

PROCEEDINGS (ENGLISH) OF THE 10TH & BUDGET SESSION OF THE
MEIZORAM LEGISLATIVE ASSEMBLY HELD AT THE ASSEMBLY HALL FROM
15.3.1976 TO 30.3.1976.

11th Sitting on 30th March, 1976 at 10 A.M.

At the Chair : Pu Vaivenga B.⁴. Speaker

Members present: 33

Members absent : nil

Business (1) Questions

(2) Consideration and passing of Government Bill.

SPEAKER: They that trust in the Lord, shall be as
mount Zion which cannot be removed, but
abideth forever (Psalm 125:1)"

Now, we will first take up questions -
Question No. 68

ORAL ANSWERS TO STARRED QUESTIONS

GENERAL ADMINISTRATION DEPTT.

Tour of Officers without prior permission.

* 68: PU C.LAIRUATA: Will the Hon'ble Minister i/c
Gen. Administration Department be
pleased to state -

Are Officers of various Departments allowed to perform tours
outside stations without prior permissions from superior
authorities?

PU GH. CHHUNGA:
CHIEF MINISTER.

Pu Speaker No.

PU C.LAIRUATA:

Pu Speaker, how many times did the
A.O of Lungpho leave his station during
the year 1975 and upto March, 1976, and
how many times was he permitted to leave
the station?

PU GH. CHHUNGA:
CHIEF MINISTER.

Pu Speaker, I have no information
at hand concern individual officers.

PU C.LALRUATA: Pu Speaker, what actions have been taken on the report of the MLA of Lungpho constituency stating that the A.O. had not been in the station for a long time in 1975?.

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, as I have stated earlier, I have no information concerning individual Officers.

PU K.L.ROCHAMA: Pu Speaker, I want to put supplementary question. There are District level Officers under Deputy Commissioner. It seems that the Deputy Commissioner is the Controlling Officer in respect of these Officers. But the Directorates concerned have direct dealings with Officers by-passing the concerned Deputy Commissioners. There are times when Junior Officers of some Department have to leave headquarters to meet Minister or Development Commissioner without the knowledge of the D.C. of the District. Have not the Government issued clear instruction regarding control of District level Officers?.

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, yes, instructions have been issued that every officer, when he is going to leave his station, must obtain permission from his superior.

PU SAPLIANA: Pu Speaker, the questioner stated that he reported to the government the long absence of the A.O. of Lungpho, but the Chief Minister denied that he had any knowledge of such report. On which date the MLA submitted the report and how is it that the Chief Minister is not aware of it?.

PU VANLALHERUATA: Pu Speaker, another supplementary question: How many A.Os have been dealt with for their unauthorised absence from their headquarters and what are the actions taken against them?

SPEAKER: The Chief Minister clarified that he has no information concerning individual Officers.

PU VANLALHERUATA: Pu Speaker, what I ask is not specific. It covers the cases of all A.Os as a whole.

PU C. LALRUATA: Pu Speaker, my constituency faces great difficulties in administration and supply matters due to long absence of the A.O. As pointed out by Mr. Saitlawma the correspondences submitted by MIAs to the Government must be acknowledged and the progress of action thereon informed to the Member. But my letter was neither acknowledged nor was I informed of progress of action thereon. I request the Chief Minister to look into what I reported. It seems that the days spent by the A.O. in his headquarters taken together is less than a fortnight during the course of a year. I personally know that the people face difficulties due to the frequent and long absence of their A.O. Will the government please pay due attention to my letter?.

PU CH. CHHUNGA: Pu Speaker, I will look into it.
CHIEF MINISTER.

SPEAKER: Question No. 69.

GEN. ADMINISTRATION DEPTT.

Allegation against A.O. Vairengte.

*69: PU C. LALRUATA: Will the Hon'ble Minister i/c G.A.D. be pleased to state -

(a) Is it a fact that an allegation was made against the A.O. of Vairengte for mishandling the grant under E.G.S.?

(b) If yes, what are the actions taken by the Government?

PU CH. CHHUNGA: Pu Speaker, (a) Yes. (b) Enquires are being conducted. The D.C. Aizawl is appointed as enquiry Officer.
CHIEF MINISTER.

SPEAKER: Now Question No. 70

SECRETARIAT ADMINISTRATION DEPARTMENT

Occupation of Minister's Bangalow by person other than a Minister.

* 70:PU R.DOTINAIA: Will the Hon'ble Minister i/c S.D.A. be pleased to state -

(a) Is it a fact that one of the Ministers' Bangalow is occupied by a person other than a Minister?

(b) If so, under what provision, terms and conditions the Bangalow is occupied?

PU CH.CHHUNMA:
CHIEF MINISTER.

(a) Pu Speaker, *yes (b) according to the provisions of Salaries and Allowances Act, a Minister, after ceasing to be a Minister, can occupy a Govt. Bangalow only for 15 days. But this provision cannot be strictly enforced even in Central Government. We see that ex M.Ps continue to occupy their flats long after they ceased to be M.Ps. Likewise ex-ministers also used to continue to occupy their residences long after they ceased to be Ministers. Now, our ex-Minister also continues to occupy Minister's Bangalow at Tuikhuahtlang because he has difficulties in taking a house and all the existing Ministers have their own house to live in.

PU R.DOTINAIA: Pu Speaker, as provided for in clause 5 of the Salaries and Allowances of Ministers Act, 1973 an ex-Minister can continue occupy his residence for 15 days after ceasing to be a Minister. But now months have passed after Pu K.T.Khuma ceased to be a Minister but he continues to occupy a Govt. Bangalow. Under what provision is he allowed to continue to occupy a Govt. Bangalow or such a long time? How will rent be realised from him?

