

6th sitting on the 28th September, 1976 at 10:30 a.m.

P R E S E N T.

Pu Vaivenga, B.A., Speaker in the Chair. Chief Minister, five Ministers and twenty three members.

B U S I N E S S.

1. Questions.
2. Pu Ch.Chhunga, Chief Minister i/c L.A.D. to lay on the Table of the House-

The order dated the 27th September, 1976, of the Lieutenant Governor (Administrator) assuming to himself power vested in or exercised by the Chakma District Council.

3. Announcement by the Speaker regarding Third Report of Rules Committee.

CONSIDERATION AND PASSING OF GOVERNMENT BILL.

4. Pu Ch.Chhunga, Chief Minister i/c G.A.D. to move-
  - (a) that "The Societies Registration (extension to Mizoram) Bill, 1976" be taken into consideration.
  - (b) that the Bill be passed.

**SPEAKER:** (read verses from the Bible).  
Now, we will take up questions. First of all, question No. 121, Pu Sapliana's question.

EDUCATION

Special consideration for minorities Backward Classes.

\*121:PU SAPLIANA: Mr.Speaker Sir, will the hon'ble Minister i/c Education Department be pleased to state -

- (a) Is it a fact that the Government of Mizoram has been requested by the Govt. to give special consideration to minorities/backward classes in regard to employment?
- (b) If so, what action has so far been taken ?

PU LALSANGZUALA: Mr. Speaker Sir, (a) Yes. Govt. of  
MINISTER. Mizoram among other State Governments  
is generally so requested.

(b) As more than 94% of the total population of Mizoram are Scheduled Tribes or Backward Classes, they are all given opportunity for all the available posts under Government of Mizoram.

PU SAPLIANA: Mr. Speaker Sir, supplementary question-  
who are the backward/minorities classes  
in Mizoram? It seems that more than  
90% from backward/minorities classes are absorbed in Mizoram  
service.

PU LALSANGZUALA: Mr. Speaker Sir, except those who belong  
MINISTER. to other States, the people living in  
Mizoram are all backward/minorities  
classes.

PU K. SANGCHHUM: Mr. Speaker Sir, under the provisions  
of the Constitution of India, we, the  
Mizos are Schedule/Tribes. But, in  
Mizoram backward/minorities classes; are Pawl, Lakher and  
Chakma. Is this interpretation correct?

PU LALSANGZUALA: Mr. Speaker Sir, in Mizoram there is no  
MINISTER. class distinction such as our member  
had just mentioned.

PU SAPLIANA: Mr. Speaker Sir, why did Government make  
separate District Councils in Mizoram  
if we are all tribals or backward  
classes? Usually District Council is given to a group of  
people who have distinct language or to a particular area where  
the people are more backward than the rest of a country. For  
instance- though the people are all tribals in Nagaland,  
Tuensang District is given different treatment. The people  
are given priority almost in everything. Like that, should  
not our Government give priority to other minorities living  
in Mizoram besides the three District Council areas?

PU LALSANGZUALA: Mr. Speaker Sir, in Mizoram, the creation  
MINISTER. of District Council is based on area  
rather than on the class of the people.  
The same case is with Meghalaya. The three prominent tribes  
of Meghalaya-Garo, Jaintia and Khasi all have District  
Council.

As regards Tuensang District- it is a fact  
that Tuensang is given District Council under the Consti-  
tution article 371(A) with a special provision because the  
area is more backward than the rest of the Nagaland. Simi-  
larly, Mizoram also have three District Councils in different  
part where the people are more backward. The people of those  
areas are given priority in employment opportunities as well  
as in other cases.

PU C.LALRUATA: Mr. Speaker Sir, in the Mizoram Civil Service Class II Examination of 1974, some examinees belonging to the three District Council areas who did not secure merit mark were sent up. Was not it that such priority was given because they belong to minority group ?

PU LALSANGZUALA: Mr. Speaker Sir, I am sorry I can't answer that.  
MINISTER.

SPEAKER: Question No. 122. If the owner of this question is not present, is there any member whom he authorized ? If he authorized none, we will take up question No. 123.

POLITICAL DEPARTMENT

Number of Officers under suspension and dismissed from service.

\*123: PU C.LALARUATA: Mr. Speaker Sir, will the hon'ble Minister i/c of Political Department be pleased to state -

(a) The number of Officers (Gazetted) of various Department put under suspension and dismissed from service since 1972 ?

(b) Their names and designation ?

PU CH. CHHUNGA: Mr. Speaker Sir, (a) 14 (fourteen) Officers were put under suspension out of whom 1 (one) has been dismissed from service.  
CHIEF MINISTER.

(b) A list of names and designation is enclosed at Appendix 'A' which is placed on the Table of the House.

SPEAKER: Question No. 124.

PUBLIC WORKS DEPARTMENT

Taking over of (W) Phaileng-Marpara Road by B.R.T.F.

\*124: PU I. ALKUNGA: Mr. Speaker Sir, Will the hon'ble Minister i/c P.W.D. be pleased to state -

(a) Whether it is a fact that road from Phaileng (W) to Marpara will be taken over by the B.R.T.F. ?

(b) If so, when ?

PU LALSANGZUALA: Mr. Speaker Sir, (a) The matter is  
MINISTER. under consideration.

(b) When above decision is made.

SPEAKER: Question No. 125.

APPOINTMENT DEPARTMENT

Number of B.D.O. placed under suspension.

\*125:PU NGURDAWLA: Mr. Speaker Sir, Will the hon'ble  
Minister i/c Appointment Department  
be pleased to state -

(a) How many B.D.Os have been discharged/suspended within  
the current year ?

(b) Is the knowledge and the approval of the concerned  
Minister necessary regarding the action against the  
B.D.Os etc. ?

PU CH. CHHUNGA: Mr. Speaker Sir, (a) Four B.D.Os have  
CHIEF MINISTER. been suspended/discharged from services  
in the current year. Their names are -

(a) S. Ronghinglova, B.D.O. Thingdawl suspended with effect  
from 1.7.76 on account of mis-appropriation of Government  
money.

(b) Liansuama, B.D.O., Saiha. His services were terminated  
with effect from 14.7.76 on account of mis-appropriation  
of Government money to the extent of Rs. 18,577/-.

