

FOURTEENTH SITTING ON 3RD APRIL, 1995.

MEMBERS PRESENT

Pu Vaivenga, Speaker at the Chair, Chief Minister, Fourteen Ministers, and Twenty Members were present.

LIST OF BUSINESS

QUESTIONS

1. QUESTIONS entered in separate list to be asked and oral answer given.

LEGISLATIVE BUSINESS

Bills to be considered and passed.

2. PU J.LALSANGZUALA to move ;
 - (i) that the Mizoram Salaries, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1995 be taken into consideration.
 - (ii) that the Bill be passed.
3. PU J.LALSANGZUALA to move ;
 - (i) that the Mizoram Essential Services maintenance (Amendment) Bill, 1995 be taken into consideration.
 - (ii) that the Bill be passed.

S P E A K E R

: "The Lord of hosts is with us;
the God of Jacob is our refuge".

Psalms 46 : 7

We shall take questions.

Starred Question No.274 by Pu Lalsawta.

PU LALSAWTA : Mr Speaker, I ask Starred Question No.274. Will the Minister in-charge Secretariat Administration Department be pleased

to state -

1) The Total Expenditure incurred for the various tours of the Chief Minister during 1994 - 28.2.1995.

2) The number of tour to Calcutta during the mentioned period.

3) The number of tours to New Delhi during the said period.

PU LAL THANHAWLA : Mr Speaker, the answers to
CHIEF MINISTER Starred Question No.274 are as below ;

1) Rs.30,941.

2) The answer to the second question is once.

3) The answer to the third question is thrice.

PU LALSAWTA : Mr Speaker, supplementary question please. Does the expenditure of Rs.30,941 include the tour to USA ?

PU LAL THANHAWLA : Mr Speaker, the answer is 'No'.
CHIEF MINISTER

Dr.R.LALTHANGLIANA : Mr Speaker, a supplementary question please. Last year the Hon'ble Chief Minister had visited HAGA Institute. Who had financed the expenditure for the tour.

PU LAL THANHAWLA : Mr Speaker, the HAGA Institute
CHIEF MINISTER had provided the expenditures.

S P E A K E R : Question No.275 by Pu F.Malsawma

PU F.MALSAWMA : Mr Speaker, I ask starred question No.275.

(a) Is there any intention to make appointment for the Chief Engineer, Power & Electricity in the near future ?

(b) Whether a Civil Engineer or an Electrical Engineer be appointed for the Chief Engineer.

(c) Does the government finds solution to the power problem ?

PU C.L. RUALA
MINISTER : Mr Speaker, the answer to starred question No. 275 (a) is 'NO'.

(b) The appointment for Chief Engineer will be made as permitted by the Recruitment Rules.

(c) The government takes great effort to provide better supply of power.

PU F.MALSAWMA : Mr Speaker, I would like to ask the Minister. If the Govt. could follow proper principle for the appointment of the Chief Engineer.

PU LALHMINGTHANGA : Mr Speaker, at present there are nearly 50 Electrical Engineers including the Junior Engineers. Who are not given appointment. Does the govt. intends to consider their case ?

PU C.L.RUALA
MINISTER

: Mr Speaker, the term of the present Chief Engineer has been extend for another three months. As this is the case the govt. has no intention of appointing Chief Engineer in the near future.

There is no classification between civil and electrical engineer in the Recruitment Rules and therefore being reviewed. According to the Recruitment Rules To become the Chief Engineer a person should have rendered a minimum of two years regular service in the post of an Additional Chief Engineer. However, as stated earlier, the Recruitment Rules is being renewed.

The Government has been examining and considering the case of Junior Engineer who are not given appointment.

S P E A K E R

: It is important to know that what the Minister have said are regarded as assurances.

PU LALHMINGTHANGA

: Pu Speaker, Is there any proposal to create new posts for the qualified Engineers during the financial year of 1994-95 ?

PU F.LALREMSIAMA

: Pu Speaker, if the Government does not have proper policy, large number of Doctors and Engineer would be seen without job in the near future. Therefore, the Government should have coordinate so as to avoid unemployment.

