

3RD SITTING ON THURSDAY, THE 23RD SEPT.1976 AT 10 : 30 A.M.

Pu Vaivenga, Speaker in the Chair, Chief Minister, six(6) Ministers and twenty five(25) Members.

GOVERNMENT BUSINESS

1. Questions.

PAPERS TO BE LAID ON THE TABLE

2. Pu R.Thangliana, Minister i/c Revenue Deptt. to lay on the Table a copy each of the Report of the Comptroller and Auditor General of India for the year 1974 - 75, Appropriation Accounts 1974 - 75 and Finance Accounts 1974 - 75 of the Govt. of Union Territory of Mizoram.
3. Pu Lalsangzuala, Minister i/c Supply & Transport Deptt. to lay on the Table -
- (i) The Mizoram Rice (Licensing & Control) Order, 1976.
 - (ii) The Mizoram Motor Vehicles Rules, 1976.
 - (iii) Mizoram Food (Restrictions on Services of Meals by Catering Establishments) Order, 1973.
 - (iv) Mizoram Motor Vehicles (Licensing of Goods Booking Agents) Rules, 1972.

CONSIDERATION & PASSING OF GOVT. BILL

4. Pu Lalsangzuala, Minister i/c Supply & Transport Deptt. to move -
- (a) that "The Mizoram Weights & Measures Bill, 1976" be taken into consideration,
 - (b) that the Bill be passed.

SPEAKER : (Reads passages from the Bible)

Now Question No.49.

HOME DEPARTMENT

Promotion of S.I. and S.F. in M.P.R.O.

PU R.DOTINAILA :

*49 : Will the Hon'ble Minister i/c Home Deptt. be pleased to state -

- (a) whether it is a fact that those C.R.P.F. personnel who hold the rank of Havildar when they joined M.P.R.O. on deputation are promoted to S.I. superceding those who are already senior to them in the same service?
- (b) If yes, the criteria for such promotion?

PU CH.CHHUNGA : Mr. Speaker, (a) there is not a Havildar promoted to S.I.; (b) does not arise.
CHIEF MINISTER

PU R.DOTINAILA : Mr. Speaker, contrary to Chief Minister's reply Shri Jaganat, Havildar of the C.R.P.F. was promoted to S.I. in the M.P.R.O. according to my information. So also Shri Jagir Singh, superceding his senior S.Is took charge as Officer i/c of the M.P.R.O. Whether the Ministry is aware of this false promotion, and if so, how could this happen?

SPEAKER : Pointing out particular names is Unparliamentary, you better withdraw the point.

PU CH. CHHUNGA : Mr. Speaker, no Havildar was promoted to S.I.
CHIEF MINISTER but according to my knowledge Havildars were promoted to A.S.I. as it is the next step for promotion. Three (3) Havildars were promoted to A.S.I. and 2 A.S.I. of B.S.F. were promoted to S.I. As we don't have sufficient staff in the M.P.R.O. we employ other State people on deputation on one-step promotion.

PU R. DOPINAIA : Mr. Speaker, how could the present S.I., Officer i/c M.P.R.O. be superseded by others? How could the deputationists supersede their seniors in promotions? Do they have specialisation?

PU CH. CHHUNGA : Mr. Speaker, they don't have specialisation
CHIEF MINISTER but they had long service experience. The Police Deptt. cannot be given exception to the rules covering all the Departments. As they are A.S.I. we did not think they superseded others. As promotion is the form of commitment of the Govt. it cannot be escaped.

SPEAKER : Question No. 50.

SOIL CONSERVATION DEPARTMENT

Conservation of soil erosion.

PU LALKUNGA :

*50 : Will the Hon'ble Minister i/c Soil Conservation Deptt. be pleased to state -

What are the steps taken by Soil Conservation Deptt. to conserve soil from erosion in Mizoram?

PU CH. SAPRAWNGA : Mr. Speaker, in order to conserve soil erosion jhum-cultivation should be controlled and settled-cultivation introduced. Two steps have been taken in that line - (i) Hill-slope terracing, (ii) land reclaimed by supplying water to terraces. Afforestation Programme is another step.
MINISTER

SPEAKER : Question No. 51. As the Member-Questioner is absent, has he authorised any? If not, we shall take up Question No. 52.

SUPPLY & TRANSPORT DEPARTMENT

Actual quantity of G.C.I. Sheets lost.

PU J. THANGHUAMA :

*52 : Will the Hon'ble Minister i/c Supply & Transport Deptt. be pleased to state -

- (a) What was the actual quantity of G.C.I. Sheets reported to have been lost in transit between Calcutta and Mizawl?
- (b) Whether responsibility has been fixed?
- (c) If answer to (b) is yes, what action has been taken against the person/persons responsible? If not, why not?

PU LALSANGZUALA : Mr.Speaker, (a)the actual quantity of G.C.I. MINISTER Sheets lost in transit between Calcutta and Aizawl is 124 Metric-ton 182 Kilograms; (b)no responsibility has been fixed on anybody; (c)the Enquiry Officer has submitted his investigation report and is under examination.