(c) L.V. Kiangte, B.D.O. Tlangnuam suspended with effect  
from 30.8.76 on account of coming to Office in a  
drunken state.

(d) H. Hrangchunga, B.D.O., Sangau. His services were termina-  
ted in January 1976 on account of irregular issue of  
187-61 qtls. of rice and 30.88 qtls. of atta on credit in  
contravention of the Government orders and also for his  
involvement in the mis-appropriation of Government rice.

(b) No.

PU C. LALRUATA: Mr. Speaker Sir, may be the Minister  
concerned has no knowledge of action  
taken against those officers. But,  
should not our hon'ble Chief Minister have knowledge of such  
action since he is in charge of Political and Appointment  
Departments ?

- PU CH. CHHUNGA:  
MINISTER. Mr. Speaker Sir, the Minister concerned also should know the appointment and the suspension of Officers of Gazetted grade.
- PU C. LALRUATA: Mr. Speaker Sir, of the 4 B.D.Os suspended, how many of them were dismissed? and were they dismissed or removed?
- PU CH. CHHUNGA:  
CHIEF MINISTER. Mr. Speaker Sir, of the four B.D.Os suspended, two of them were discharged which means that their services were terminated.
- PU SAPLIANA: Mr. Speaker Sir, supplementary question- What is the reason that our Ministers who took an oath to keep secrecy and confidential matters are not informed before action was taken, just because of doubt in their constancy to keep secrets?
- PU CH. CHHUNGA:  
CHIEF MINISTER. Mr. Speaker Sir, I think that question is not relevant with our main question.
- SPEAKER: Now, question No. 126.

PUBLIC HEALTH ENGINEERING DEPARTMENT

Water Supply Schemes at Aizawl and Lunglei.

\*126: PU LALKUNGA: Mr. Speaker Sir, will the hon'ble Minister i/c of Public Health Engineering Department be pleased to state-

- (a) What are the new steps taken by the P.H.E. Department in Aizawl and Lunglei Towns in order to give more water to the people during the coming dry season?

PU LALSANGZUALA: Mr. Speaker Sir,  
AIZAWL TOWN: (a) 23 nos. water points have been made for supplying water in addition to the existing 155 points.

(b) Distribution lines in Ramhlun Veng area are to be commissioned for supplying water through street hydrants.

LUNGLEI TOWN: Storage of water to the full capacity at the reservoir at Theiriat Tlang is being made.

PU LALKUNGA: Mr. Speaker, Sir, supplementary question- the allocation of machine for distillation of water was started in 1965 at Dihmunzawl. But, it seems that the allocation is not yet completed, probably due to which distilled water can be distributed in Aizawl Town. What further step will be taken by the Government in this regard?

And have the Govt. fixed routine for distributing water at 155 water points for the convenience of the people ?

I would also like to know how Govt. would distribute water to the people of some localities in Aizawl where there is no pipe line.

Lastly, a flat rate of Rs. 30/- p.m. is collected from persons who have pipe connections to their houses. Some are supplied 300 gallons of water per day while others are supplied 100 gallons per day, but the rate at which money is collected from them is the same. On what basis has the flat rate of Rs. 30/- been fixed ? How do the Govt. justify collection of the same rate from persons who receive 300 gallons of water per day and those who receive only 100 gallons per day ?

PU LALSANGZUALA: Mr. Speaker Sir, though the allocation of distillation machine at Dihmunzawl is not yet completed, water distributed to the people is but filtered with the help of medicine. And the work of allocation is also being continued.

As regards distribution of water in localities where there is no pipe-line-all the necessary arrangements had been made for the distribution of water in Ramhlun Veng and Republic Veng. But, there has not yet been plan for Kanan Veng.

Rs. 30/- is the uniform rate for house connection of water-pipe. But, the scale differ according to an individual.

PU LALKUNGA: Mr. Speaker Sir, that is what I want to know. How would the Government justify collection of the same rate from persons who receive different quantity of water ? May be the persons who get more gallons are the ones who get higher salary.

PU LALSANGZUALA: Mr. Speaker Sir, but Rs. 30/- is the uniform rate for house connection. But, the quantity of water has different scale.

PU NGURDAWLA: Mr. Speaker Sir, the Minister said that water distributed to the people is purified with the help of medicine. So, what kind of medicine is used and what is the process of purification ?

PU SANGKHUMA: Mr. Speaker Sir, it may be noted that under the present condition, the distribution machine allocated at Dihmunzawl is becoming worse and worse instead of improving as the Minister had stated. Is the work going on towards worse condition or better condition ?

The Minister said that the scale of water distributed to the public varied from person to person. But, what kinds of persons are to get more gallons of water? And on what basis the scale of water is fixed ?

PU LALSANGZUALA:  
MINISTER.

Mr. Speaker Sir, I do not remember the chemical name for water filter. But, I must admit that the work at Dihmunzawl is progressing towards better condition.

The scale of water allotted to the individuals is fixed on the basis of their status not on the basis of their physical structure.

PU NGURDAWLA:

Mr. Speaker Sir, Can the Minister concerned with the work of the allocation of filter machine at Dihmunzawl inform the House the true nature of work within this session?

PU SANGKHUMA:

Mr. Speaker Sir, it won't be right to make a conclusion that the work at Dihmunzawl is progressing after it on the spot at two years interval. When did the contract work of the allocation is allotted ? What is the duration fixed for its completion ? If nothing is done or if the work is left as it is, the whole scheme and the project will end in fiasco. In fact, it is just a waste of money under the present condition.

PU LALSANGZUALA:  
MINISTER.

Mr. Speaker Sir, the allotment of the contract work at Dihmunzawl was done during the Assam Government i.e. before the creation of U.T. It appears that the Contractor had failed in this. However, I am sorry that I can't give all the informations at the moment.

PU L.P.THANGZIKA:

Mr. Speaker Sir, If I am not mistaken, I heard that Govt. is intending to fill up Water Reservoir installed at Theiriat to supply water to the people of Lunglei Town. But, few gallons already stored in the reservoir also had been thrown away. I don't think they have refilled it again. As such, do the Govt. intend to distribute water by vehicles in Lunglei ?

PU LALSANGZUALA:  
MINISTER.

Mr. Speaker Sir, it is a fact that the Government ordered to fill up this reservoir. But if they have not filled it up.