PU LALSAWTA

: Pu Speaker, a supplementary question please. When the Recruitment Rules was prepared the word "Electrical" was added in within braket after the word 'Additional Chief Engineer' However, when the word, "Electrical" was crased when the drafter Rules was returned from the authority. In this regard, I would like to ask the Minister to clarify this.

PU C.L. RUALA
MINISTER

: Mr Speaker, I have no knowledge of the matter mentioned by Pu Lalsawta. Regarding the case of 49 - Junior Engineer

mentioned by Pu Lalhmingthanga, post creation is a difficult matter due to financial constraint. Therefore, I cannot assure you that such a large number of post could not be created.

PU LALSAWTA

: Mr Speaker, the Minister in-charge should have known that some words in the Recruitment Rules have been arased.

S P E A K E R

: Question No.276 by Pu B.Lal-thlengliana.

PU B.LALTHLENGLIANA

: Mr Speaker, I ask Starred Question No.276 to be answered by the Minister in-charge Health & Family Welfare Deptt.-

- a) Who is the proprietor of Manun Arts and EL-AR Enterprise, Zarkawt ?
- b) The number of supply order issued in favour of these two Enterprises for the past 5 years.
- c) The amount of Bill.

PU C. CHAWNGKUNGA
MINISTER

: Mr Speaker, the answers to Starred Question No.276 are as follows.

- a) The proprietor of Manun Arts, Zarkawt is Pi Lalrotluangi w/o Pu Lalrengpuia. The proprietor of EL-AR Enterprise is Pu Lalrengpuia H/O Lalrotluangi.
- b) The answer to the second question is Manun Arts - 17 and EL-AR Enterprise - 17.
- c) Manun Arts and EL-AR Enterprise have one bill each.

PU B. LALTHLENGLIANA : Mr Speaker, a supplementary question please. Did the Deptt. call quotation or tender before issuing the supply orders ?

PU F. MALSAWNA : Mr Speaker, can the Minister enquire how these two firms receive the supply orders ?

PU LALSAWTA : Mr Speaker, does the Fund comes for the supply comes from the National Aids Control Organisation ?

PU F. LALREMSIANA : Mr Speaker, I would like to ask whether a Medical Doctor has interest in these two firms.

PU C. CHAWNGKUNGA : Mr Speaker, Health Deptt. has never issued supply order without floating tender or quotation. The Member has ask whether a Medical Doctor has any interest in the firms. As this is a personal matter, I am not aware of it. However, If the Member is concerned I will enquire about it.

In the case of the question raised by Pu Lalsawta, the fund comes from NACO.

PU B. LALTHLENGLIANA : Mr Speaker, can the Minister give me the copy of the quotation or tender ? As I understand it, the Deptt. did not call a quotation, but the Deptt. Purchase Advisory Board has selected the firm and the same made the approval.

PU C. CHAWNGKUNGA
MINISTER : Mr Speaker, I will discuss
and ask the Officers about
the quotation.

PU F. MALSAWMA : Mr Speaker, we are certain
that the supply order was
issued to the two firms
without floating the tender.
As such, we demanded that the case should be enquired.

PU C. CHAWNGKUNGA
MINISTER : Mr Speaker, I will personally
enquire about this case.

PU ZORAMTHANGA : Mr Speaker, a supplementary
question please.

Regarding the purchase of
paper from the Central, the Education Deptt. has taken up
the supply. According to the Central Budget the price of
News Print has not been increased. However, the existing
price of Rs.200/- has been increased to Rs.280/- in Mizoram.
In this regard, suggestion may be made that MIZOFED and the
Deptt. of Printing & Stationery may be entitle to take up
the procurement of paper for Mizoram.

PU B. LALTHLENGLIANA : Mr Speaker, what is the limit
of the financial power enjoyed
by the Director or a Depart-
mental Head ?

S P E A K E R : The question raised by Pu B. Lal-
thlengliana may be answered by
the House Leader and not the
Minister. Question No.277
by Pu F. Malsawma.