PU SANGKHUMA: Pu Speaker, the honourable Chief Minister stated that in the Central Government also Ex-Ministers and Ex-M.Ps used to occupy Govt. Bangalows and flats long after they ceased to be Ministers or M.Ps. Even if such is the practice in the Central Govt. we going to ~~violate~~ our law only because the Central Govt.* or other States use to ~~violate~~ their laws?. What are the names of those Ministers and M.Ps who continue to occupy bangalows and M.P.s who continue to occupy bangalows and M.P. ~~law~~ flats in contravention of the provision of laws. Are the Govt. of Mizoram willing to give due respect to the laws passed by this Assembly?.

PU C.CHAWNGKUNGA: Pu Speaker, this case amounts to breach of law and I want that it be stopped from today. It is not that we are jealous of the MLA who continues to occupy a Minister's banglow, but it's not fair to break the laws framed by ourselves. Will the government adhere to the laws passed by us?

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, rent will be paid by him as assessed by the Government. Regarding occupation of Bangalow at the Centre, what I say is that ex-M.Ps continue to occupy M.P. flats even after they ceased to be M.Ps and persons other than Ministers also occupy. Minister's bangalows. I do not say that they occupy the bangalows in contravention of the provisions of laws. I would like the * to withdraw his statement.
*Member

PU SANGKHUMA: Pu Speaker, I will withdraw it after he gives detailed clarification of what he said. He said that at the centre, ministers and ex.M.Ps used to continue to occupy their official residences even long after they ceased to be Ministers and M.Ps. How long they occupy after they ceased to be Ministers and M.Ps?.

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, the present President now occupies the same residence he occupied during his time as a Minister. Here we have difficulties, as you know, and we take this case as a special case and Pu K.T.Khuma is allowed to continue to occupy the Govt. residential Quarter. As this is a special case, I hope the Members agree to this arrangement.

PU C.LALRUATA: Pu Speaker, let us forget him as an individual MLA occupying a Minister's quarters. As stated earlier, according to our Act, an ex-Minister can occupy his official residence free of rent for 15 days after he ceases to be a Minister. Is there any time fixed, at the time he ceases to be a Minister, for his continuance in the official residence?.

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, the actual duration was not fixed; but it was mentioned that it will be good for us all if he could leave at the earliest. As we all know we are facing acute shortage of accommodation here in Aizawl and the rents are too high. As such Pu K.T.Khuma also faces great difficulties in taking a house,

SPEAKER: Can Fu Sangkhuma withdraw, as requested by the Chief Minister, what he said to be the statement of the Chief Minister that in the Centre also official Quarters are occupied in contravention of the provision of laws.

PU SANGKHUMA Pu Speaker, here we are discussing the occupation of Govt. Quarter in contravention of the provisions of our Act. The Chief Minister stated in connection with our discussion that in the centre also ex-Ministers and ex-M.Ps used to continue to occupy their official residences long after they ceased to be Ministers and M.Ps. I take it to mean that they also contravene their laws. Let him first tell us the exact duration they are allowed to occupy after they ceased to be Ministers and M.Ps and also the names of ex-Ministers and ex-M.Ps who continue to occupy the official residences, then I will consider withdrawal of my statement.

PU R.DOTINATA: Pu Speaker, in the days of the District Council that Minister's bangalow at Tuikhuahtlang was used for the official residences of CEM/EM. The Executive Members occupying them left it immediately after they ceased to be E.Ms. Now we have Assembly, more dignified and honourable house, will the Government stop forthwith occupation of Minister's bangalow in contravention of our Act?. Is there any agreement signed for his continued occupation 15 days after he ceased to be a Minister?.

PU CH.CHHUNGA:
CHIEF MINISTER. Pu Speaker, no agreement was signed. We will try to make the member to vacate the bangalow as early as possible.

It is my firm conviction that we must not put one of us into great inconveniences. Pu K.T.Khuma had to resign from his Ministership due not to his faults but other circumstances. If you say that his occupation of the bangalow is in contravention of our salaries & allowances Act, I do not deny it. But I am of the opinion that we must not be too particular about about his occupation of the bangalow. Any of us can become Chief Minister or a Minister some day or other, all of the Ministers may not have their own houses to move immediately on relinquishing office. The Delhi government may already made provisions allowing the Ministers and M.Ps to continue in their official residences long after they relinquish Offices. I am not clear about this. When I stated that ex-Ministers and ex-MPs remain in their official residences long after they relinquish offices, I do not mean that they contravene the provisions ~~xxxx~~ of laws. I hope the Members will understand this.

PU SANGKHUMA: Pu Speaker, what I object is the intention of the Chief Minister to justify the contravention of our Act on the ground that it is the practice in the centre also to occupy official residences long after relinquishing offices. As he can withdraw his point of justification, I also can withdraw my statement.

If the opinion of our Chief Minister is that we must be liberal and must not enforce the Act governing the occupation of bangalows if it causes undue hardships to the outgoing Ministers, is there any proposal to amend the Act?.

PU R.DOTINALIA: Pu Speaker, If we say that it is necessary to go on mutual understanding is there any proposal to exact for permitting the MLAs to occupy Ministers' bangalows as and when they are not occupied by the Ministers.

SPEAKER: Question NO. 71.

H O M E D E P A R T M E N T .

Uniform of the Mizoram Police.

*70:PU SAPLIANA: Will the Hon'ble Minister i/c Home Department be pleased to state -

- (a) Whether there is any particular type of cloth prescribed for the uniform of Mizoram Police force?.
- (b) If so, what is the quality and colour of the cloth?.
- (c) If not, why?.
- (d) What is the difference in the uniform the uniform between the Armed and the Unarmed Mizoram Police Forces?.

