appeal of Dr. J.V. Hluna, local doctors will be consulted in the medical case of B. Lalnunhlma.

Dr. J.V. Hluna : Pu Speaker, is that an assurance?

Pu F. Lalremsiama : Pu Speaker, the government has already received the report of the Magistrate enquiry. But no action has been taken till date which destroys the moral and discipline of the Police personnel. The government should have taken up law and order and punished the culprit.

Pu Zoramthanga : Pu Speaker, is the government satisfied with the action taken against the OC of Lungsen?

Pu Lalzuala : Pu Speaker, I would like to ask during which Ministry have the students suffered the most?

What is the total expenditure already incurred for the charter of helicopter for transportation of students, who were injured in a fight with the police.

Pu Lalsawta : Pu Speaker, the case of B. Lalnunhlina is a custodial torture and should not be ignored. This case has been investigated for more than half a year, but the government still fail to find the person responsible for it. It seems that this government has been overwhelmed by a serious problem of law and order.

Pu J. Lalsangzuala (Minister): Pu Speaker, regarding the question raised by Dr. J.V. Hluna as I have said earlier. I will personally look into the matter. As for the question of Pu F. Lalremsiama, we have to wait for the enquiry report. Regarding the discipline of the Police personnel, I would like to stress that their moral and works are praiseworthy.

In the case of the transfer of the OC of Tlabung, after the completion of the study of the enquiry report, the case will be proceeded as necessary.

I cannot provide detail reply to the question raised by Pu F. Lalzuala regarding the expenditure already incurred on the charter of helicopter.

As the case under discussion is a civil case. It has to take sometime and judgement cannot be made hastily.

Speaker : Question hour is over. Let us call upon Dr. R. Lalthangliana to utilize Zero Hour.

(Speech is missing between the speeches of the Speaker and Pu Saikapthianga).

Pu Saikapthianga (Minister): Pu Speaaker, if there is any member who has found irregularities in our system of VC election, he should have filed a complain to the Election tribunal. However, it is a matter of satisfaction that such a complaint have'nt been filed so far. This has obviously shows that the present system of election is good enough. Therefore, I strongly oppose this resolution.

Pu C. Chawngkunga (Minister): Pu Speaker, the Village Council Act was framed in 1953 and since then there had never been trickery and dirty politices int he election. However, gaining of votes by unfair means has become very common in Mizoram. What I feel as the prime important is to set right the minds of the people which are already polluted by dirty politics. Therefore,

instead of amending the present system of the election of the Village Council. It is more important to set right the minds of the people, thank you.

Pu B. Lalhlengliana : Pu Speaker, though the honourable members has advocated for the existing system of election I oppose that the existing practice is not applicable anymore and thus it is necessary to make amendments. In the case of VC election, those have been contineous reports of irregulaties and disorder especially in polling booths. So, the introduction of ballot box is a must for the election of Village Council. I would like to say that I have supported this Resolution and even if the ballot Box or Common Ballot Box cannot be introduced in the coming VC election. I request this House to pass the resolution so that we can have preparation for the next term, thank you.

Speaker : We shall have recess till 2:00 PM.

2:00 PM

Pu Zakhy Hlychho (Minister): Pu Speaker, as we have seen in the Resolution, to stop the selling and buying of votes in the VC election, common ballot box should be introduced. I find the wording, 'buying and selling of votes' inappropriate. Instead of using these words, the mover should have used the words amendment to our present system in the VC election. The idea behing the Resolution may be clear with the mover. However, the wordings used may become desgraceful for the whole of Mizoram and thus I find it difficult to support the resolution.

The mover has also suggested for the introduction of common ballot paper. Supposing, common ballot paper is introduced there woulh be complication for the voters.

As stated by Pu C. Chawngkunga, the existing system of VC election is still good enough. We should try to reform the moral of the people. We may have better facilities and systems, but we cannot have fair election if the morality of the voters is not set right. Therefore, Mr. Speaker, Sir, I oppose this Resolution, thank you.

Speaker : Dr. J.V. Hluna:

Dr. J.V. Hluna : Pu Speaker, it is obvious that we all want to have free and

fair election. If ballot box is introduced as suggested by the member. It will be quite expensive for each candidates. So, I support the suggestion brought forward by the member Pu Lalhmingthanga. I may also suggest that the version be amended as 'In order to have free and fair election, common ballot box should be introduced in the Village Council election', thank you.