SPEAKER : Question No.53.

PUBLIC WORKS DEPARTMENT

Re-organisation of P.W.D.

PU NGURDAWLA :

*53 : Will the Hon'ble Minister i/c Public Works Deptt.be pleased to state -

(a) Is it a fact that the structure of the Public Works Deptt.is under re-organisation?

(b) If so, how?

PU H.THANSANGA : Mr.Speaker, (a)the P.W.D.structure is under MINISTER re-organisation; (b)the proposal was sent to the Govt.of India. Posts of 4 Superintending Engineers and 3 Executive Engineers are proposed and Central Govt's approval is awaited.

PU C.LALRUATA : Mr.Speaker, when was the proposal sent to the Central Govt?

PU H.THANSANGA : Mr.Speaker, the proposal was sent to Central MINISTER Govt.in the month of July.

PU C.LALRUATA : Mr.Speaker, July 1972 or which year?

PU H.THANSANGA : Mr.Speaker, July 1976.

SPEAKER : Question No.54.

Promotion of some Engineers in higher ranks.

PU NGURDAWLA :

*54 : Will the Hon'ble Minister i/c Public Works Deptt.be pleased to state -

Is it a fact that some Engineers are likely to be promoted to higher ranks in the near future?

PU H.THANSANGA : Mr.Speaker, some Engineers are likely to be MINISTER promoted as promotion is frequent in P.W.D.

PU C.LALRUATA : Mr.Speaker, is there proposal to promote some Section Assistants to subordinate Engineers like Overseers?

PU H.THANSANGA : Mr.Speaker, promotion of some Section Assis- MINISTER tants is being considered but the posts have to be created afresh and that is one blocking point.

SPEAKER : Question No.55.

REVENUE DEPARTMENT

Declaration of Protected Areas.

PU C.LALRUATA :

*55 : Will the Hon'ble Minister i/c Revenue Deptt. be pleased to state -

- (a) What are the numbers and names of Villages/Towns so far declared to be Protected Areas?
- (b) Whether there is any proposal to declare more Villages/Towns as Protected Areas?

PU R.THANGLIANA : Mr. Speaker, (a) Tanhril and Sakawrtuichhun Villages are declared as Protected Areas; (b) 1 Village is proposed to be declared as Protected Area, under examination;

PU C.LALRUATA : Mr. Speaker, when were Tanhril and Sakawrtuichhun declared as Protected Areas? Are not Aizawl, Aizawl-Chaitlang, Zemabawk, Luangmual, Sairang, Kolasib, Champhai, Vanlaiphai, Lunglei, Tlabung declared Protected Areas?

PU R.THANGLIANA : Mr. Speaker, there is particular procedure in declaring an area 'Protected'. Aizawl, Sairang, Kolasib, Champhai, N. Vanlaiphai, Lunglei, Tlabung are not declared as Protected Areas as the erstwhile Mizo District Council Executive Committee placed them under its jurisdiction. They are treated as Town-areas. Chaitlang, Zemabawk, Luangmual are now declared as Town-areas and even if they had been declared as Protected Areas, that has been lifted. Keifang, declared as Protected Area previously is lifted now. Tanhril and Sakawrtuichhun had been declared Protected Areas during the erstwhile District Council.

PU K.SANGCHEM : Mr. Speaker, by 'Protected Areas' what specific meaning does it really imply, 'Protected Areas' from unlawful activities or other?

PU R.THANGLIANA : Mr. Speaker, 'Protected Area' means protection of House-sites, so that the Village Councils may not give House-sites without knowledge and approval of the Govt.

PU NGURDAWLA : Mr. Speaker, is that the actual meaning of 'Protected Area'? Restriction seems more appropriate. 'Protected Area' seems to mean protection from any danger. Is the word appropriate enough?

PU SAPLIANA : Mr. Speaker, why only some particular areas are declared 'Protected Areas'? In some places, House and Garden Passes are controlled while in some they are not?.

PU R.THANGLIANA : Mr. Speaker, we may interpret the words differently. But by this it seems to mean protection of House-sites.

PU NGURDAWLA : Mr. Speaker, we cannot interpret words as we like, we should consult Dictionaries. 'Protection' means safeguard. This particular word should be substituted with 'restriction'. Could the Minister take step to substitute with the said appropriate word? It is ill-fitting.

PU R.THANGLIANA : Mr.Speaker,as it is incorporated in an Act,
MINISTER it needs formal amendment to change a word.
Anyway it protects House-sites.Reply to
Question (b),Mamit Village is being considered.

PU C.LALRUATA : Mr.Speaker,the said Villages are not 'Pro-
tected Areas',rather the Govt.interferes
in allotment of House-sites.According to House Site Act,Vil-
lage Councils of the Protected Areas cannot directly deal
with matters of House-sites.Then why the said Villages are
not declared Protected Areas? What particular names are they
given?