PU F.MALSAWMA : Mr Speaker, I ask Starred Question No.277. Will the Hon'ble Minister in-charge Health & Family Welfare Department be pleased to state -

How far action has been taken in pursuance of Guwahati High Court Judgement Memo No.59/90 dated Aizawl, the 9.7.1997

PU S.CHAWNGKJINGA : Mr Speaker, the Deptt. of Health & Family Welfare has taken action according to the Judgement order No.59/90 of Guwahati High Court.

PU F.MALSAWMA : Mr Speaker, It would be most gratifying if what the Minister had said was a fact. As finished by the High Court, "...Ratio is one Nurse for three patients, but in this state, there is only one Nurse for five patients". If the government has followed the Ratio of one Nurse for three patients. It would be very pleasing.

Realising the problem faced by the Nurses, the Deptt. of Health & Family Welfare was ordered to submit the Allowance and Service condition of the Nurses to the Pay Commission within 15 days. The Pay Commission has also recommended this case as a priority basis. If action has also been taken accordingly. It would also be most appreciated.

It also seems that Grade IV were also appointed as Staff Nurse which can be very dangerous for the patients as well as for the Deptt. Hence, the Deptt. should be more careful in appointing Nurses

PU B.LALTHLEGLIANA : Mr Speaker, one more supplementary question please. There are Nurses who gave up their service in other state and came to join Mizoram Nursing Service as fresh appointees. But, when their service in other states are counted in their services and given arrears, the seniority of Nurses serving in Mizoram are hampered. When promotion is due, Nurses who had given up their service outside

Mizoram became more senior in service than those who serve under Mizoram. Hence, there seems to be supersession in promotion what I want to know is whether there are cases as such that I have mentioned ?

PU C. CHAWNGKUNGA
MINISTER

: Mr Speaker, I think the question raised by Pu B. Lalthlengliana is not relevant with the subject under discussion.

In the case of the question raised by Pu F. Malsawma, the actions already taken by the Department according to the judgement order of the Guwahati High Court are as furnished below :

- (1) The appointment of the following persons are regularised.
 - a) Pi Taanpari Pautu, Dy. Director (Nurse)
 - b) Pi Biaknungi, Principal Tutor.
 - c) Pi C. Lalkimi, P.N.O
- (2) All the posts of Mation and A.D. under Health Deptt. are filled up. According to the order of High Court, the various allowances being sought by the Nusses are recommended to the Mizoram Pay Commission. However, the Nurses were not satisfied and submit the case to the High Court.

PU F. MALSAWMA

: Mr Speaker, I think the question asked by Pu Lalthlengliana is quite relevant with our subject.

PU C. CHAWNGKUNGA
MINISTER

: Mr Speaker, As the question is related to the incident before the year 1992, the matter will be checked and examined with the Officers concerned

PU F. LALRENSIAMA

: Mr Speaker, just an assurance is not enough as this is a service matter. An enquiry should be set up to check out this matter.

PU C. CHANNGKUNGA
MINISTER

: Pu Speaker, as I have stated earlier this case would be checked by the Member who raised the Question.

PU B. LALTHLENGLIANA

: Pu Speaker, I would like to ask the Minister if he could assure us that amendment would be made if necessary.

PU LAL THANHANLA
CHIEF MINISTER

: Pu Speaker, a number of nurses gave up their service under Assam State due to the Communal disturbance at Silchar.

These nurses applied for job under Mizoram nursing service. But, it is not the policy of the Government to give special favour to them and is also wrong to supersede the senior nurses under Mizoram nursing service. Some of the cases of certain nurses are also being under investigation as it seems that there is supersession in promotion. As stated earlier, these cases are being investigated.

PU F. LALREMSIAMA

: Pu Speaker, I would like to ask the Minister whether the record could be exhibited.

S P E A K E R

: The Minister has given an assurance that this matter will be examined with the Consultative Meeting.

sawta.

Question No. 278 by Pu Lal-

PU LALSAWTA

: I ask Starred Question No. 278.

What is the total expenditure incurred for the renovation of Mizoram State Guest House at Bawngkawn?

PU LAL THANHAWLA
CHIEF MINISTER

: Pu Speaker, the expenditure incurred for the renovation and furnishing of State Guest

House is Rs.111,72,022/-.