PU CH.CHHUNGA:
CHIEF MINISTER.

- (a) Yes
- (b) Khaki cloth of good quality.
- (c) Does not arise
- (d) The Armed Police have shoulder badges and field service hats while the unarmed Police have maroon berets.

PU SAPLIANA: Pu Speaker, the Chief Minister stated that the type of cloth prescribed for the Police is Khaki cloth of good quality. Does this include terre-cotton or tere-wool? We see that the colour and quality of the uniform worn by our Police are not of the same colour or quality. What actions have been taken by the government to maintain uniformity?

The Chief Minister clarified the difference between the uniform of the Armed and the Unarmed Branch of the Police. In other states the uniforms of the two branches are very much different. It appears that the uniforms are prescribed on the analogy of Assam. The shoulder badge of the armed Branch and the Field service hats and the maroon beret appear to be the only difference. I want to know whether the Govt. is considering to give the uniforms to the Armed and the unarmed branches to differ more widely.

It is very clear that the government is not strict in regard to the uniforms and dresses of our Police. A police officer who is not an IPS Officer but only recommended for conferring the IPS cadre dresses himself with the 'IPS' badge. This is highly irregular and against rules. In other States officers who are not encadred to the IPS never wear the 'IPS' badge, I consider that this kind of act is an insult to the government of Mizoram. The Superintendent of Police at Saiha was recommended for conferring to the IPS cadre, but even now when he is not yet conferred he wore the 'IPS' badge. How can he do this? Will the government see to this irregularity?

PU CH. CHHUNGA:
CHIEF MINISTER.

Pu Speaker, it is highly irregular for a Police Officer who is not an IPS officer to wear the 'IPS' badge. We will see to this.

Regarding the uniform, the prescribed cloth is Khaki cloth of good quality and no mention is made of tereline cloths etc. officially. But we have no objection if the Policemen and officers buy terelyne and terecotton etc. so long as the colour is of the prescribed one, but if there are differences in colour, that is not allowed and we should see to it. Even then we have no objection to their wearing slightly different colour when they are off duty. We must be particular about the uniform which they wear while they are on duty. We are also considering special uniform for traffic duty.

PU C. CHAWNGKUNGA:

Pu Speaker, supplementary question: I am of the opinion that it is not enough only 'to tell to stop' the S.P. of Saiha who dresses himself with IPS badge. Among our government servants there are many like Mr. Saibutua, who dresses himself and appears to be what he is not. I feel it not enough to tell the S.P. to stop. Will the Govt. take appropriate action against him?

SPEAKER: Question No. 72.

INFORMATION, PUBLIC RELATIONS & TOURISM

Promotion of Tourism in Mizoram.

*72: PU K. SANGCHHUM: Will the Hon'ble Minister i/c Information & Public Relations & Tourism be pleased to state -

Whether the government of Mizoram have taken any steps to promote Tourism in Mizoram?.

PU CH. CHHUNGA:
CHIEF MINISTER. Pu Speaker, yes.

PU K. SANGCHHUM: Pu Speaker, what are the steps taken by the Government?

PU CH. CHHUNGA
CHIEF MINISTER. Pu Speaker, Tamdil near Saitual is being developed as tourists spot and Tourist Lodge is constructed at Saitual for the convenience of tourists who visit Saitual. Another Tourist Lodge is proposed to be constructed within Aizawl at Chaltlang. We are also considering the possibilities of constructing more Tourist Lodges at different places.

PU VANLALHRUAIA: Pu Speaker, what are the places surveyed by the Government so far for construction of Tourist Lodges? Is there a proposal to construct one at Reiek?

PU CH. CHHUNGA:
CHIEF MINISTER. Pu Speaker, there are no specific places proposed for expansion of the project. The places will be selected after the present two projects at Tamdil and Chaltlang are completed.

PU K. SANGCHHUM: Pu Speaker, I hope Phawngpui tlang (Blue Mountain) will be one of the places they have in mind so as to promote Tourism in Mizoram; all those who see the place like it, and those who do not see also like to see it. Is it one of the places they suggest for future development of Tourism?.

PU CH. CHHUNGA:
CHIEF MINISTER.

Pu Speaker, Phawngpui Tlang is very inviting. From it can be seen the panorama of Mizoram and on eastern side, part of Burma. Although there is no proposal at official level, personally I feel that one of the Tourist Lodges must be located there. But now it is not easily accessible for want of good communication. Construction at Hnahthial-S. Vanlaiphai-Sangau-Saiha is being undertaken. It will be possible to construct Tourist Lodge there only after completion of the road.

SPEAKER:

Question No. 73.

SUPPLY & TRANSPORT DEPARTMENT

Non-removal of tyres near Booking Station.

* 73PU F. HRANGVELA: Pu Speaker, will the Minister i/c Supply & Transport Department be pleased to state -

(a) Whether there is any intention to remove unserviceable tyres placed near the Bus tickets booking station?

(b) If not, why not?.

PU LALSANGZUALA:
MINISTER.

Pu Speaker, (a) Yes.
(b) Does not arise.

PU SAPLIANA:

Pu Speaker, we all know that the Booking Station is very congested. How many unserviceable tyres are kept in the Booking Station? Why are they kept there? Are they suitable for sale in auction or are they unsuitable for sale in auction and are to be thrown away? Why are they not auctioned? Why are they not kept in other place?.

PU LALSANGZUALA:
MINISTER.