PU L.P.THANGZIKA:

Mr. Speaker Sir, I think they will fill it up. If they do not fill it up during rainy season it is obvious that they would not fill it up during dry season. This will be a task too difficult. That is why I want to know whether Govt. intend to arrange Emergency Water Supply for Lunglei town.

PU LALSANGZUALA: Mr. Speaker Sir, according to the  
MINISTER. demand of the situation or the circumstances Govt. will consider this.

SPEAKER: Question No. 127.

POLITICAL DEPARTMENT

Number of Gazetted Officers under suspension since last January, 1976 till August 31, 1976.

\*127:PU LALKUNGA: Mr. Speaker Sir, Will the hon'ble  
Minister i/c Political Department be  
pleased to state -

How many Gazetted Officers have been  
suspended since January 1, 1976 till August 31, 1976 ?

PU CH. CHHUNGA: Mr. Speaker Sir, three Gazetted Officers  
CHIEF MINISTER. have been suspended within that period.

SPEAKER: Question No. 128.

LABOUR & EMPLOYMENT DEPARTMENT

Appointments made without reference to Employment Exchange since January, 1974.

\*128:PU LALKUNGA: Mr. Speaker Sir, will the hon'ble  
Minister i/c Labour & Employment  
Department be pleased to state -

How many persons have been given employ-  
ment without going through Employment Exchange since  
January, 1974 ?

PU ZALAWMA : Mr. Speaker Sir, 6 (six) persons have  
DY. MINISTER. been given employment, without going  
through Employment Exchange since  
January 1, 1974.

PU LALKUNGA: Mr. Speaker Sir, Supplementary  
question- What action will be taken  
by the Govt. if they find out persons  
who are neither resident nor domicile being given employment?

PU ZALAWMA: Mr. Speaker Sir, the compulsory noti-  
DY. MINISTER. fication of vacancy Act, 1959 is in  
force since April, 1975. If we find  
out cases mentioned by Pu Lalkunga, legal action will be  
taken.



PU NGURD WLA: Mr. Speaker Sir, supplementary question- Is it possible for outsiders to register their names in the Employment Exchange? And what kind of action will be taken against the Departments who certain direct recruitment without going through Employment Exchange ?

PU ZALAWMA:  
DY. MINISTER. Mr. Speaker Sir, outsiders who are domiciled in Mizoram for 5 years can register their names in the Employment Exchange.

Under the provision of Employment Compulsory Notification of Vacancy Act, 1959, sub-section 2 of section 4, a Department who entertains direct recruitment can be punished with a fine of Rs. 500/- at first offence. For a second or subsequent offence, the Department or the Officer who gives such appointment can be punished with a fine which may extend to Rs. 1,000.00.

PU LALKUNGA: Mr. Speaker Sir, supplementary question- how many persons who are neither Mizos nor technicians have been given employment out of necessity ?

PU R. ZOLIANA: Mr. Speaker Sir, supplementary question- What action had been taken by the Government regarding direct recruitment given to 6 non-Mizos without going through Employment Exchange ? And when will the office of Employment Exchange have separate Directorate ?

PU R. DOTINAILA: Mr. Speaker Sir, did the Govt. issue an order or is there a provision of rule by which non-Mizos who have resided in Mizoram for 5 years can register their names in the Employment Exchange ? If there is an order, can the Minister lay the copies on the Table of the House ?

PU ZALAWMA:  
DY. MINISTER. Mr. Speaker Sir, Govt. have no registration of non-Mizos who are neither resident nor domicile in the Employment Exchange. But, 6 domicile persons whom the 1st Class Magistrate had given certificate of residence of Mizoram are given employment.

In the matter relating to the direct recruitment of 6 non-Mizos entertained by some Departments without going through Employment Exchange-inquiry was being conducted and the report also had been submitted. But, what legal action will be taken is not yet finalized. Hence, it is now under consideration.

As regards the creation of separate Directorate for the Office of Employment Exchange- the Cabinet had given their approval for our proposed. The matter is now under the process of our Lt. Governor.

In reply to Pu Dotinaia's question- there is no order issued for the registration of non-Mizos who have resided 5 years in Mizoram in the Employment Exchange. But, if they have a certificate of residence issued by the 1st Class Magistrates, they can register their names in the Employment Exchange which does not mean that they will get employment.

PU SAPLIANA: Mr. Speaker Sir, I would like to know the Departments who entertained direct recruitment without going through Employment Exchange.

Can other authorities besides 1st Class Magistrates issue a certificate of residence to non-Mizos who have resided in Mizoram for 5 years ?

PU SANGKHUMA: Mr. Speaker Sir, I would like to know the names of the non-Mizos who were given direct appointment. And which Department or Departments gave them employments and the post to which appointed.

PU ZALAWMA:  
DY. MINISTER. Mr. Speaker Sir, the Departments who gave direct appointment to the non-Mizos were Chief Engineer's Office and the Directorate of Settlement and Land Records.

In reply to Pu Sapliana's question- 1st Class Magistrates are the only Officers who can issue Certificate of residence to non-Mizos. Even if other Officers issue such Certificates, the Office of Employment Exchange never accepts them.

Instead of mentioning their names, I think I better state the number of non-Mizos who were given direct appointment. (Pu Sangkhuma: Mr. Speaker Sir, but we want to know their names and designations please).

Mr. Speaker Sir, I request Pu Sangkhuma to look into their names and designations in the Office. (Pu Sangkhuma: Mr. Speaker Sir, the Minister must inform the House the names and the designations of those non-Mizos who were given direct appointment by tomorrow not from the Office.)

PU R. DOTINAIA: Mr. Speaker Sir, there must be an order which provides non-Mizos, who have resided in Mizoram for 5 years, a privilege to enroll their names in the Employment Exchange. I request the Minister to give the members the copy of this order.

PU ZALAWMA:  
DY. MINISTER. Mr. Speaker Sir, the Govt. of Mizoram have not framed specific rule for this. At present, Assam Rule is being enforced. However, rule for the registration of non-Mizos who have had a Certificate of residence is under process.

SPEAKER: Question No. 129.

Rate of unemployment.

\*129:PU K. SANGCHHUM: Mr. Speaker Sir, Will the hon'ble Minister i/c Labour & Employment Department be pleased to state -

- (a) Whether the number of un-employed has been going up at a rapid rate after 1975 ?
- (b) If yes, what is the number of such people under each category at the end of July 1976 (District-wise).