PU R.THANGLIANA : Mr.Speaker,the Act does not give particu-
MINISTER lar names.The House Site Act,1953 autho-
rised the erstwhile District Council Exe-
cutive Committee to deal with matters of House-sites of the
said Villages of Mizawl,Champhai,Lunglei and others.Since
introduction of Protected Areas,Village Councils of the non-
Protected Areas could directly deal with matters of House-
sites.Village Councils of the Protected Areas cannot directly
deal with matters of House-sites without knowledge and appro-
val of the Govt.,that means the Govt.can interfere and have
final authority on it.The Govt.can also authorise any person
on the matter,but none had been authorised so far.The matter
is now in the hands of the Govt.

PU C.LALRUATA : Mr.Speaker,in the Protected Areas of Tan-
hril and Sakawrtuichhuñ,who is the autho-
rity to deal with matters of House-sites?

PU R.THANGLIANA : Mr.Speaker,if the Village Councils apply
MINISTER for the authority to deal with the matter
they may be authorised.So also Chaltlang,
Zemabawk Protected Areas could be authorised to deal with
House-sites matters,if formally applied to the Govt.

PU NGURDAWLA : Mr.Speaker,on which provision of the Act
control of Protected Areas is provided?
Is there reliable provision of the Act or it is simply non-
Protected Areas?

PU R.DOTINAIA : Mr.Speaker,I heard the Minister exclude
N.Vanlaiphal from the list of Protected
Areas? Had it been declared to be a Town?

PU R.THANGLIANA : Mr.Speaker,in reply to Pu Ngurdawla's qu-
MINISTER tion,Villages could be declared Protected
Areas according to the provision of Section
3,sub-section 2 of the erstwhile Mizo District Council House
Site Act,1953. In reply to Pu Dotinaia's question,N.Vanlai
was not officially declared as Town.The erstwhile Executive
Committee had authority over certain Villages.Sometimes we
simply called them Notified Areas.

SPEAKER : Question No.56.

Allotment of House-sites and other sites for non-Agricultural
purposes.

PU C.LALRUATA :

*56 : Will the Hon'ble Minister i/c Revenue Deptt.be pleased
to state -

(a) Whether the Govt. authorised any person to allot House-sites and other sites for non-Agricultural purposes in Protected Areas?

(b) Who are those so authorised?

PU R. THANGLIANA : Mr. Speaker, (a) I have clarified Protected Areas and no person had been authorised so far to allot lands for House-sites for non-Agricultural purposes; (b) same as above.

PU LALHLIRA : Mr. Speaker, the Village Council of Champhai has allotted 100 House-sites; does this mean the Govt. authorised them? If not, will the Govt. cancel or regularise such House-sites?

PU R. THANGLIANA : Mr. Speaker, the Govt. Revenue Deptt. representative at Champhai is a Field Supervisor. Instruction was given that recommendation of the S.D.O., sitting-M.L.A. and Village Council will be approved here. An Officer is being sent there to investigate whether each of the Village Council Member allotted sites for various purposes. What the Govt. cannot approve will be cancelled. What suits plans of Town Planning Committee will be regularised.

PU K. SANGCHHUM : Mr. Speaker, suppose people want sites for Workshops, Industrial Estates etc. and if the Govt. has not authorised any person to deal with the matter then whom will they contact?

PU R. THANGLIANA : Mr. Speaker, if no Officer had been authorised to deal with the matter, the Govt. will take up.

PU C. LALRUATA : Mr. Speaker, does it mean all the sites for Houses, stalls, shops etc. were directly taken up by the Govt. itself? If so, with what authority the Directorate of Settlement and other Govt. Officers deal with allotment of sites for various purposes in the Protected Areas?

PU R. THANGLIANA : Mr. Speaker, generally allotment of sites in the said villages are done by the Govt. itself. The Officers' duties in the town are space arrangement of congested public places. They are also responsible for settlement and making decisions on disputed areas in the interiors and their judgements, even with the knowledge and approval of the Govt. are final generally. What they considered important for the Govt. to see are reported. Present practice requires that any allotment of sites should be routed through the Govt.

PU SAITLAWMA : Mr. Speaker, sites are allotted for non-Agricultural purposes too, and the Village Councils cannot allot sites for Churches, Suppose sites have been allotted for playgrounds, Govt. Institutes etc. without approval of the Govt., will such Passes be treated as invalid?

PU R. THANGLIANA : Mr. Speaker, location of the sites will matter. In interior villages the Village Councils are responsible. But in the said villages

reference should be made to the Govt., even for Agricultural purposes with necessary passes. Sites for Churches, playgrounds, Institutes etc. allotted by the local authorities, if not objectionable from the public and the Govt., will be formally regularised. If such sites are objectionable, even the ones allotted by the Govt. itself, the passes will be automatically cancelled.