Pu Speaker, in all 170 unserviceable tyres are kept there. Of this 7 can be repaired, others are to be disposed of. Disposal of the unrepairable ones is under process.

SPEAKER:

Question No. 74.

PUBLIC WORKS DEPARTMENT

Action taken on the Report of the Estimates Committee.

*74: PU LALKUNGA: Will the Minister i/c P.W.D. be pleased to state -

What actions have been taken by the Govt. on the report of the Estimates Committee on Public Works Department?

PU H. THANSANGA
MINISTER

Pu Speaker, Action taken list is laid on the Table of the House. Other recommendations contained in that Report are under consideration.

PU LALKUNGA: Pu Speaker, when was the proposal for reorganisation of the P.W.D. submitted to the Government?

How many persons were sent yearly for undergoing engineering courses for degrees and Diploma? When was a Committee formed to frame PWD code? How far have the Committee gone? It is stated that agreement was signed with the government of Assam in regard to Accounts and Departmental examination of PWD Officers. Cannot the Govt. of Mizoram conduct departmental examination for ~~its~~ officers. It is also stated that a separate Directorate ~~xxxxx~~ of PHE was created. Does that Directorate have a separate Principal Engineer? If so, where is his office located? What is the name of the P.E? It is stated that PWD field officers were given instructions to take actions for completion of works within the stipulated times. Are the works completed within the stipulated times? If not, what punishments have been or will be inflicted on the defaulters?

PU H. THANSANGA:
MINISTER.

Pu Speaker, the PWD code have been completed, but framing of the Manual and the Accounts code are not yet completed. Regarding departmental examination Board, it is necessary to have common board with Assam, at least for the present, due to inadequacy of technical hands in Mizoram. It is also fair and from favouritism if outsiders set questions and conduct examinations. But this does not mean that we do not consider to have the Board of our own.

I think the member is mistaken about separate Directorate of PHE. A separate Directorate for PHE is considered unnecessary. Our proposal for a separate PHE circle was turned down by the Planning Commission. Now we are moving a fresh proposal again. As the nature of works is different from that of ordinary PWD works, we find it not convenient to attach PHE to the PWD.

It is true that works are not always completed within the stipulated time. But it is difficult to be too strict all on a sudden. I propose to call the conference of Contractors Association. The matter will be explained to the Contractors that Contractors must complete their works within the time fixed and those who fail to complete within the fixed time will be black-listed. If the matter is not explained to the Contractors ~~frist~~, it will cause inconveniences to them because many contractors do not usually read the contract clauses. Although it is taken for granted that they should read the contract clauses many contractors never read them, or they do not pay due attention to them. That ~~being~~ being our practice for a long time, it will be difficult to be strict suddenly. But I feel we must be strict after giving warning to the Contractors.

One question was also asked as to the actual number of Engineering Degree and Diploma students sponsored by the Government. I cannot give the actual number now.

Reorganisation of P.W.D. is under consideration. Conclusion is not yet reached as to how many circles will be necessary to be created. It is under consideration.

PU C.LALRUATA: Pu Speaker, did the Department inform the Assembly Secretariat of the action taken by them on the Report of the Estimates Committee?

PU SAPLIANA: Pu Speaker, when will we have the P.W.D. code of our own?

PU H.THANSANGA: MINISTER. Pu Speaker, I have already answered about the code that it is expected to be ready for use soon.

The actions taken on the Report of the Estimates Committee are to be informed to the Assembly. The Legislative control of Administration is very important and we must give due respect to the Assembly Committees. I presume that the Department must have already informed the Assembly. As I take it for granted that they should inform, do not specifically ask the Department to let me know whether they inform the Assembly or not.

PU K.L.ROCHAMA: Pu Speaker, the time for completion is always fixed and mentioned in the work order. It is taken for granted that the contractors must read and know it. But they do not always pay due attention to it. That practice is our inheritance since a long time back. If we are to make strict dealing in this regard and if we are to black list the contractors who are not able to complete their works within the prescribed time limit, it is only fair

to remind the Contractors that we are going to be strict in regard to the time of completion of the works. The meeting of the contractors' Association will be most convenient for explaining our new policy of stricture. More than that there is no relation of the Department and the Association.

PU C.LALRUATA: Pu Speaker, the question hour is nearly over now. But our business do not appear to be heavy today and I would request you to allot a zero hour today if necessary. I want to put a supplementary question on Unstarred Question No.11 listed for today.

PU LALKUNGA: Pu Speaker, let me raise a point of order the question hour is not yet over and our list of Starred Questions is not yet finished with. Is it in order to jump over to Unstarred Question now?.

PU C.LALRUATA: Pu Speaker, I simply make advance booking.

SPEAKER: Now question hour is over. I think the supplementary question of Pu C.Lalruata arising from need not be answered because the matter will be covered by the announcement to be made.

*Committee

The Report of the Estimates* was presented on 21.3.75. The Department is to intimate to Assembly Sectt. the action taken by them on the recommendations contained in the Reports. In spite of repeated reminders the Department did not send us the Report of action taken by them till date. Now the Minister furnishes in connection with his replies to questions, the actions taken by them on some of the recommendations. I would like to request the Minister i/c to impress upon the Department to pay more attention to the recommendations of the Estimates Committee.

PU THANSANGA:
MINISTER.

Pu Speaker, I did not ask the Department to let me know the position because, as I have stated, I take it for granted that it should have been sent to Assembly Secretariat. previously, In a parliamentary democracy, it is essential that the legislature and its Committee are respect. In this case also, the Department will be told to give due attention in future.
Thank you.

UNSTARRED QUESTIONS TO WHICH WRITTEN ANSWERS WERE GIVEN.