PU ZALAWMA: Mr. Speaker Sir, (a) Yes.  
 DY. MINISTER. (b) The Live Register of Employment Exchanges in Mizoram show that the following job seekers registered themselves in search of Employment upto July, 1976 -

<u>CATEGORY</u>	<u>AIZAWL</u>	<u>LUNGLEI</u>	<u>SAIHA</u>	<u>TOTAL</u>
1. Graduate & above.	113	11	1	125
2. Matriculate & above.	796	128	35	959
3. Class VI & above.	907	557	23	1489
4. Literate/ Unskilled.	1302	-	28	1330
5. Ex-Service	173	-	-	173
6. Trained personnel.	20	-	3	23
<b>TOTAL -</b>	<b>3311</b>	<b>696</b>	<b>90</b>	<b>4099</b>

SPEAKER: Question No. 130

AGRICULTURE & ANIMAL HUSBANDRY DEPARTMENT.

Expert Teams for Soil Erosion.

\*130:PU SAPLIANA: Mr. Speaker Sir, Will the hon'ble Minister i/c Agriculture & Animal Husbandry Department be pleased to state -

- (a) Is it a fact that some expert Teams have been engaged in Soil Testing of certain areas in Mizoram ?
- (b) If so, what are the names of those areas ?

PU CH. SAPRAWNGA:  
MINISTER.

Mr. Speaker Sir, (a) No.  
(b) Does not arise.

PU SAFLIANA:

Mr. Speaker Sir, supplementary question- I would like to know the reason why the Govt. have not conducted Soil testing till today. Is it because they consider it unnecessary or that they know the kinds of crops can be grown in our soil without prior testing? If the Government have not launched any soil testing, then what about soil testing conducted at Palak area in Chhimituipui District? Have not they knowledge of this or was it done without their knowledge?

PU CH. SAPRAWNGA:  
MINISTER.

Mr. Speaker Sir, Government is aware of the necessity of conducting soil testing, due to which Laboratory is set up at Khatla Veng, Aizawl. I only said that expert teams have not conducted soil testing in Villages.

And what the teams did at Palak area was not soil testing. It was rather soil survey.

PU NGURDAWLA:

Mr. Speaker Sir, supplementary question- I don't remember the time, but once I met one fellow at Sairang Bungalow who said that he was conducting soil testing. So, I wonder whether an expert conducts soil testing without the knowledge of the Government.

PU CH. SAPRAWNGA:  
MINISTER.

Mr. Speaker Sir, So far there has not been any soil testing being conducted in Mizoram. But, soil survey is being conducted in some areas.

What had been mentioned by Pu Ngurdawla- I have no idea who the person could be to come and conduct soil testing all by himself at Sairang Bungalow.

PU NGURDAWLA:

Mr. Speaker Sir, it is obvious from the way he moves and behaves that the person I met at Sairang Bungalow was conducting soil testing. Having had soil testing machine and laboratory, I thought that the Govt. had already started the work of soil testing, Anyway, what is the difference between soil testing and soil survey?

PU SANGKHUMA:

Mr. Speaker Sir, perhaps it is true that soil testing has not been conducted. But, what about our Soil Testing Laboratory fund? Has all the fund been used for soil survey?

- PU CH. SAPRAWNGA: Mr. Speaker Sir, Soil Testing and Soil  
MINISTER. Survey is not the same thing though  
scrutiny of Soil is necessary both in  
the Soil testing and soil survey. In soil survey, the experts  
scrutinize the soil to ascertain the kinds of crops that  
can be grown in particular types of soils. In soil testing,  
the chemical substances which contained in the soil are  
tested.
- (Pu C. Lalruata: Mr. Speaker Sir, is a sample of soil necessary  
in soil survey ?) Yes, a sample is required even in Soil  
survey. As I have said before, in soil survey, the experts  
do not scrutinize the content of the soil. But, in Soil  
testing, the experts try to find out whether this or that  
soil requires fertilizers and whether there is deficiency  
in this/that particular soil.
- PU NGURDAWLA: Mr. Speaker Sir, when soil survey is  
being conducted, do not the experts  
scrutinize the chemical content of  
the soil they survey ?
- PU CH. SAPRAWNGA: Mr. Speaker Sir, Yes. The chemical  
MINISTER. content of the soil is scrutinized  
both in Soil Testing and Soil survey.
- PU SANGKHUMA: Mr. Speaker Sir, when the soil survey  
experts collected the samples of soils,  
did they store them for testing or they  
did not collect any sample ?
- PU CH. SAPRAWNGA: Mr. Speaker Sir, Soil survey experts  
MINISTER. also used to collect the samples of  
soil. But, soil survey and soil testing  
are a different party having different aim.
- PU C. LALRUATA: Mr. Speaker Sir, are both the parties  
Government employees ? Do Soil Survey  
Experts use Soil Testing Laboratory Van ?
- PU CH. SAPRAWNGA: Mr. Speaker Sir, Soil Survey Team did  
MINISTER. not use the Soil Testing Laboratory  
Van. The team was sent by the Central  
Government and they carried out their work in their own way.  
They are not under the Govt. of Mizoram. So the member must  
understand that soil survey and soil testing are different  
things - one under the Central Government and the other under  
the Govt. of Mizoram. The Soil Testing Laboratory is recently  
procured and we are only to start soil testing.
- PU NGURDAWLA: Mr. Speaker Sir, supplementary ques-  
tion- Are the survey team sent by the  
Central Government or the N.E.C. ?
- PU CH. SAPRAWNGA: Mr. Speaker Sir, whether the team was  
MINISTER. sent by the Central Govt. or the N.E.C.,  
the team is not under Mizoram Government.

PU SAPLIANA: Mr. Speaker Sir, supplementary question- how would the survey team know the type of soil suitable for particular kinds of crops if they do not test the content of the soil? Why can there be great difference between soil testing and soil survey?

We know that Mizoram have Soil Testing Office and Soil Testing Machine. But, do we have soil testing experts? Is not it that we have only Soil testing machine without soil experts?

PU R. DOTINAIA: Mr. Speaker Sir, supplementary question- Is not it that the survey team sent the samples of soil they collected from various areas at Laboratory for testing? Have they informed Mizoram Government the result of soil testing? We know that soil testing machine had been installed at Mizoram Soil Testing Laboratory. But, for what the machine is installed? Is it for carrying fire-wood?