For further information, the Government intends to make this State Guest House in a desirable quality. As such experts were also consulted from inside and outside the State. Out of the total estimate of Rs.155.20 lakhs, Rs.122,55,837/- has already been spent. To complete the building as well as the interior decoration. It will take about two more months.

PU LALSAWTA : Pu Speaker, Will the estimated cost of Rs.155.20 cover the total expenditure ?

PU LAL THANHAWLA
CHIEF MINISTER : Pu Speaker, It was estimated that it will cover the expenditure. However, decoration works are being going on and therefore, I cannot give specific answer.

PU R.TLANGHMINGTHANGA : Pu Speaker, can you tell me the exact locality of the Guest House, Bawngkawn or Chaltlang ?

PU LAL THANHAWLA
CHIEF MINISTER : Pu Speaker, the Mizoram State Guest House is located within Chaltlang area. Hence, It should be recorded as Chaltlang area.

S P E A K E R : Question No.279 by Pu Tlang-hmingthanga.

PU R.TLANGHMINGTHANGA : I ask Starred Question No.279.

(a) How many foreigners are there in Mizoram ?

(b) How far operation has been taken to detect foreigners ? What is the intention of the Government in pursuance of this operation ?

PU J.LALSANGZUALA
MINISTER

: Pu Speaker, in Mizoram, there are twelve foreigners who have permits.

The Government has no knowledge of the number of foreigners without permission.

The Government has taken various preventive measures for foreigners entering Mizoram. Since the year 1991 about 5611 foreigners have been detected and these foreigners were deported to their Country. The State police and the District police are also ordered to take special drive for the detection of foreigners.

S P E A K E R

: Pu B.Lalthlengliana.

PU B.LALTHLENGLIANA

: Pu Speaker, I ask Starred Question No.280.

Will the Hon'ble Minister in-charge Land Revenue and Settlement be pleased to state -

(1) The number of non-tribal families who have taken up wet-rice cultivation in Bairabi Valley.

(2) The number of families who have Land Settlement Certificate/pass.

S P E A K E R

: Pu P.C.Bawitluanga.

PU P.C.BAWITLUANGA
MINISTER

: Pu Speaker, the answer to Starred Question No.280 (1) is one. The answer to the second Question is also one.

PU B.LALTHLENGLIANA

: Pu Speaker, a supplementary Question please. At Bairabi Valley, there are 40 non-Mizo

families who have wet rice cultivation. The people do not even have Inner-line permit. But, they just crossed the border and settle within Mizoram. It is very regrettable that the Hon'ble Minister has known only one family. According to the latest information these non-Mizo families even intend to set up Primary School in the area. Hence, I urge the Government to take action against these people.

PU LALHMINGTHANGA : Pu Speaker, when I visit Bairabi area during the month of October, the Mizo families living in the said area had told me about their grievances in regard to the plot of land. That were originally belonged to them. These plot of lands are now being occupied by the non-Mizos for cultivation. The Minister must have made a mistake by stating that there are no non-Mizo families in the area. In this case, I would like to ask the Minister whether the Government could drive out these people as they do not even possess Inner line permit.

PU F.MALSAWMA : Pu Speaker, What I would like to ask may not be relevant with the subject under discussion. However, as I feel it necessary to point it out, I will mention it anyhow. Since Bairabi becomes a railway Station a large number of non-Mizos have entered Mizoram through Bairabi. According to the information I get, smuggling goods especially narcotic drugs are being floating in to the area. Therefore, it is necessary for the Government to take measures to check smuggling goods in the area.

PU F.LALREMSIAMA : Pu Speaker, Though the Minister has said that only one family has occupied Bairabi Valley but the Member who raise the question is very certain that 40 non-Mizo families are occupying Bairabi. In this regard, I would like to ask the Minister whether he could assure us that these non-tribals would be cast out from Bairabi.

PU P.C.BAWITLUANGA : Pu Speaker, I have given my
MINISTER replies according to the report given to the Government. The Mizo people living in

Bairabi have hired non-tribals to work in their fields and perhaps these labourers become over-familiar with the area.