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HOME DEPARTMENT

Appointment of S.P. & D.S.P. in Mizoram.

Pu K.Sangchhum to ask: Pu Ch.Chhunga, Chief Minister
i/c Home Department to reply -

10: Will the Hon'ble Minister i/c of Home Department be pleased to state -

(a) How many Superintendents and Deputy Supdt. of Police have been appointed by the Government? (a) Govt. of Mizoram have appointed 9 D.S.Ps. on regular basis. In addition, services of 9 SPs and 10 DSPs have been placed at the disposal of the Govt. of Mizoram on Deputation basis.

(b) Please state the names of appointees and their place of posting? (b) Names of Officers are given the enclosed list.

Names of persons recruited/appointed and/or promoted to the post of Constables, S.Is. of Police and Inspector of Police during the year 1974-75 and 1975-76

Pu R.Dotinaia to ask: Pu Ch.Chhunga, Chief Minister to reply.

11. Will the Hon'ble Minister i/c Home Department be pleased to state -

The names of persons recruited/appointed and/or promoted to the following posts during the years 1974-75 and 1975-76.

- (a) Constables.
- (b) Sub-Inspectors of Police
- (c) Inspector of Police.

A list of the names of persons recruited/appointed and/or promoted to the posts of Constables, Sub-Inspectors of Police and Inspector of Police during the years, 1974-75 and 1975-76 is placed in the Library.

LIST OF OFFICERS APPOINTED BY GOVT. OF MIZORAM AS S.P. ETC.
ON DEPUTATION BASIS (See U.O.NO. 10(b))

Sl. No.	Name	Designation	Place of posting
1.	Shri F.L.R.Siama	I.P.S.A. + G. - I	Police HQ.Aizawl
2.	Shri A.D.Souza	S.P.	Aizawl District.
3.	Shri S.K.Singh	S.P.	Chhimtuipui Dist.
4.	Shri M.S.Sandhu	Comdt.1st Bn.MAP	Aizawl.
5.	Shri Kr.S.S.Kushwaha	A.I.G.-II	Police HQ.Aizawl.
6.	Shri Y,Kaushik	S.P.(OPS)	-do-
7.	Shri G.S.Thakur	S.P.SB/CID	Aizawl
8.	Shri Roshan Lal	S.P.(Wireless)	Aizawl
9.	Shri Virendra Rai	S.P.	Lunglei.

LIST OF OFFICERS APPOINTED BY GOVT. OF MIZORAM AS D.S.P.

1.	Shri N.G.Sharma	D.S.P.	Aizawl
2.	Shri Thanzauva	D.S.P.	D.S.B.Aizawl
3.	Shri H.N.Sharma	D.S.P.	Lunglei
4.	Shri Hrangnawna	D.S.P.(Direct recruit)	Darjelling(Under Training)
5.	Shri F.Hranghlira	D.S.P.	-do-
6.	Shri Lalsangzuala,Sailo	D.S.P.	Jalpaiguri
7.	Shri Thanmawia,Chawngthu	-do-	-do-
8.	Shri Hmingdailova,Khiangte	-do-	Cooch Bihar
9.	Shri Saizela	-do-	-do-

LIST OF OFFICERS APPOINTED BY GOVT. OF MIZORAM AS D.S.P.
(on deputation)

10.	Shri C.Khawnglawt,	D.S.P.1stBn MAP	Aizawl
11.	Shri H.D.Goswami	-do-(wireless)	Aizawl
12.	Shri S.C.Chaterjee	-do-	SB/CID.,Aizawl
13.	Shri SheobaranSingh	-do-	F.S.O.,Aizawl
14.	Shri G.L.Bhattacharjee	-do-	Under S.P.,Aizawl
15.	Shri S.P.Lagu	-do-	1st Bn.MAP,Aizawl
16.	Shri Rajpal Singh	-do-	-do-
17.	Shri Bhom Singh	-do-	-do-
18.	Shri J.C.Bhattacharjee (Retired D.S.P.)	-do-	ASB,Aizawl
19.	Shri H.C.Funetha	-do-	Aizawl Court.

SPEAKER: Our Rules of Procedure has been amended and it has been provided that if there is any Question the reply of which has not been furnished to Assembly during the Session, the Minister must explain the reason on the last day of the Session. During this Session we admitted 82 Stated Questions, of which replies to 3 questions have not been furnished. Now the question hour is over. But today our business is heavy and we cannot spare time for the explanation of the reason for not furnishing replies to these questions. Let the Departments concerned furnish replies within a few days, and the replies will be incorporated in our proceedings.

PRESENTATION OF REPORTS

SPEAKER: Our next item of Business is Presentation of Reports. Let the Chairmen of the P.A.C. present the First Report of the P.A.C.

PU J.THANGHUAMA: Pu Speaker, with your kind permission I, Chairman of the Public Accounts Committee having been authorised by the Committee to present the report on its behalf, present this First Report of the Committee on the report of the Comptroller and Auditor General of India for the year 1972-73, Appropriation Accounts 1972-73 and the Finance Accounts 1972-73 to the House.

Thank you.

SPEAKER: Next item. Let the Minister i/c Revenue move that the Mizoram District Land and Revenue (Amendment) Bill 1976 be taken into consideration.

CONSIDERATION OF THE MIZO DISTRICT LAND AND REVENUE (AMENDMENT) BILL, 1976.

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PU R.THANGLIAN: Pu Speaker, I beg to move that the Mizo District Land & Revenue (Amendment) Bill, 1976 be taken into consideration.

SPEAKER: Any Member to speak.