PU LALKUNGA: Mr. Speaker Sir, what does the Govt. intend to show by conducting soil survey? Have they specific crop recommended to be grown for stable food?

PU K. SANGCHHUM: Mr. Speaker Sir, supplementary question- If the Mizoram Govt. did not send the survey team. Who sent them? Will the Govt. accept them if they are officially sent from outside?

PU CH. SAPRAWNGA: Mr. Speaker Sir, it seems that our members wanted to know about our Soil Testing Van. It was purchased before we have soil chemist and Soil Testing Laboratory. Perhaps it has been used for some other purposes at that time. But, after the establishment of Laboratory with chemist to run it, the Van is used for the true purposes.

The Laboratory is being run by soil experts. It is well equipped with soil chemists to do the work. In fact, they have now started the work.

As stated, soil survey and soil testing are closely related, yet they have different aims and purposes. I think you remember the objectives of these two parties I have stated.

Sometime back, survey party came to Mizoram. If I am not mistaken, I think they were sent by the N.E.C. Some of the reports submitted by the Team were sent to us. In the reports, the Team mentioned places/areas suitable for Agriculture and Horticulture in Mizoram. But, I think their help is not so necessary in this regard, for, the people know better the nature of soil where they live and cultivate.

SPEAKER: With respect to question No. 112  
Pu C.Lalruata, Member, asked the  
Minister-in-charge to give information.  
The Minister may now give the information.

PU LALSANGZUALA:  
MINISTER. Mr. Speaker Sir, the quantum of electric  
power required for Ramhlun Veng is  
50 K.W. for street lights and 5 K.W.  
for private houses. Action is being taken to complete street  
lighting within 2 months from now. Private connections will  
be given before the end of the financial year of 1977-78.

SPEAKER: Our next item is laying of Govt. order  
on the Table of the House. Pu P.B.  
Nikhuma may lay the order now on the Table  
of the House.

PU P.B. NIKHUMA:  
DY. MINISTER. Mr. Speaker Sir, with your kind permission  
Sir, I beg to lay on the Table of the  
House the order of the Lt. Governor  
dated 27th September, 1976 assuming to himself the executive  
powers and functions of Chakma District Council and the copy  
of the report of the One-Man Enquiry Commission of the same  
District.

Thank you.

SPEAKER: Now, announcement of the Third Report  
of Rules Committee.

The Third Report of Rules Committee of  
this House recommending amendment to Rule 201 of the Rules  
of Procedure of the House was laid on the Table on the 21st  
September, 1976. The period of seven days for which recommen-  
dation was to be laid on the Table expired on the 27th Sept.,  
1976. As no notice of amendment to the recommendation of the  
Committee was received till 27.9.76, the recommendation of  
the Committee for amendment to Rule 201 is to have been  
approved by the House as provided in Rule 248 sub-para 3.  
Further action will be taken to publish the amendment in the  
Gazette as provided in Rule 248 sub-para 4.

Now, the report of the Business Advice  
Committee -

On information received from the Govt.  
that order of the Lt. Governor, (Administrator) Mizoram  
dt. 27.9.76 under sub-para 2 of para 16 of 6 schedule to  
the Constitution regarding Chakma District Council would  
be laid on the Table of the House and also it is necessary  
to have approval by the Legislative, under sub-para 3 of  
para 16 of the 6th Schedule to the Constitution I called a  
meeting of the B.A.C. today, the 28.9.76 at 9:30 a.m. in  
my chamber. The Committee feels it necessary to extend the  
duration of current session by one more day i.e. till 29.9.76  
for consideration of the order.

It was therefore decided that the order of the Administrator of Mizoram dt. 27.9.76 be discussed and approved on 29.9.76.

Now, I call upon the Minister i/c Parliamentary Affairs to move that the report of the B.A.C. be approved by the House.

PU LALSANGZIALA:  
MINISTER.

Mr. Speaker Sir, with your permission Sir, I beg to move that the report be approved by the House as recommended by the Business Advisory Committee.

Thank you.

SPEAKER: Do we all agree to accept the report? (Members- 'agree').

Our next item is consideration of the Societies registration Bill, 1976. The Chief Minister may kindly beg leave of the House for consideration of Societies Registration Bill, 1976.

PU CH. CHHUNGA:  
CHIEF MINISTER.

Mr. Speaker Sir, I beg to move Societies Registration Bill, 1976 for House's consideration.

SPEAKER: Do we all agree to consider the Societies Registration Bill, 1976? (Members- 'agree').

If we all agree to consider the Bill moved by the hon'ble Chief Minister, you may start the discussion now. If anyone has anything to say in this regard, he/she may do so.

PU C. LALRUATA: Mr. Speaker Sir, I would like to say few things regarding this Bill.

In the first place, section 1(3) provides that the Act will come into force at once. But section 2 also provides that the Central Act is 'extended to the U.T of Mizoram and shall be deemed to have come into force in that territory with effect from the 21st January, 1972'. The intention of the provisions of section 1(3) and section (2) are the same thing. These two sections appear to be mere repetition. While according to section 1(3) the Act is to come into force at once, section 2 provides that it shall be deemed to have been in force from 21st January, 1972. What is the necessity of this repetition?

Statement of objects and reasons of the Act is not very clear. It appears that the Act has limited provisions. It may be noted that while the Registrar of the Co-operation Department can register Service Societies, he (the Registrar) cannot do the same for transport co-operative and companies due to which individuals who want to set up company or Co-operatives are prevented from doing so which to some extent hinders progress in business line.



At first, I thought that the Act would solve this problem. However, it appears that the Act have no provision for promotion of Societies through which economy can improve though there is provision for promotion of literature Science or Fine Arts or for diffusion of useful knowledge etc. as provided under the Societies Registration Act 1860 which has been enacted to make provision for conferring legal status on the Societies established for the promotion of literature, Science or the Fine Arts or for the diffusion of useful knowledge, the diffusion of cultural, educational knowledge or for charitable purposes. If there is no provision for the promotion of business Societies, I wonder whether the enforcement of the Act will have significance in Mizoram.