In the case of their Land Settlement Certificate, the Department has collected their LSC for renewal as these were issued during the time of the District Council. The LSCs are now ready for issue.

Regarding the smuggling of drugs, I cannot give the answer.

PU LALHMINGTHANGA

: Pu Speaker, It is not the time to detain the LSC as the non-tribals are taking advantage of this chance. When will the

LSC be issued to them ?

PU P.C.BAWITLUANGA
MINISTER

: Pu Speaker, The Government does not simply detain the LSC. As the area is innerline forest, the Department of Forest has reason to detain the pass. The lands are not given to the non-Mizos. It will be given to the rightful owner. Therefore, there is no reason to be anxious about.

PU B.LALTHLENGLIANA

: Pu Speaker, On March, 1992, a survey was conducted to the area and met some difficulty.

If we neglect this case, we may lose the land. As the Mizos are the rightful owners, it is the responsibility of the Government to restore these lands.

PU P.C.BAWITLUANGA
MINISTER

: Pu Speaker, From the speeches of the Member, It seems that I was accuse of selling the plot of lands to the non-Mizos and receive the money. If so, show me the money ? I cannot accept this false accusation.

S P E A K E R

: From your speeches, I understand that some Mizo families

have employed non-tribals to work in their private fields. As these lands were demarcated during the time of District Council, the LSC are collected by the authorities to be exchanged with the Revenue Pass. As the Revenue Pass are not yet issued to the rightful owners till date, the employed non-Mizo lay claim for ownership. However, the land is innerline forest reserve, the department cannot hasten the progress. Here, the main question seems to be that it requires immediate action. The government has to clarify the present condition in this regard.

PU P.C. BAWITLUANGA : Pu Speaker, I would like to
MINISTER remind the member to withdraw
his accusation on me.

PU LALSAWTA : Pu Speaker, from the speech of
the Hon'ble Minister, It is
clear that he has no intention
of covering up the Mizos who
are the rightful owners of the said plot of land.

PU H. THANGKIMA : Pu Speaker, though the Minister
is fully aware of the fact that
the Mizos are the rightful owners,
he left the lands in to the hands
of the non-tribals- which signifies that the land was sold
may be free of cost.

PU P.C. BAWITLUANGA : Pu Speaker, to whom did I sell
MINISTER these lands? How much did I get?

DR J.V. HLUNA : Pu Speaker, persons who failed
to report this crisis to the
government must be discharge
of his duties.

PU P.C. BAWITLUANGA : Pu Speaker, I cannot agree to
that.

PU LALHMINGTHANGA : Pu Speaker, If the government has take necessary action and carry-out its duties, all these crisis would be evaded.

PU F.LALREMSIAMA : Mr. Speaker, as mentioned by the member from Sateek Constituency these non-Mizos have settled in Bairabi Valley and even propose to open a Primary School for themselves. Hence, now is not the time to sit back and argue. The government must take action in order to safeguard the property of the Mizos. Even if, It is difficult to issue the LSC within a month, the Police personnel and Forest employees should be on guard of the area. Can the Minister give his assurance for this ?

PU P.C.BAWITLUANGA MINISTER : Pu Speaker, Before I reply to the question of Pu F. Lalrem-siama, I demand that the false accusation made by the Member of Aizawl West Constituency be withdrawn.

PU SAIKAPTHIANGA MINISTER : Pu Speaker, Merely his judgement is not to be accepted by this House. Therefore, accusation made by only one Member does not meant anything to the House.

S P E A K E R : What the Member meant to say is that the area was not sold but the non-Mizos are looking after the area.

PU P.C.BAWITLUANGA MINISTER : Pu Speaker, The word 'sell' must be withdrawn.

S P E A K E R : He has withdrawn the word 'sell'.
Question hour is over. Now,
The Hon'ble Home Minister
was also informed to make a statement.

PU F.MALSAWMA : Mr Speaker, I would like to
request you to allow me to
utilize, Zero Hour.

PU LAL THANHAWLA : Mr Speaker, as today is the
CHIEF MINISTER last day of our Session, let
us all use it freely.