PU C.LALRUATA: Pu Speaker, this amendment bill was introduced into the House on Friday last at about 3 P.m. According to our Rules of Procedure, Bills can be moved for consideration only four days after it is presented to the House; the date of presentation is not to be taken into account. We must have four clear days for scrutiny of the Bill.

*is

We have only Saturday, Sunday and today* Monday; now it is only forenoon. As such the Bill cannot be considered now as the time between its presentation and consideration is too short.

SPEAKER: I had drawn the attention of the House to that effect at the time of presentation also. Our Rules prescribe 4 days, but the proviso to the Rules empowers the Speaker to allow consideration at shorter period than 4 days at his discretion. This Bill is a very short amendment Bill and only a few minutes will be required for its scrutiny. I think we can take it up now as it was introduced with the leave of the House.

PU C. LALRUATA: Pu Speaker, It is a fact that it was introduced with the leave of the House. But consideration is a different stage of the Bill.

PU NGURDAWLA: Pu Speaker, the Hon'ble Member is correct if we are to observe our Rules strictly. But the Bill is very short and simple. Even if we take it into consideration, long discussions will not be necessary because this amendment bill is very simple. As the Bill is simple and as the Speaker can allow its consideration at shorter period, I am of the opinion that the bill be taken into consideration.

SANGKHUMA: Pu Speaker, since our Rules empower the Speaker to use his discretion to allow consideration of Bills even before expiry of 4 days after presentation, I am also of the opinion that short and simple bill like this can be taken into consideration at once so that we may save time. This amendment Bill covers only one page. Long and complicated excise Bill was also considered before the expiry of 4 days after its presentation. I want that this Bill be taken into consideration now.

SPEAKER: It is not that our Rules are not observed even if we take our bill today. Now let us take it into consideration. Any member to speak?

PU SANGKHUMA: Pu Speaker, as you allow discussion on the Bill, I want to speak first. Since the bill is very short we may say that it is not of absolute importance for discussion. But we the members always complained during the previous sessions that there were many laws which needed to be amended or framed. There is a wide scope for legislation, but our govt. is sluggish and do not come forward with bills in our Sessions. In this Session also, only this very short and simple amendment bill is introduced. Even this very bill is defective. I feel that the main Act (The Mizo Dist. (Land and Revenue Act) also needs drastic amendments.

But amendment to this clause only is introduced now. I compare our Ministry to an old and worn out reconditioned vehicles while other new vehicles are playing past them swiftly. While metric system has been prescribed for the whole of India, in this bill, areas are expressed in bighas. If we pass the bill like this, a new amendment to the same clause will be necessary shortly, say, next year. The unit of measurement used in the Bill is too outdated. We must keep pace with other States. If we do not use the metric system on the pretext that the people do not follow it, when shall we use it? We must try to make the people follow it. The decimal coinage was also followed by the people quickly. I want that a new Bill using the metric system of measurement be introduced again in place of this Bill. Thank you.

PU C. LAIRUARA:

Pu Speaker, I feel that the Bill is very important as the amendment proposed in it is what we badly need. Let us take Aizawl

Town for an example - the market is very high while the value of land at the down side of Ramhlun veng or Bethlehem is very low. But the rent collected by the government for these different areas does not differ much. So, I am happy that a bill to amend the Mizo District L and & Revenue Act is introduced today. But there is one clause - 'The Administrator shall, from time to time, classify the land within town area into such grade,'. Here the Administrator himself cannot be expected to work out all the details. 'The Administrator' will mean Revenue field officers working in the name and on behalf of the Administrator. If so, I am afraid that inconveniences and disparities may be created. The work 'from time to time' may create difficulties. Suppose I have a land to which area a jeepable road runs. According to present classification, such land is 2nd class (B). If I can please the verifying Officer, my land which is normally to be classified as 2nd class (B), may be classified 1st Class. Due to reasons that there are loopholes in the bill and there can be underhand dealings, I want that the classification of lands be shown in the bill itself. The rates for different classes of land are also shown in the provisions of the Act now proposed to be amended. Why not in the new Bill?.

As stated by one Opposition Member before me, other sections of the Principal Act also needs amendment. The Principal Act seems to be full of outdated background which need to be amended. If the new land tenure system can be expected to be enforced soon, that may cover our needs. If not so, the present system is not clear enough as to the condition for mortgage of the lands. I request the Revenue Minister to clarify that point.

I point out what I think to be the loopholes of the present Bill and other provisions of the Principal Act which need amendment. But considering the need for changes incorporated in this Bill though not comprehensive enough, I fully support the Bill and want it to be passed. Thank you.

PU SAITLAWMA:

Pu Speaker, what I want to say on this bill is the unit of measurement used. The Government of India passed in 1956 the standard Weights and Measures Act. That Act prescribes the metric system to be used all over India. The Act has been in force in many States. In Mizoram also businessmen and some Departments of the Government use the metric system of weights and Measures. But in this Bill outdated unit of measurements like 'bigha' are used. 'Bigha' is the unit of measurement used in Bengal in the olden days. That this outdated measure is still used by the Revenue Department in Mizoram is a pity. It is time to wake up and keep pace with other States. Soil conservation and Agriculture Departments use 'hactares' in their land reclamation and terracing works, why not the Revenue Department use the standard measurements? If my memory is not in correct, the Govt. sanctioned and filled up the post of Asstt. Controller of Weight & Measures, and Inspectors to enforce the Standard Weights and Measures. I feel it improper for us to legislate using outdated unit of measures. It is convenient to incorporate in this Bill amendments of all these outdated measures contained in the principal Act. It appears that our present bill is incomplete and we are not amending what needs amendment. As for this Bill, I fully support it. The market value of land changes greatly and our legislation also must conform to the prevailing necessity.