In the financial memorandum, it is stated that the financial implication will be only nominal because the services of the existing Officers are to be utilized without appointing any new Officer. They will discharge duties as Officer of the Department. Only new skeleton staff will be necessary to be provided. But, if we are to implement fully the objects of this Bill as mentioned in the statement of objects and reasons, the duties of the Registering Officer will not be so light. It will be too heavy for the existing Officers to hold the new responsibilities in addition to their own duties. Is it not desirable that many Officers of the Govt. are entrusted to hold 2/3 posts and some of the high ranking Officers are entrusted to look after 2/3 Departments. Under this arrangement the efficiency of the Officers will surely be taxed. In the present case also, I request that separate Officers must be appointed for the purpose of Registration of Societies.

Thank you.

PU R. DOTINAIA:

Mr. Speaker Sir, we are now considering the extension of the Societies Registration Act, 1860 to Mizoram.

As I have not had time to study the Bill in detail, I do not know the merit and the demerit sides of it. But I can well believe things that had been said by Pu Ruata ha regarding the Bill, for, I guess he has had thoroughly studied the provisions. If a Bill or an Act is brought up in the House for passing, we should consider whether the people will be benefited by the Act or a Bill we pass. As such, I want to suggest that we put off the passing of this Bill for another time so as to give our members more time for going through the clauses of the Bill before it is passed.

PU R. ZOLIANA:

Mr. Speaker Sir, I am glad that Govt. is processing the Societies Registration (extension to Mizoram) Bill. As

we know, the Societies Registration Act of Central Govt. can not be enforced in Mizoram owing to various circulars issued by the Govt. under the provision of Assam Frontier Act Regulation, 1880. Had the Act been extended to Mizoram soon after the formation of U.T., we would have been benefited by it. As far as I remember those organisations that fall

under the purview of the Central Societies Registration Act are educational, cultural and other societies. We have been facing many difficulties, for we cannot make use of the Central Act as it is not extended to Mizoram. It is unfortunate that the Act is not extended to Mizoram sooner. Now, we are glad not only, because the Government is coming with the Bill for extension of the Act to Mizoram but because the Bill itself is detailed enough to suit the conditions of Mizoram. Many other States like Goa, Daman & Diu, Delhi and Tripura extended the Act to their States but without detailed conditions.

I think it is not necessary to bother about the provisions of section 1(3) which provides that "It shall come into force at once", and the provision of another section which provides that the Act will come into force from 21st January, 1972. The Act has already been in force in each and every state in the Country. It has to be in force in Mizoram also from the date of the formation of the U.T. So, the intention of the provisions of the two sections is the same.

It has been stated that when the Bill is passed, financial implication will not be great because the services of the existing staff are to be utilized without appointing any new staff. Personally, I feel that the present strength of staff in the Department is quite adequate. Towards the end of the financial memorandum it is stated that the Govt. will be benefited and will earn revenue if registration of societies could be done.

(Pu C.Lalruata: Mr.Speaker Sir, I do not understand the meaning of this clause- "after extension of this, Govt. are expected to earn revenue".)

Mr.Speaker Sir, the interpretation of this clause I leave it to the Minister concerned.

(Speaker: The word 'this' will mean 'this Bill' and 'Government' the Government of Mizoram.)

(Pu C.Lalruata: Mr.Speaker Sir, what is written here on a presumption does not make sense.)

During the year 1973 and 1974 also many Societies like Y.M.A., Cultural Club etc, want to be registered. But, registration cannot be done except registration of Co-operative Societies. We know that some Societies in the mufossil areas submitted their application for registration to the Law and Judicial Department. If this Bill is passed, the Govt. will be able to register those Societies. I therefore support this Bill. The Bill is not lengthy and it is not necessary to have ample time to read and study the Bill as suggested by the Opposition Leader. I request that the Bill be passed as it is.

Thank you.

PU KHAWTINKHUMA: Mr. Speaker Sir, regarding the extension of the Bill- clause 3 of section 4 provides that 'It shall come into force at once' and another section provides that 'it shall be deemed to have come into force in that territory with effect from 21st January, 1972'. I think it is necessary to use the word 'deemed' here to give retrospective effect to the registration of some Societies which were formed before the passing of this Bill but after 21.1.1972. Those Societies have already been treated as if they were registered under the Act of the Government and were given grants-in-aid. For that reason it may be necessary to give retrospective effect so that those societies may be deemed to have been registered from the date they were treated as registered ones. If the Bill is not deemed to have come into force from 21.1.1972, the grants already sanctioned to the Societies will be irregular.

The word 'this' in the financial memorandum will mean the Bill because there is a word 'of'. It does not appear to be ambiguous. The Bill is very short. Moreover, it was circulated to us on Saturday last and today is Tuesday. One can very well have studied it if one is really interested in it. I feel that the time left for scrutiny of the Bill is enough for such short Bill as this. So, I request that the Bill be passed forthwith as we have already been facing difficulties in registration of Societies due to the absence of the Act.

SPEAKER: Now, I will call upon the Minister-in-charge.

PU CH. CHHUNGA:  
CHIEF MINISTER. Mr Speaker sir, as our members have stated, I think none of us has enough time to go through the main Act in detail. But, I strongly believe that the people of Mizoram will be benefited by the Society Registration Act. As provided in this Act, only those Societies that had been registered under the Act are liable to receive aids or grants. That is the reason why various societies of Mizoram cannot receive grants from the Government. If the Act is being enforced in Mizoram, these societies will receive grants which would greatly consolidate their conditions. These days, many applications for grants-in-aid are received from different societies of Mizoram. But, unless the Act is being enforced, their applications cannot be considered. Some of our members stated that the provision of the Act is limited. Perhaps it is true that the provisions of the Act are limited to suit the conditions of Mizoram. However, we can make amendment even after it is passed. I therefore request the members to agree to pass the Societies Registration (Extension to Mizoram) Bill. If the conditions of our Societies are consolidated, the public will as well be the beneficiaries. (Pu C. Lalruata: Mr. Speaker Sir, it is not that I disagree to pass the Bill or that I want to change the purpose of the Bill. I simply stated that we can make mistake in passing a bill which we have not had studied in detail. There can be printing/typing mistake. Financial memorandum and statement

of objects and reasons are parts of the Bill in which it is stated that 'after extension of this, Govt. are expected to earn revenue'. Cannot it be a ~~disagree~~ to pass a bill just to earn revenue? I suggest that we make amendment of the provisions now to suit the conditions of Mizoram.