The Leader of the Opposition
had earlier mentioned about News print paper. In this case,
If I am not mistaken, small quantities could not be sub-
scribe and therefore, we had to subscribe more than our
requirements. However, in the present situation, if we can
increase the number of subscribers the matter will be consi-
dered.

In the case of the border area
mentioned by some of the members the govt. has made proposal
for the posting of Forest personnels supported by the Police
Outpost in the said area.

The Hon'ble Member of Aizawl
North II has also mentioned that the border areas between
Mizoram and Cachar have become drug trafficking areas as
illegal drugs peddlers could move freely due to lack of
security. This matter has reached the notice of the govern-
ment. And action will be taken immediately.

PU LALSAWTA : Mr Speaker, I would like to
mention about the purchase
of Newsprint paper. As the
department of Printing and
Stationery has better resources, suggestion may be made so
that the department may subscribe newsprint in large quan-
tity from Guwahati. If arrangement could be made accor-
dingly, our journalists can purchase their required quan-
tity from the department and their problem could be solved.

PU F.MALSAWMA : Mr Speaker, I too would like
to support the suggestion
made by Pu Lalsawta.

PU LAL THANHAWLA
CHIEF MINISTER

: Mr Speaker, thank you for the suggestion and it will be looked into. Regarding the service of the Engineers, the cabinet has even held a meeting to discuss their problems and the government has also preparing their service rules so that all of them could be benefitted.

PU J.LALSANGZUALA
MINISTER

: Mr Speaker, with your permission I lay 'The Mizoram Salaries Allowances and Pension of Members of Legislative Assembly (Amendment) Bill, 1995' for the consideration of this House. I shall point out the salient features of the Bill.

As suggested by the members the condition for family Leave Travel Concession stated at Section 4 para(b) Sub-para(a) has been altered. The members may also be entitled to air condition wherever available.

On Section 12, para 1, sub-para (e) Car Advance for members should not exceed 1.5 lakhs or actual price.... This has also been altered as 2.5 lakhs or actual cost of vehicle whichever is less.

The Pension for MLA on section 14 and 14(a) has also been increase from Rs.2500 to Rs.3000/- this is for 25 years.

On section 14(b) in the case of an expiry a member, his pension may be drawn by his wife and in the case of the expiry of both, their children who are not above the age of 25 may get the pension.

I would also like to point out for the information of the members that a slight change has also been made on the Mizoram Legislative Assembly, Grant of Loans and Advances to members (Amendment) Rules, 1995. The interest for Car Loans has been reduced from 15% to 5 1/2%

If it is necessary, I shall explain in paragraph wise.

PU LALHMINGTHANGA

: Mr Speaker, that is not necessary but if it comes from the amendment then the effective date must be shown according to the rules.

PU J.LALSANGZUALA
MINISTER

: Mr Speaker, you will see the effective date in the Amendment. It shall come into force on the date of its publication in the Mizoram Gazette. It shall be passed in this August House and then published in a Gazette, which will be the effective date.

S P E A K E R

: Will this matter be allowed to look into as it has been asked ? Alright, if it is allowed you may proceed with your questions.

PU LALHMINGTHANGA

: Mr Speaker, with your permission may I just put the matter we have to look into for a short period ? The unnatural death suffered by Pu Zadinga left his wife and children all by themselves. If we could carry out the retrospective from the Legislative Union Territory then it will be more complete. Is it difficult for the Law Minister to look into that ?

PU J.LALSANGZUALA
MINISTER

: Mr Speaker, this topic has also risen from other members of this House but let us first pass this Amendment. We have thought over it on the Consultative Committee on Parliamentary Affairs and have thought of making a new law book. We will be able to know all the Amendments during this period and incorporate if there are some good ideas. We may also be making Amendment, if this is the case. So, I hope that our Member will understand it.

Mr Speaker, do I have to explain it paragraph wise as I have read out the salient features before.

S P E A K E R

: They have said that it would not be necessary.

PU J.LALSANGZUALA
MINISTER

: Mr Speaker, thank you and please think over it.

Dr J.V.HLUNA : Mr Speaker, will the one and half lakhs we had taken be included with the interest ?