In the statement of Objects and Reasons it is stated that 'The Revenue rate of Rs 18/- as the maximum in a place like Aizawl is rather insignificant'. The statement of Objects and Reasons is not clear to me. For what Rs 18/- stands as a limit? If the Govt. is going to introduce another bill for Land Laws and if this amendment Bill is for an interim period before such legislation is effected, I do not object to passing of this Bill. I want that new land laws which are comprehensive enough be made rather than making small repeated amendments to the existing Act. We learn that other States also especially during this Emergency period, pass land Reforms Bills and other Bills relating to land tenure systems. Now this amendment Bill covers only the rate of revenue. It is necessary that the land valuation also is considered and reeast. I feel that it is not justifiable to increase only the rate of land revenue if we do not evaluate the value of the land also. Thank you.

PU C. CHAWNGKUNGA:

Pu Speaker, I am glad we have a time for discussion on the Mizo District Land & Revenue (Amendment) Bill, 1976. While I support the amendment proposed, I want that the whole principal Act be revised thoroughly. I consider this amendment to be insufficient to meet the changing need.

The settlement and Land Records Department from a long time back from the District Council period mixed up the uses of different unit of measures. The area of land allotted are some times expressed in bigha, acre and some times in hectare. It is very confusing. I like that any one standard unit of measure should be used for avoidance of

confusion and maintenance of uniformity. At present land areas are calculated in terms of half bighas. The area of land less than half of bigha is taken as half bigha, more than half bigha but less than one bigha as one bigha, slightly over one bigha but less than one and half bigha to be reckoned as one and half bigha and so on. If we use metric system we can do more accurately. I request that only one system of measurement be used for calculating the areas of land.

Thank you.

PU NGURDAWLA: Pu Speaker, I consider this amendment Bill as inevitable in our present context. I also endorse the desire of other members that a more comprehensive legislation is necessary.

We all know that all our budgets have been deficit ones. It is seen that our revenue will increase as a result of this amendment. In the existing provision which is now proposed to be amended the minimum of land revenue within Aizawl town is Rs 6/- while the maximum is Rs 18/-. The difference is not great as stated earlier while the difference in the value of lands of different areas within Aizawl town is very great. According to the new amendment the authority will classify lands and will fix new rates. Henceforth lands which have higher market rates will be assessed at higher rates. But it will not be a burden because the lands are value-ble. I feel that the Govt. introduce this Bill in time. A more comprehensive land law as desired by other members, though needed will take a longer time to prepare. I hope the government will take steps to prepare such Bill. In the mean time this amendment is necessary as a stop-gap.

Regarding the system of measure used for land records, what other members had stated is correct. But there are practical difficulties to use the conversion in a hurry. We must first make the people acquaint themselves with the conversion - the metric system. We can use bigha as the unit of calculation and in the meantime the people will be taught the conversion table. We must know that large scale damage is not caused because we use bigha. If new legislation and amendments are brought forward in haste, it means that the Govt. have no time to study the Bills carefully and that errors and omissions are bound to creep in. Mr Speaker, I fully support this Bill.

PU SAPLIANA: Pu Speaker, we the members repeatedly mention in this august House the need for amending the laws passed by the erstwhile District Council which continue to be in force till today to suit our present context. But due to different kinds of difficulties faced by the government in processing the draft amendments many out-dated laws still remain in force without amendments. Not only that, many laws passed by this House do not seem to have been enforced. I would request the Govt. to scrutinise our laws and propose amendments where necessary.

The present Bill relates to taxation. Although it is short it is important. I feel that the time allotted for discussion of this Bill is too short. If we have ample time I think we, the members, would like to incorporate further amendments too. It is a pity that our enactments cannot be enforced because they are defective.

Our previous legislations were defective because we have no sufficient time to discuss and detect the defects in the Bill. I request that ample time be always allotted for discussion of Bills. As far as I know the Urban Areas Rent Control Act could not be enforced as it was defective and was amended to make it enforceable. It's a shame for us all. That kind of things degogates the dignity of this House.

Though the present Bill is short, its impact on the people will be great. It is an important Bill. In case it is difficult to incorporate in the Bill the suggestions that had been made, I would like the Government to bear in mind the desire of the members while framing rules under this Act or while executing the actual work.

According to this Bill, the classification of the lands has to be done by the Administrator. While framing the rules classification can be done according to the wishes of the Members. If classification of the lands is not incorporated in the Rules to be framed under this Act, we cannot say that undesirable practices and underhand dealing between the owners of the land and the authorities will be avoided.

Land area is calculated in terms of half bigha. Mention is made upto two bighas which is accompanied by the words "and so on". If the area of the land is big and comes to 1,5 or 6 bighas the application of the vague words "and so on" may be confusing.

It is difficult to do things exactly as desired. The Opposition Members desire that the Bill be made more detailed and more comprehensive. Preparation of such bill may not be easy and may take longer time. So, it is convenient to introduce this small amendment Bill for the present.

Land laws cover all sections of the people, even the rural people. It will be embarrassing if we suddenly switch over to metric system of measures. The rural people will not follow. The new method must be made known to them first before use. Many of us here also may not follow the metric system if we do not consult a book. It is safe to use 'bigha' for the present. If we consider important to switch over to metric system, it may be used when new bill is introduced according to the decision of the Land Tenure Committee.

Thank you.

SPEAKER:

Let us call the Minister-in-charge.

PU R. THANGLIANA:
MINISTER.