As regards the effective date- it is provided that it shall come into force at once. But, it is also provided that it shall come into force from 21st Jan., 1972. At page 2, it is provided that expenditure already incurred and money already collected and other actions of the Govt. in this regard are to be validated by this act. The validation clause already covers 21st January, 1972. So mentioning this specific date seems to be redundant.

Regarding the limitation of the extent of the Bill- perhaps our hon'ble Chief Minister does not fully understand what I meant to say. For instance- some individuals formed/established Transport Corporation or Transport Company. But, from statement of objects and reasons of the Act, it is not clear whether such company can be registered. Does the Bill provide solution to registration problems that confronted companies and other big Societies in Mizoram? And will it be wise to pass a bill which has to be amended by the next session? Considering all these, it might be wiser to amend the provisions of our bill now to suit our conditions so that we can pass it now without altering the purpose of the Act.

SPEAKER: I think you meant that you do not disagree to pass the Bill.

PU C.LALRUATA: Mr.Speaker Sir, I would be pleased to have clarification of what I have stated either from our Chief Minister or from any of our members. I did not say that I disagree to pass the bill or that I suggested amendment. In fact, I feel that it is necessary to pass the bill. But, before the Bill is passed, I want to have clarification of what I have stated.

PU NGURDAWLA: Mr.Speaker Sir, Pu Ruata said that the extent of the Bill is limited. But, in my opinion, companies are to be registered under the Company Act. As there is the Company Act, it might not be necessary to make provision for the registration of Companies under the Societies Registration Act. However, I want to the Minister-in-charge to clarify whether this extension Bill includes registration of Companies.

PU C.LALRUATA: Mr.Speaker Sir, In my opinion, there is no difficulty as far as the registration of Societies is concerned provided that there is budget provision.

Under the present condition, the difficulty of registration is rather faced by Company though they are not big establishment like we find in greater parts of India. As a matter of fact, they can hardly be named company nor do they suit being named as Societies. But, they are the ones who face registration problem, due to which I would like to have clarification from the Minister.

PU LALSANGZUALA: Mr. Speaker Sir, let me first answer  
MINISTER. different points raised by Pu Ruata.  
Societies and other Organisations  
related to Societies are governed by the Societies Act.  
Registrar of the Co-Operative Societies is the one who can  
give registration to these Societies.

What had been said by our member  
regarding Company- if I am not mistaken the Mizo Transport  
Company is private limited. In Mizoram, there are 2/3  
Companies all of which are private limited. They are given  
registration under Indian Companies Act. The word 'Company'  
can as well mean small establishment. In fact, private limited  
Company can be formed by only 2/3 persons. Even if the persons  
who formed the Company are all from one household, it is  
still possible to give registration. In a way, there is more  
advantage in getting loan if the persons who formed the Com-  
pany are all from one households. To register under the Act,  
one has to spend quite a lot of money. If one wants to under-  
take a business worth Rs. 1,00,00,00/- for instance he/she  
will have to incur about Rs. 10,000/- for registration under  
the Act.

However, the Bill we discuss today for  
passing does not aim business circle. It is meant for organi-  
zations. For example- in Mizoram, there are different organi-  
zations like Y.M.A., Cultural organisation etc. So, the Bill  
aims to open a door for these organizations to function under  
the notice of the Govt. Hence, it is quite different from  
the Company or Co-operative Society Acts.

PU SANGKHUMA: Mr. Speaker Sir, I must admit that the  
Act is quite appreciating to some extent.  
But, as there are fibber lines in it,  
I wonder it will be right to pass it. In page 2 of objects  
and reasons it is stated that "Since the Act of 1860 is not  
applicable in the M.T. of Mizoram the Societies formed in the  
U.T. do not get legal status and as such, are deprived of  
the facilities which a registered Society gets". On the con-  
trary, various organizations of Mizoram like Y.M.A., D.Y.O.  
& Musical Club etc. which have not yet been registered under  
the Registration Act of 1860 received grants-in-aid which  
means that we made the above statement a lie.

The effective date of the Act is 21st  
January, 1972. Be it so, I agree to, since there are many  
illegal actions which have to be covered up. I also agree  
to pass the Bill if it is for covering what Government have  
done illegally, like distribution of grants to various  
organizations which have no legal status or which have not  
been registered under the Act. Our hon'ble Chief Minister  
also stated that our various organizations cannot receive  
grants. Yet, we know that grants were given to these orga-  
nizations. So, in view of all these, it might not be the  
best thing, to pass the bill today. I request our hon'ble  
Chief Minister as well as the members to once again study  
the bill before it is passed.

PU R. THANGLIANA: Mr. Speaker Sir, it appears that none of us is familiar with this Act. Being written in English, there can be lots of controversies in the interpretation of the clauses. However, it is obvious that the Act aims at uplifting the condition of the people. The statement, often quoted by Pu Ruata that - 'after extension of this, Government.....' should be read as 'after extension of this, Government are expected to earn revenue'. There are also some typing mistakes in certain portions though they would not have effect on the Bill itself.

(Pu C. Lalruata: Mr. Speaker Sir, it is true that typing mistakes would not effect the Bill, but tidiness should be observed. It is in fact preferable to have all the papers in printing so far as Bills, Acts & Rules are concerned.)

Mr. Speaker Sir, what had been pointed out by Pu Sangkhuma regarding illegal actions of the Government- in the past years, we did not have Societies Registration Act. It was also stated that Societies/Organisations which have not been registered under the Act will be deprived of grant which registered Society gets. But, with a view to extend the Act to Mizoram, the Government take actions as it should be taken when the Act is in force. If the Legislature do not regularize actions taken by the Executive, their actions would be invalid. As such, it is inevitably necessary to give retrospective effect on the Act. Actually, it is not an unusual thing. Others too have often done it this way.

PU C. LALRUATA: Mr. Speaker Sir, Will the Minister kindly explain sub-section 3 and 4 of section 1 of the clause of the Bill. For, I feel that either one of the two statements- "It shall come into force at once" and "it shall be deemed to have come into force in that territory with effect from 21st January, 1972", is unnecessary statement.