PU C. LALRUATA : Mr. Speaker, it seems allotment of House-sites was made in Aizawl town itself, without knowledge of the Govt. Was there verbal instruction to Officers to make allotments of sites, even without the formal route, in unobjectionable corners?

PU R. THANGLIANA : Mr. Speaker, all such matters are supposed to reach the Govt. though I don't know whether they had been given instruction. If passes should be given to such allotted sites the formal route should be gone through. Temporary allotment of sites made by the Officers in some corners may be formally approved. But in principle it does not mean Officers have been authorised to do so.

PU C. LALRUATA : Mr. Speaker, the Revenue Deptt. is responsible for such matters. Is there proposal to authorise Officers of the Deptt. to do such things?

PU R. THANGLIANA : Mr. Speaker, yes, there is such proposal. Whether revenue powers should be vested with the Dy. Commissioner is being considered. But it is not yet finalised.

SPEAKER : Question No. 57.

INDUSTRIES DEPARTMENT

Replacement of unserviceable Rice Hullers.

PU LALKUNGA :

*57 : Will the Hon'ble Minister i/c Industries Deptt. be pleased to state -

- (a) Whether it is a fact that unserviceable Rice Hullers given to various people on Loan will be replaced by Govt. with new ones?
- (b) If not, why?

PU ZALAWMA : Mr. Speaker, (a) no Rice Huller will be replaced by Govt. with new ones as no defect is detected; (b) at the time of release of the Rice Hullers to the people, they were in good condition. After some time some of the parts and machines were reported unserviceable. Departmental mechanics were sent to check and repair such reported defective machines. One Rice Huller allotted to one person at Sairang was reported totally unserviceable. The defect may be caused by road transit or wrong delivery. After Departmental mechanics verified and checked the machine and found it totally unserviceable, it was replaced with new one.

PU SAPLIANA : Mr. Speaker, from the Minister's reply that all the machines were in good condition at the time of release to the allottees, does it mean that all the

machines were checked and verified by the Departmental mechanics and found all serviceable, and not manufacture defects. The Minister also said that grants-in-aid are given to the loanees who are allotted the defective machines? I would like to know who are those persons.

The Minister also said that mechanics were detailed to check and verify the machines. One allottee at Tlabung requested the Departmental mechanics to check and verify his Huller as he wanted to return due to defects. But neither he was allowed to return the Huller nor the Departmental mechanics have been detailed to verify and check it till today. Is the Govt. aware that the Departmental mechanics did not fulfill their duties?

PU VANLALHRUAIA : Mr. Speaker, the Minister said only 1 Huller was totally unserviceable, but the Minister might not be aware of this particular defective machine. One Huller allotted to Hnahlan village could not be installed till today. It is simply lying about scantily covered. Will Departmental mechanics be detailed to see to it, any possible way?

PU ZALAWMA : Mr. Speaker, assistance is not financial. When complaints come that the parts and machines are defective, Departmental mechanics are detailed to see to them and repair them if possible. Of the 35 complaints received so far 27 have been Departmentally attended to and the remaining 12 shall be looked into.

What Pu Saplian pointed out must belong to Pu Saichhunga of Tlabung. It is now serviceable.

(PU SAPLIANA : Mr. Speaker, whether all the machines have been pre-tested before release?) Mr. Speaker, they had been pre-tested, checked and issued in working condition. Within the Guarantee period, proved unserviceable ones are claimed to be replaced with new ones, like the one at Sairang. After expiry of the Guarantee period, defective ones are Departmentally checked and repaired as best possible.

If complaint of the one at Hnahlan had reached the Deptt., repair and checkings should be the Govt's responsibility.

PU VANLALHRUAIA : Mr. Speaker, many complaints had been submitted against the one at Hnahlan, but had the Departmental mechanics gone, at least once, to repair it?

PU SANGKHUMA : Mr. Speaker, the allottees were instructed not to start the machines on their own and they will be held responsible if they tried to start them and became unserviceable. One allottee of my Constituency did not start on his own and after the Deptt. mechanics' 2/3 attempts, the machine could not be started. In that case how will it be reported, totally unserviceable or otherwise? It is not manufacture defect, the Deptt. mechanics too could not start it; will they regard it serviceable?

The Minister said Guarantee period is provided, but for what duration? Where did they test all the machines to see whether they are in good condition or not? Some machines, on verifications, were found to be very old, but it was said they were all checked and found in good condition. Where were they checked to make sure?

PU ZALAWMA : Mr. Speaker, care should be taken in installing the machines and defects might have arisen in transportation to distant places. Some installed on their own and developed defects which are detected when Departmental mechanics investigated and repaired them. The Deptt. released them in good and working condition. When the allottees delivered them and defects developed from transportation to distant places, and if complained to the Deptt., the Deptt. detailed mechanics to repair and see to them. But we don't have sufficient mechanics for the purpose. In the beginning we did not have posts for mechanics but after some time 2/3 posts were created and they are still trying their best to help repair the machines.