Pu Lalbiakzuala : Pu Speaker, the Resolution moved by the Member of Aizawl 'E' -I has been discussed by several members before me. However, the subject and the way it has been discussed are contradicted. From the discussion we can see that buying and selling of votes is being practised among the voters. According to the mover, this evil practice could be stopped by introducing common ballot box. If this view is true, the previous leaders would have introduced common ballot box. Therefore, this attitude is unrialiable and cannot be takin into serious consideration. It would be understandable if the mover has made suggestion for the amendment of the Act itself. If we expect the use of common ballot box to be the methiod for stopping the menace of buying and selling of vote, the idea behing this Resolution maybe missed. So, I would like to conclude that the existing system of VC election is still satisfactory and the Resolution put forward by the member of Aizawh'S'-I need not be passed.

Speaker : Before adjourning the House Pu F. Lalzuala may take the stand.

Pu F. Lalzuala : Pu Speaker, I think the Resolution itself is indecent as it accused the people of practising buying and selling of votes. It can also be regarded as a loss of confidence in our democracy as well as in the people of Mizoram. When this Resolution is moved in the House, it brings disgrace to our democratic principle. So I request the mover to withdraw his resolution, thank you.

Pu John Rotluangliana : Pu Speaker, when we go through the Resolution moved today, it is understandable that there are some persons who used to carryout buying and selling of votes inthe VC election. However, this evil practices can never be stopped with the introduction of common ballot box. As stated by one of the members, the moral of the people is far more important.

Mizoram has been practising the existing procedures in the VC election since 1952 and so far, there are no irregularities and violence. It is a shame that this kind of resolution is moved in the House today. It indicates that we have no confidence in the people of Mizoram. At the same time, does any one of the members has evidence to prove that the buying and selling of votes has really been practised?

Pu P.C. Zoramsangliana (Minister): Thank you, Pu Speaker. From my point of view that resolution moved today is an insult to the VC's and all the voters. I have never come across this kind of accusation during my term as a politician. Being a christian State, we used to have peaceful elections in the past. Therefore I request the mover to withdraw his Resolution.

Dr. R. Lalthangliana : Pu Speaker, thank you for giving me time to speak. I would first of all like to state that after having careful consideration the member have moved this resolution with the idea of removing this evil practice.

With this infiltration of foreigners into Mizoram, our system of election, not only in the VC level, but the Legislative Assembly election is also becoming more and more unfair. Therefore, we have to take certain measures to improve this. If common ballot box can be used in the MLA election, why can't it be used in the VC election as well? As cited by the honourable Minister of LAD, the moral of the voters is the most important factor, which I strongly supported. At the same time, in order to safeguard our democratic spirit, it is important to pass this Resolution, thank you.

Speaker : Pu Thangkima

Pu Thangkima : Pu Speaker, we cannot deny the fact that buying and selling of votes existed in Mizoram. However, we can say that this evil practice has not originated from Mizoram, but from somewhere else. If we all want to remove this kind of rigging, why are the members of the ruling create complications. To have free and fair election, the legislators in this House have to take measures. Even if the members form the treasury bench are reluctant to support the resolution coming from the opposition, we have to find some solution which can be supported by both sides.

Pu Lalsawta : Pu Speaker, I have the impression that this Resolu-

tion should be passed unanimously. But, it seems that I am wrong as the discussion and debate on the resolution has taken such a long time. Election to VC rules has been adopted since 1954 and thus certain portions are no longer applicable for modern times. Rules that were made way back in 1954 needs to be amended in this year of 1996. We cannot ensure that the introduction of common ballot box would remove selling and buying of votes among the voters. However, one thing is certain, if ballot box is introduced most of the evils that are mentioned today could be removed. Therefore, Mr. Speaker, Sir, I request the members of this House to support and pass this Resolution, thank you.

Pu F. Lalremsiama : Pu Speaker, as the resolution is so important it is moved into the House for its passing. It is obvious that the suggestions raised in the House for its consideration in regard to the election of Village Council deserved careful consideration. But, the members sitting in the treasury bench have taken this case on the contrary. So, I would like to remind that the improvement of Village Council and its election system should not be ignored.

Pu K.T. Rokhaw : Pu Speaker, this resolution cannot be passed in the House. Because if we do, it would indicate that we have no confidence in the people as a whole.

Pu Lalhuthanga : Pu Speaker, the system of the election of Village Council has often been discussed in the House. However, due to financial difficulties the government is not in a position to implement new measures in this regard. Today's resolution has also been moved into the House with a view of reforming the existing system. But, the mover made no mention of any specific suggestion for the implementation of this resolution. Therefore, I request the mover to withdraw his resolution.