PU J.LALSANGZUALA : Mr Speaker, may it be interpreted by those who know the law and the effective date has already been discussed.
MINISTER

S P E A K E R : You may ask for it to be passed.

PU J.LALSANGZUALA : Mr Speaker, thank you for studying the documents at home carefully. So, I ask you all to help me pass 'The Mizoram Salaries Allowances Pension of Members of the Legislative Assembly Amendment Bill, 1995'.
MINISTER

S P E A K E R : The Mover of the Bill, Minister Pu J.Lalsangzuala has asked us to pass the Bill. So, after studying it at home carefully and telling your own points I guess that you would have reached a decision by now. All in favour of it please say 'I agree'. Are there anyone who is not in favour of it ? Alright, there is no one against it.
Do we agree to pass the tittle and commencement ? Alright we agree.

May all those in favour to pass "The Mizoram Salaries, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1995" say 'I agree'. Alright we all agree "The Mizoram Salaries, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1995" has been passed.

PU J.LALSANGZUALA : Mr Speaker, Thank you.
MINISTER

S P E A K E R : We have five minutes to take on a new Bill. If needed we will cross 1:00 P.m. May the mover Pu J.Lalsangzuala by the House to consent consideration for the amendment of "The Mizoram Essential Services Maintenance Bill, 1995".

PU J.LALSANGZUALA : Mr Speaker, I beg the House to make consideration on "The Mizoram Essential Services Maintenance (Amendment) Bill, 1995".
MINISTER

S P E A K E R : Do we agree to consider the Bill ? (Members : Agree)
We agree so do we need to explain it ?

PU J.LALSANGZUALA : Mr Speaker, I shall read out the Salient Features and I hope we all have a copy of it.
MINISTER
Amendment of Section 2 is (a) to add 'code of criminal procedure' which means to change code of criminal procedure 1973 (Central Act No. 2 of 1974) till Sub-Paragraph 9.
The 'Principle Act' on page 2 (c) and (d) means 'The Mizoram Essential Service Maintenance Act, 1990 (No. 15 of 1990) and 'State Government' means state govt. of Mizoram which is to be added. The rest will be the same.

On page 3 section 5 we must substitute on the arrest by a Police as we have not mentioned what type of Police can arrest what type of person. So, I have said "not below the rank of Inspector of Police" as it will not oppose the rules.

I have changed Section 6 on the word 'Dismissal' which I think is Technical It was written in one paragraph but now I have split that in two.

The 'Bar of Legal Proceedings' on Section 7 is not necessary, so it will be removed in the Amendment- "Offences to be trial similiarly" on Section 7 and "Provisions of the Code of Criminal Procedure Act, 1973 to apply to warrants, arrests, trials etc" of Section 8 and "Act to overside other laws" of Section 9 will be a new one so that Magistrate authorised by High Court will be able to use it.

On Section 8 it has been said that on arrests, warrants, seizure, enquiry, bail, trial and disposal of seized items the Court of Criminal Procedure must be used.

In Section 9 it says that laws which are there must not contradict with Governmental laws. So, I hope that we will be able to pass this at once as you would have studied it like before.

Thank you.

S P E A K E R : This Bill has been asked to be passed. Is there anyone to speak on it ? Pu Lalsawta.

PU LALSAWTA : Mr Speaker, I don't have much to say but I know that this Maintenance of Essential Services Act is important especially for the pay of Government Servants. Things have been wrong upto now on the Pay Scales of the Govt. Servants. We need not make advances on this unless we finish the first one as we cannot let them be angry over it. All these Acts can be invoked at anytime and even though it has been cleverly planned it is also very counter productive. In this case it will be hard to get people to work for this Government. We cannot just go and arrest employees as they are free to strike in a democratic country. Strikes will not be avoided if we don't clear the old things first.

If we cannot avoid strikes then it will mean that we are going against the law which happens to be illegal. It will be impossible to work happily alongside our Govt. Servants. In such cases we must look into the beginning, qualification, prospect, etc.

Thank you.