PU SANGKHUMA : Mr. Speaker, there is proved fact that some machines are lying unserviceable. Whether the supplying Company is not reliable as the machines are in good condition only for short period or the Departmental mechanics are not competent enough to manage the machines? Whether the Departmental mechanics' competence/qualifications had been tested? Otherwise, what the Deptt. mechanics considered good are not serviceable till today. Therefore, the reliability of the supplying Company and the competence of the Departmental mechanics should be checked?

PU C. LALRUATA : Mr. Speaker, the same matter was put to question in 1974 Session and Pu Khawtinkhuma, the then Minister i/c replied that checking of the machines could not be done due to hastiness of the allottees. I have once gone to deliver the machine with a recipient and proved that the machines were not pre-checked before release. They were all packed in parcels and we opened a parcel and loaded the machine on a vehicle. The machines were simply unloaded in front of R.I.P. Office and no mechanic did check them. When and where were they minutely checked before release to the allottees? And as the favour done by the Govt. for the people became a burden for the recipients, how will the Govt. realise the loans from the recipients whose machines are unserviceable till today? Could it not wait until the machines become serviceable?

PU SANGKHUMA : Mr. Speaker, I would like to know the duration of the Guarantee period. If posts of mechanics were not created, how could he say all the machines were in good working condition when released to the allottees? It is not fitting on the part of the Govt. to make the people responsible for the defects of the machines whereas the Govt. imported bad machines, which were not pre-checked before release to the loanees. The loanees were instructed not to touch the machines on their own accord. One loanee of Kepran followed the instruction. The Asstt. Director of the Deptt. and mechanics came and tried to start the machine, but in vain. Will they still regard that as good or totally unserviceable?

PU ZALAWMA : Mr. Speaker, in reply to Pu Sangkhuma's question, our mechanics, since employed are all qualified. As the Deptt. is in charge of distribution of machines supplied by the Company, they were issued considering them to be in good working condition.

Of the 37 complaints received so far 25 had been attended to. I believe the remaining 12 are still lying unserviceable and they shall be looked into. Complaints are attended to as best possible. What the Deptt. mechanics checked and found serviceable are now functioning properly.

In reply to Pu Lalruata's question, a way is being sought to extend the time for repayment of the loans of those whose machines are totally unserviceable, even after the Deptt. mechanics tried their best on them. It is being considered with good understanding of the condition of the poor loanees.

Guarantee period of every Company is almost similar. I cannot tell the exact duration of the Company's Guarantee period.

PU SANGKHUMA : Mr. Speaker, could he reply to my previous question?

PU NGURDAWLA : Mr. Speaker, the Minister said of the 37 complaints received, 27 had been attended to but after 2/3 seconds he went down to 25 numbers. Which is the correct figure?

PU ZALAWMA : Mr. Speaker, in reply to Pu Ngurdawla's question, of the 37 complaints 25 had been attended to, still leaving 12 to be attended to later.

DIY. MINISTER
In reply to Pu Sangkhuma's question, the loanees would not have delivered the Hullers if they had not been in good working condition. The Company supplied the Hullers after their mechanics had them checked. We are impatient when we are to get loans. The Govt. is not responsible for this matter as the Hullers had been issued to the loanees after the Company mechanics had them checked and found them in working condition. If defects had arisen in their transportation to distant places, the Deptt. is ready to help the loanees.

When the Hullers are transported to distant places and installed, defects arose and complaints often came and the Deptt. helped as best possible. 25 complaints had been attended to so far. (PU C. LALRUATA : Mr. Speaker, do the Deptt. have a Certificate of the Company testifying the Hullers are all brand new?) Mr. Speaker, I cannot say whether the Deptt. insisted on having a Certificate of the Company testifying the Hullers are all brand new. But I believe the Deptt. would not have accepted the Hullers if they had not been new ones. I believe the Deptt. is in possession of the said Company Certificate. (PU R. DOTINAI : Mr. Speaker, have you received report(s) of the Officer(s) who have personally gone to investigate the defective Hullers? Whether they reported them serviceable or totally unserviceable?) Mr. Speaker, the one at Kepran had been checked 2/3 times. I don't know whether it is serviceable or not now.

PU HRANGAIA : Mr. Speaker, his answer is not correct. The loanees signed their names in the column for statement of whether the parts are received in full or not. Nobody had his machine checked. He should have said many of the Hullers were unserviceable and the Deptt. is trying its best to render help to repair them.

PU ZALAWMA : Mr. Speaker, that is exactly what we intended to do.

SPEAKER : Question No. 58.

SECRETARIAT ADMINISTRATION DEPARTMENT

Occupation of Minister's Bungalow by other persons.

PU SANGKHUMA :

*58 : Will the Hon'ble Minister i/c General Administration Deptt. be pleased to state -

- (a) Is it a fact that one of the Minister's Bungalow is occupied by a person other than a Minister?
- (b) If so, under what terms, rules and condition?