Pu Speaker, as the members pointed out, this Bill though short, is a big one concerning land tax. The Principal Act was passed by the then District Council in 1956. The Act will rightly fit the context of the time. The Land Revenue prescribed for Lunglei and Aizawl towns was Rs 6/- per bigha for the lowest class and Rs 18/- for the highest class of land and for other areas Rs 4/- for the lowest class and Rs 12/- for the highest class of land. Lands between the lowest and the highest classification are assessed according to classification given to them. But it is considered inconvenient to incorporate the rate in the Act itself. Moreover, the value of the lands greatly increased whereas the value of money greatly decreased since 1956. So, the rate becomes incongruous for the present day.

Land is at present classified into three grades. But this classification is not enough. Each grade, first grade, second grade and third grade is again classified into (a) (b) and (c). Now it is considered more convenient not to incorporate the classification in the Act. The present Bill empowers the Govt. to give as many classifications as necessary when necessity arises.

While we discuss our amendment Bill, the members mentioned the provision we are not amending. It is true that the use of the out dated unit of measure like 'bigha' is not proposed to be amended now. As stated by Pu Sapliana, we are afraid that introduction of the new rate together with the new kind of measure will be too much to the people and will cause too much confusion to them. Besides, the new land law which will be comprehensive is under consideration for replacing the old ones. As such we are coming only with amendment. I hope we would have a new land law soon. What the Government consider, important for the present is not the system of measure used for calculating the area. If such things are to be amended, we would have too many amendments. Now, we propose to amend only those provisions that create hardship.

PU SANGKHUMA: Pu Speaker, this is an important Bill relating to land revenue. Area of the land is counted in terms of half bigha. If an area of a land marginally exceeds half of a bigha. If revenue is increased and if the owner continues to pay revenue in excess of the actual area of his land, for example where the area is slightly over half a bigha he is to pay for the full bigha, it will be unjust to collect the unearned revenue at increased rates. Is it so difficult to use the metric system and collect the revenue on the basis of the actual area of a land? I don't think it is so difficult to amend this provision also.

PU R. THANGLIANA:
MINISTER.

Pu Speaker, what the member says is about the existing provision. It is not in the amendment Bill. So long as

Acts are not amended, we are doing under their provisions. Even if a land which is slightly over one bigha in area is treated as one and half bigha, the rates on this basis and on the actual area would not be much different.

PU SAILLAWMA: Pu Speaker, in 1965 the Govt. of India introduced metric system for use all over the country. But it was not to be enforced strictly before the expiry of 10 years i.e. before 1975. Now it's 20 years after it was introduced. Isn't the government intending to enforce it and make the people understand the system? Is it the intention of the Government to enforce it only when the people are acquainted with it regardless of how long they may take time to understand it.

PU C. CHAWNGKUNGA: Pu Speaker, I request further classification on this clause - "Provided that an area less than half bigha shall be assessed to half bigha. Is it that a person having half bigha of land is to pay revenue for one bigha.

The government is to lead the people they must not stagnate only to those things which are already known to the people; but they are to introduce new things to the people. So are we not to lead the people to use the metric system which had been prescribed as an all India standard of measurement. If the Revenue Department adopt it, the public are bound to understand in a short time.

PU R. THANGLIANA: MINISTER. Pu Speaker, it seems that they do not know what we are discussing. We are discussing an amendment Bill. I think we should concentrate on the acceptability or otherwise of the Bill. But they are discussing what is not in the amendment Bill. What they speak of is the existing provision of the Act. Simply it is outside our Bill. What the government consider necessary to amend for the present is only the rate. Also we do not know that there are difficulties because of the use of bigha. As I stated earlier, there is a proposal to make new land law recasting all the existing Acts concerning land and its revenue. Now we come only with the amendment which is absolutely necessary for our present use.

Mr. Speaker, what Pu C. Lalruata fears - different classification that may be allotted to lands in the same area was already faced in our old practice. Market value of lands also changed greatly as a result of development of some areas and shifting of market. For such reasons insertion of the classification of the lands in the Act itself is considered inconvenient. It is left to the Government to classify and re-classify the lands according to change of circumstances. Another point raised by Pu C. Lalruata - land are mortgaged for obtaining industrial Loans and Housing loans. He asked if the non-Mizos can bid the auction of land when the loanees cannot repay their loans and their lands are to be sold in auction. According to Land Transfer Act, 1963 a tribal cannot transfer his land by way of sales lease or gift to a non-tribal without the previous permission of the Government.

a non-tribal cannot transfer his land to another non-tribal by way of sale, mortgage, lease or gift. So, the government can refuse the transfer of land even through such auction. If a non-tribal obtain previous permission of the Government he may be allowed to bid in such auction.

Mr. Speaker, as I have said, what the government consider absolutely necessary for amendment are the rates and the classification. Now we have only three main categories. It is considered necessary to classify the lands into more categories. This Bill, if passed, is to come into force only after it is notified in the official Gazette.

Thank you.

SPEAKER:

I think we are all clear about the clarification given by the Minister in-charge. Now, let him move that the Bill be passed.

PU R. THANGLIANA:
MINISTER.

Mr. Speaker, I beg to move that the Mizo District (Land & Revenue) (Amendment) Bill, 1976 be passed.

SPEAKER:

The questions this: The Mizo District (Land and Revenue) (Amendment) Bill 1976 be passed. Those who agree to pass, say 'Aye' (Members: Agree AYE). Any objection (silence). Now the Mizo District (Land & Revenue) (Amendment) Bill, 1976 has passed unanimously.

Our provisional calendar for the Session covers covers tomorrow also. But we can finish our business today. The meeting is adjourned Sine Die.

Meeting adjourned at 4:30 P.M.

D. C. PANDE,
Secretary,
Mizoram Legislative Assembly.