Speaker : Let us call upon the mover of the Resolution.

Pu S.T. Rualyapa : Pu Speaker, I would like to say a few points on this subject.

Mizoram election to Village Council Rules 1953 was amended in 1974 and 1990 both of which were during the Congress Ministry.

One of the members has said that we have no proper Village Council Rules. However, if we look into the Mizoram Election to Village Council

1974, Chapter 1 to 10, we can see the rules for Village Council election.

Before this, Resolution was moved into the House, the mover had consulted mi in my office in this matter. He even suggested that this Resolution be moved from the Ruling. And I assured him that it will first be examined and scrutinized by the Officers from the concerned department. The case was then examined and concluded that only the introduction of common ballot box does not make much difficulty. But, there are complication arise with the introduction of common ballot box. To name a few of those possible complications, each VC will bi required to have different ballot paper and the names and symbol of the candidates should be printed in the ballot paper. The candidate should also be required to submit their nomination two months before the election.

Pu F. Lalremsiama has made an allegation that the Congress Ministry is destroying the spirit of democracy. But, this is not correct. The Congress Ministry is only trying to do what is best for the country.

Pu J. Lalsangzuala (Minister): Pu Speaker, in the light of the discussion today, the government can make improvement in the subject we discuss today. So, as suggested by Pu Lalhmingthanga let us set aside this Resolution for now, thank you.

Pu Zoramthanga : Pu Speaker, being authorised by Pu R. Tlanghmingthanga, I have moved this resolution today. It seems that many of the members especially from the treasury bench are enlightened by today's discussion as they asserted that they were ignorant of the existence of buying and selling of votes among the voters. In this case, I want to inform the members that this crime does really exist.

The members have also misinterpreted this resolution. When we say that there are people among the voters who used to practise buying and selling of votes, which does not mean that the whole people of Mizoram are involved in this crime. This resolution is moved into the House with the idea of reforming the loophole.

Regarding the expenditure, if common ballot box is introduced in the VC election , the amount of expenditure usually incurred for ballot box could be diverted for the printing of ballot papers. It is even more economical.

Moreover, common ballot box is not a new experience for Mizoram. It has already been practised in the MP and MLA election and it was suggested that common ballot box be used in the election of the Village Council as well. I, therefore, request the House to pass my Resolution, thank you.

Speaker : The members from the treasury bench have suggested that the resolution be withdrawn by the mover. Does the mover agree to withdraw it?

Pu Zoramthanga: Pu Speaker, I still beg the House to pass my resolution.

Speaker : As requested by the mover, we shall take vote on the Resolution. Members who agree to pass the same may say 'yes' and who do not agree may say 'no'. (The Resolution is not passed by the House).

In this session, out of the 251 starred questions submitted, 244 are admitted and 79 unstarred questions were submitted. 4 government bills have been passed. Of the 12 resolutions admitted, none was passed and 11 Reports were presented.

I may also announce that the Parliamentary Inquiry Committee, which was setup to enquire into Lunglei Greater Water Supply has to be altered as 'Assmebly Committee. The objects and the subject the Committee has to enquire will still be the same. But, the name of the Committee has to be changed as 'Assembly Committee'.

Pu F. Malsawma : Pu Speaker, it would be appreciated if the answer to some of the starred questions which were left unanswered could be furnished in future.

I would also like to ask whether the Chief Minister has any new information about the demarcation of districts.

Pu Saikapthianga (Minister): Pu Speaker, the Committee which is set up to enquire Lunglei Greater Water Supply has often been named as 'Joint Committee'. Shall we name it 'Assembly Joint Committee or just 'Assembly Committee'.

Speaker : The Committee will be named as 'Assembly Committee' and to enquire Lunglei Greater Water Supply' will be within its purview.

Dr. R. Lalthangliana : Pu Speaker, it will become vague if Lunglei Water Supply Scheme is not added.

Pu Lalsawta : Pu Speaker, why did the Home department give incomplete answer to my starred questions?

Pu John Rotluangliana : Pu Speaker, I would also like to point out that there are several questions which are left unanswered.

Speaker : I will see that the answer to all the questions admitted in the House be made available to the honorable members.

It is a matter of satisfaction that our session went smoothly with a peaceful atmosphere. We can hope for better condition of the House by our next session.

The House is adjourned. Sine die

ZASANGA
SECRETARY