PU CH. CHHUNGA : Mr. Speaker, (a) all the Bungalows are presently occupied by the Ministers. According to the Mizoram Ministers' Salaries Bill, the Ministers are entitled to free furnished Residence (house), and they may stay on free for 15 days from the date of expiry of their terms. The ex-Finance Minister's occupation of a Bungalow is on payment of rent.

PU SANGKHUMA : Mr. Speaker, if the Govt. allows occupation of Bungalow on payment of rent, everybody would like to do it; does it mean it could be occupied for long time? Interpretation of the Act is vague. In the previous Session, the Chief Minister too admitted the procedure is wrong. He further said the procedure is practised in other States too, and the said person shall vacate it after completion of his building. It is not nice for the Ministers and eminent politicians to practise this procedure. After completion of buildings business-signboards are often put up. Do the Govt. intend to continue this wrong procedure?

PU CH. CHHUNGA : Mr. Speaker, we don't intend to continue this procedure and rather tried our best to avoid it. I don't remember my admission of the matter in previous Sessions. The All India Congress President at Delhi still occupies the Bungalow he occupied while he was a Minister. We found it inconvenient for Officers to occupy the said Bungalow as the Speaker resides nearby. We let the ex-Minister still occupy it until his building is completed.

PU SANGKHUMA : Mr. Speaker, his term of Office of Minister has expired; therefore, does it not rather mean inconvenience of ex-Minister, but not a Minister?

PU CH. CHHUNGA : Mr. Speaker, in other States too ex-Ministers occupied Bungalows and even ordinary persons occupied Bungalows for M.Ps. As it has become vacant we did nothing wrong. But you may not agree to it in general principle.

PU SANGKHUMA : Mr. Speaker, according to the Act, ex-Ministers may occupy the Bungalows free of rent for 15 days from the date of expiry of their term. It is evident this is done outside the Act. The Chief Minister once said that it is practised in the Central Govt. too, and that though the procedure is outside the Act it is being practised here. We had argued to withdraw the statements. Any how, if he is still in trouble of residence even though he has many houses to live in I understand that he may be given help.

SPEAKER : Question No.59.

AGRICULTURE AND ANIMAL HUSBANDRY DEPARTMENT

Conversion of Agricultural Loan into Ginger Loan.

PU SAPLIANA :

*59 : Will the Hon'ble Minister i/c Agriculture and Animal Husbandry Deptt.be pleased to state -

- (a) Is it a fact that fund available for long term Agriculture Loan has been converted into Ginger Loan during the years 1974 - 75,1975 - 76?
- (b) If so,what are the actual amounts spent in terms of Ginger Loan during the periods mentioned in (a) above?

PU CH.SAPRAWNGA : Mr.Speaker, (a)no Agriculture Loan was converted into Ginger Loan.The excess funds of various Departments are taken together and converted into Ginger Loan; (b)the actual amount spent for the purpose was Rs.9 lakhs 30 thousand.
MINISTER

PU R.DOTINALIA : Mr.Speaker,how much was spent for the Ginger out of Agriculture Loan?

PU CH.SAPRAWNGA : Mr.Speaker,nothing was given out of Agriculture Loan for Ginger.
MINISTER

PU R.DOTINALIA : Mr.Speaker,Ginger seeds was given out as Agriculture Loan.If so,does it mean it was given from Ginger Loan,instead of Agriculture Loan?

PU CH.SAPRAWNGA : Mr.Speaker,Rs.9 lakhs 30 thousand was spent for Ginger Seed Loan and the amount was collected from the savings of various Departments to help the poor farmers.No part of Agriculture Loan was spent for the purpose.
MINISTER

SPEAKER : Question Hour is over.Our next item is Laying of Papers.The Finance Minister to lay Report of the Comptroller and Auditor General of India for the year 1974 - 75,Appropriation Accounts 1974 - 75,Finance Accounts 1974 - 75 of the Govt.of Union Territory of Mizoram.

LAYING OF PAPERS ETC.ON THE TABLE

PU R.THANGLIANA : Mr.Speaker,with your kind permission,Report of the Comptroller & Auditor General of India for the year 1974 -75,Appropriation Accounts 1974 - 75,Finance Accounts 1974 - 75 of the Govt.of Union Territory of Mizoram,are laid on the Table of the House.
MINISTER

SPEAKER : The Minister i/c Supply & Transport Deptt. to lay the following on the Table of the House - (i)The Mizoram Rice(Licensing & Control)Order,1976, (ii)Mizoram Motor Vehicles Rules,1976, (iii)Mizoram Food (Restriction on Services of Meals by Catering Establishments)Order, 1973 & (iv)Mizoram Motor Vehicles(Licensing of Goods Booking Agents)Rules,1972.