PU F. MALSAWMA : Mr Speaker, as we had said before page 2 para (3) is not it too wide ? As the Hon'ble Member said before it includes even Education Public has limitation in its condemnation. Although it may be provided without fruit. If it is in law and enforce in all matter. We may oppress our democracy. Politically its good if it is passed. We are thinking of the best means and ways. As such I fear that the word, any Public Services would be too wide.

PJ ZORAMTHANGA : Mr Speaker, Sir, in connection with our subject, I have to say that our Rules are generally not good enough and have some defects and require to be withdrawn when we have to pass any Bills from some Department, isn't it good to examine first by the appropriate committee like consultative Committee or Sub-Committee before it is laid to the House. This will brought the success of the concerned Minister, Ruling Bench as well as the Opposition Bench. I therefore, request you to remember to examine any Bill (except money Bill) first by the said Committee before it is laid on the House.

PJ R. TLANGHMINGTHANGA : Mr Speaker, Sir, we now have a short time and most of us have desire to leave the House let us hand it over to Select Committee containing Members from different benches. If we hurry to pass the Bill we may stray away from Democracy. The Select Committee shall follow it and examine the Bill. So that the Rules may avoid critical question.

PJ LALHMINGTHANGA : The time is now very limit while we are eager to speak about it. Isn't it good to continue in the afternoon or you will give me time to speak ?

S P E A K E R : If so, you please speak about it.

PJ LALHMINGTHANGA : Yes Mr Speaker, Sir, this Bill may be regarded as Essential Services Maintenance (Amendment) Act. If we proceed more longer than its purview we may meet problems. It includes all perview in our Govt. That's why, it would be better to clarify its essentiality and others. If not, we shall pass it and people will call it dragovian law. I therefore, want to clarify such essentiality and its limitation Mr Speaker, Sir.

PU J. LALSANGZUALA
MINISTER

: Mr Speaker, I know that we are slightly off to the point/subject. These Rules are enforced from 1990. It's not a new law. It was published on 3.9.'90 in the Mizoram Gazette. We knew nothing about its criticism. Although we place this here it is copied from the first one. We want to re-arranged its paragraph of the Code of Criminal Procedure, Principal Act definition and State Government Definition.

Although we are Democratic Government we require a discipline. If not it, we will surely fail. And the suggestion our Opposition Leader shall examine later.

And regarding Pay, it shall be revised with effect from 1st Jan. 1996 as soon as it is passed.

PU LALHMINGTHANGA

: Mr Speaker, I know that we are not much in to the subject. The Owner of the Bill pointed out decisively and we discussed it more widely. That's why if we amend the Bill in a specific point it is convenient to discuss it in wider sense and have to amend on all necessary points. I therefore, ask you how you would do such amendment ?

PU J. LALSANGZUALA
MINISTER

: Mr Speaker, Sir, we shall take note of such suggestion. Now, I request again this August House to pass the Mizoram Essential Services Maintenance Amendment Bill, 1995.

Thank you.

(The Bill was put to vote and it was passed).

S P E A K E R

: Now, we finish our business not only this but the whole Session. Reviewing the whole Session it seems all Members whether Ruling Bench or Opposition Bench wanted the best ways and means for the good of our Government. I am very thankful for it. And, we received 310 questions and admitted 305, and rejected 5 questions. Now, we have 296 answers from Department. We also received 61 Starred Question without any reject and 5 Bills.

Now, we shall call upon Leader of the House if he has anything to say.

PU LAL THANNAWLA
CHIEF MINISTER

: Mr Speaker, Sir, I want to deliver my gratitude to all members of the House. In all discussion, most of us wanted the common good of the people and State Government. I have found the better ways and means in regards to our Nationality as well as its security. I am also happy for all of us to have safeguarded the dignity of this House. I do hope that we would follow this even in future tomorrow. And we have passed Budget for the coming year. I hope that the Opposition Members too would support me to develop our state as well as the people. All members have a lot of responsibilities to look after our state and its people as we are the fruit of our Prayers. All constructive advice and suggestion are welcome in this regard. Lastly, I request you to have no fear to advice and to suggestion.

Thank you, Mr Speaker.

S P E A K E R

: The House adjourned sine die.
1:25 P.M.

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