PU LALSINGZUALA : Mr.Speaker,with your permission,I beg to lay the regulations on the Table of the House - (i)The Mizoram Rice(Licensing & Control)Order,1976,(ii)Mizoram Motor Vehicles Rules,1976,
MINISTER

(iii) Mizoram Food (Restriction on Services of Meals by Catering Establishments) Order, 1973, (iv) Mizoram Motor Vehicles (Licensing of Goods Booking Agents) Order, 1972.

SPEAKER : Our next item is Consideration & Passing of Govt. Bill which was introduced yesterday. Now let the Minister i/c beg leave for consideration of the Bill.

PU LALSANGZUALA : MINISTER Mr. Speaker, with your permission, I beg to move that 'The Mizoram Weights & Measures Bill, 1976' be taken into consideration.

SPEAKER : Do we object to Consideration of the Bill? (MEMBERS : Silent) Then we may start discussion of the Bill.

PU K.L. ROCHAMA : Mr. Speaker, I am glad for introduction of 'The Mizoram Weights & Measures Bill, 1976' to be considered now. The Central Government has enforced the Act long time ago. It is essential that uniform measurement should be used in sale and purchase of measurable goods, and the Metric system of measurement is suitable. But the relevant Act to check and control mis use of measurements is not there, and we are going on with deep understanding. For instance, there is no system of measurement for sale and purchase of fire-wood. If we are to measure fire-wood, we may face crisis. Introduction of Mizoram Weights & Measures Bill, 1976, with consideration of such various aspects, to check and control misuse of measurements is worth appreciation. The Central Government has enforced the Act and it became the duty of the State Governments to enact too, to implement the scheme. Therefore, it became compulsory for us to pass the Bill. Besides, it will automatically solve our local problems of measurement.

The concerned Department is now ready. After passing of the Bill, the necessary expenditures and salaries of staff has been schemed under the 5 Year Plan. I desire that the Bill be passed without much discussion. I am very glad for having an opportunity to discuss this needed Bill.

PU LAHMINGTHANGA : Mr. Speaker, we are badly in need of this Mizoram weights & Measures Bill, 1976.

Before having this Bill, things were done under Assam Government. For instance, due to our not having Weights & Measures Act weights carried by Oil tankers have to be re-measured and re-corrected every 6 months interval. As Mizoram Government does not enforce Weights & Measures Act, qualified men of the line are not here and we had to bow before the unwilling Assam Government. This is one instance of our bad need of Weights & Measures Act for ourselves.

After this Act will be in force seals of the Department will be there on every instrument of weights measures and instruments without the necessary seals of the Department will not be allowed. Then we shall be able to use correct instruments of weights & measures in the market.

It is evident that this Bill is very essential for Mizoram and I suggest we should pass it without much discussion on it. Regarding instruments of weights & measures without certified certificate of the Department no measurement will be allowed and this is the importance of this Bill.

MR. KHAWTINKHUMA : Mr. Speaker, it appears the instruments of weights & measures are incorrect, but there is no relevant Act to check and punish the wrongdoers. This Bill, after passed, will check wrong instruments of weights and measures. The Act has been enforced in the Central Government and all other States too have enforced it, as it is an obligation to implement it wholly.

The weights of metric system of measuring instrument should be constantly checked, since the Department has been started. Only after essential seals of the Department are put to the measuring and weighing instruments to certify that they are Government made, they are then sold out to the public who use them. When non-sealed weight and measuring instruments are used in the market, public face difficulties. The Government fully aware of the prevailing condition, started the concerned Department for the good of the people, though it could not be done earlier.

Though there is no proper system for measuring sand and gravel etc. there is acceptable standard. Such aspects are mentioned here.

In our markets some sellers display their merchandise in great contrasts and this Bill minutely considers such aspects. Therefore, this Bill should be passed soon without much discussion or argument on it. I am glad for the Department enabling us to consider and discuss the Bill.

PU R. DOTINAJA : Mr. Speaker, the Bill is very minutely characteristic and may be good in one sense and bad on the other hand. It shall depend upon the ones who enforce and follow it.

Now we are considering the Mizoram Weights & Measures Bill, 1976 to pass it. 5 (Five) years have nearly passed and we have not passed important Acts and we have not done what we are supposed to do then. We have passed Urban Areas Rent Control Act, Language Act etc. and it is evident we shall pass this too, but their enforcement is what is desired. Many of the passed Acts are not in force till today, though they are said to be for the good of the public. We should not be glad for their being simply passed.

When looking at its scope in the financial memorandum many posts are coming up which can be increased according to the circumstances. If it is not enforced soon, our sufferings from use of wrong weight and measuring instruments will not stop. If it is passed the Government should see that it is enforced soon for the good of the public.

It appears the post of Assistant Controller of Weights & Measures has been filled up though I don't know where his office is located. I thought the Inspector is the existing highest post.

I desire that if the Bill is passed the Government should see that it is enforced automatically for the good of the public who are the sufferers of the wrong doings.

PU F.HRANGVELA : Mr. Speaker, though I am glad for having the opportunity to consider and pass this essential Bill, its early enforcement should be the most important consideration. The Bible teaches us to use correct system of weight and measures. We have daily seen a poster in the markets that 'Right Judgement is of the Lord's, Though we claim to be/Christened land I am sure our /of sellers' use of weight & measures instruments, on surprise checkings would not stand scrutiny. During the time of the Assam Government, Officers of the Weights & Measures Department performed their duties satisfactorily, in checking the rods of measurements and weights of Metric system. When looking at today's condition, I believe many of the already checked Metric system of measurements will be faulty. For instance, a certain person bought meat from the market and boasted that it was very heavy but when re-weighed later it hardly weighed 800 grams, yet the buyer would not admit the difference. In such manner our market-sellers deceived the public for long time.

Since the Department has been created and the relevant Bill being considered, faulty weight & measures instruments should be constantly checked. But, after its passing, if the Government is satisfied and do nothing to enforce it for the good of the public, it would not serve its true purpose. If the Bill is passed it will provide some employment.

I therefore desire that the Bill be passed and its usefulness for the good of the public be made known soon.

PU SANGKHUMA : Mr. Speaker, our Bill under consideration appears, on the face of it to be good. And I believe none of us would reject it. But it is not worth passing. This kind of improper Bill should not be introduced in the august House. And if this already introduced one is turned down they will never repeat to introduce such clumsy bill in future. It is a disgrace to the august House. Our Rules of Procedure prescribe that any Bill to be introduced in the Assembly should be neatly typed and printed. This Bill does not correspond to the Rules. There is a Corrigendum to it. If the Corrigendum is not passed along with the Bill, there is no meaning in the Bill itself. I say it is not worth passing.

PU SAILLAWMA : Mr. Speaker, this Bill seems to be prepared to enforce the existing Central Act. Though it is not wholly worth rejecting, it is very improper. When reading the Bill from the beginning it should have been re-titled 'Mizoram Weights & Measures Enforcement Bill, 1976', though the Department cannot do just that. Only the Assembly is competent to do that. If it had been incorporated here it would not have stood in the way of its passing. Those who draft Government Bills should have considered such aspects to make it acceptable. Many of the States have passed Bills to enforce the Central Standard Weights & Measures Act and the word 'enforcement' was incorporated there. Ours is too simple and meaningless in some sense.

In connection with weights & measures, Retailers of Civil Supply have said that when commodities are issued from one Government Godown and received in another Godown the reported weight differed. When a bag of quintal (100kg) of Rice or Sugar is transported from one Godown to another, and re-weighed at the destination, its weight became greatly different, by about 3 to 5 Kilograms. I want the Government to be aware that not only in the business circle, even in the Government Departments correct system of weight and measures should be introduced and proper constant checkings conducted.

Penalty for those who use wrong system of weigh and measures detected is not severe enough to frighten them a bit. The only provision for the purpose provides that those detected shall forfeit their commodities at hands. There is no provision for punishment of those detected who did many wrongs before enforcement of the Act. If Amendments to it are not made, the enforcers of Weights & Measures Act will face difficulties in their works. If the Government is satisfied simply with its early passing, and neglect its early enforcement, no progress will be achieved.

SPEAKER : I shall call the Minister i/c. of the Bill.

PU LAISANGZUALA : Mr. Speaker, I am glad the Hon'ble Members understand the importance of the Bill and I shall try to clarify their points.
MINISTER
Hon'ble Members Pu Dotinaia and Pu Hrangiele were afraid that enforcement may be neglected after its being passed, but everything is ready for enforcement after being passed. The Assistant Controller and Inspector of the Department have been given training on the line in other States to be ready for enforcement of the Act as soon as it is passed. Hon'ble Member Pu Sangkhuma pointed out correction of the Bill by Corrigendum. I assure you that you shall see printed correction of the Bill.

Hon'ble Member Pu Saitlawma proposed change of the Bill title. But we did not incorporate the word 'enforcement' thinking that 'Weights & Measures Act' will have wider scope of activities.

Hon'ble Member Pu Saitlawma talked about shortage of commodities delivered at the Godowns, but the carrying Contractors are responsible for these shortages. They should satisfy the ones to whom they delivered the commodities.

Regarding penalties for the wrong-doers, besides the Weights & Measures Act, the Indian Penal Code could deal with serious cases.

I request the Hon'ble Members to pass 'The Mizoram Weights & Measures Bill, 1976!.

Thank you.

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SPEAKER : The Corrigendum to the Bill is being circulated now.

Now the question is that "The Mizoram Weights & Measures Bill, 1976' be passed". Members in favour of its passing say "Aye". (MEMBERS : Aye) Any objection to it? (MEMBERS : Silent)

Then, 'The Mizoram Weights & Measures Bill, 1976' is passed.

Now we shall adjourn the meeting and meet again tomorrow at 10:00 A.M. to take up Private Members' Resolutions.

Meeting Adjourned at _____

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