PU R. ZOLIANA: Mr. Speaker Sir, I think Pu Ruata was outside when our hon'ble Minister Pu Thangliana gave clarification of this. Had the Bill been passed in 1972, it won't be necessary to give and demand lots of explanations. However, it is now brought up in the House for passing. As there had been no Act by which Societies/Organizations can get grants, Govt. take actions in advance. So, to regularize advanced actions of the Government, We are now going to pass the Bill. Had the Act been enforced since 1974, there are societies who had registered under Assam Government.

As Pu Sangkhuma had pointed out, there are Societies who had received grants but not yet been registered. As such, it is inevitably necessary to reckon 21st January, 1972 as the effective date of the Act.

PU C. LALRUATA: Mr. Speaker Sir, I understand all that you have said. I simply said that it is unnecessary statement to give an effective date in separate clause while the date of enforcement is already included in Validation No. 4. If 21st Jan., '72

is to be regarded as the beginning of the effective date, why it is necessary to state that "It shall come into force at once"? I feel that this is unnecessary statement.

PU NGURDAWLA:

Mr. Speaker Sir, I think registration of advanced actions of the Govt. should not be our objective in passing this Bill, for, it is not possible to regularize money/grant granted not from supplementary budget. What had been done by the Government regarding distribution of grant to un-registered Societies/Organisations will be left as irregularities on their part. We will acknowledge that the Govt. gave grants to un-registered Societies as there was no Act which binds them from doing so in the previous years. Otherwise, we will only disagree the dignity of the House if we pass the Bill just to regularize irregularities committed by the Govt. Nevertheless, I think we know that the Executive Body if there can give grant to even un-registered Societies if there is no law which binds them from doing so.

R. THAM IANA:  
MINISTER.

Mr. Speaker Sir, I think u Ngurdawla misunderstood my statement. As some of our members have stated, there are Societies and Association which had been registered. It may be noted that these Societies and Associations were all registered by the same Act which we are going to pass with a view that we would one day pass this Act in Mizoram.

(Pu Ngurdawla: Mr. Speaker Sir, does that mean there are registered Societies under the Govt. of Mizoram?)

Yes, that was the reason why grants were given to them. Keeping in mind that this Act will be enforced in Mizoram someday, registration was done. If the Legislature does not give authority to the Executive Body, all their advanced actions will be invalid. (u Ngurdawla: Mr. Speaker Sir, will the hon'ble Minister-in-charge kindly name those registered Societies?).

Mr. Speaker Sir, for those who want, these Societies can be called un-registered Societies. But, as we treat them as registered Societies, grants-in-aid were also given to them. And that is the reason why it is necessary to give the Act retrospective effect which means that the Act is in force since the formation of U.T. Like this, advanced actions of the Govt. are all legalized.

PU LALSAN ZUALA:  
MINISTER.

Mr. Speaker Sir, what had been asked by u Ruata regarding the effective date of the Act - I think there is nothing to clarify as far as the statement "It shall come into force at once" is concerned. Legally, another statement that "It shall be deemed to have come into force with effect from 21st January, 1972" is also right. Because it is an act which we have never had before but which we are going to pass to have retrospective effect. Validity No. 4 is merely a kind of an explanation. If you read it carefully, you will notice that validity No. 4 explains the provisions of the Act.

Personally, I found no necessity to introduce this Bill as we are doing now. But, on the recommendation of Central Law experts, it is introduced as it is now.

Thank you.

PU ZALAWMA:  
DY. MINISTER.

Mr. Speaker Sir, I think we know that while making law, certain formality has to be observed. There should be commencement, extent and short title in the law we are processing.

It seems that there is confusion in section 2 of the Act. But, it is simply that Central Act is being extended to Mizoram reckoning the 21st January, 1972 as the effective date.

(Pu C. Lalruata: Mr. Speaker Sir, Does it mean that we are trying to cover up by this Act all the registrations made before 1972, if any, under or without any Act of Societies or Associations ?)

It won't be possible, since there was Assam Government before the creation of U.T., who have Society Registration Act. Having a separate status, the Act is going to be extended to suit the conditions of Mizoram. (Pu C. Lalruata: Mr. Speaker Sir, why it is necessary to include the statement "purported to have been done or any action taken or purported to have been taken or any fees by the Administrator before the commencement of this Act" if we anticipated that there won't be such ?).

Mr. Speaker Sir, it is since the formation of U.T. that we have Administrator.

(Pu C. Lalruata: Mr. Speaker Sir, it is not only the Administrator but it is stated that "by the administrator of U.T. of Mizoram or by any Officers or any authorities ?)

This means that before the Act is passed by the Legislature, the Administrator can give authority to any Officers on his behalf.

(Pu C. Lalruata: Mr. Speaker Sir, but it is stated here that "commencement of this Act"). Yes, for the date of commencement it is stated that "it shall come into force at once".

(Pu C. Lalruat: Mr. Speaker Sir, but, if the Act is to be regarded as being extended since 21st January, 1972, the statement- 'before the commencement ' concerns things which have been done before Mizoram have Administrator).

PU LALSANGZUALA:  
MINISTER.

Mr. Speaker Sir, Let me try to clarify. 'Commencement' means the date of commencement of the Act. Against the marginal note (short title, extend and commencement), it is provided that "It shall come into force at once". If the Bill is passed today, the Act will commence to come into force from today. So, it is necessary to insert a provision by virtue of which the registration done between the date of the formation of the U.T. and the date of passing of this Bill can be validated and deemed to have been done under the provisions of this Bill.



PU C.LALRUATA: Mr. Speaker Sir, we are discussing the extension Bill (extension of Central Act 20 of 1960) of Mizoram and shall that "It is hereby extended to the U.T. of Mizoram and shall be deemed to come into force ....." The date of commencement is also mentioned to be 21.1.72. In the Bill it is stated that action already taken before the commencement of the Bill will be validated by this Bill. Is it that actions taken before 21.1.72 is to be validated. I am not clear about the clarification of the Minister.

PU LALSANGZUALA: Mr. Speaker Sir, the Act and its provision are different things. The present Bill is one of the Bills of 1976. If we pass it today it will become the Act of 1976. The commencement of the Act will be today itself because it is passed today and it is provided that it must come into force at once. But the Members will know that in other cases also, when a Bill is passed on different provisions are enforced on different dates. Like-wise this Bill though passed today, its provisions seek to validate the actions of the Govt. after 21.1.1972 but before it is passed and enforced. Because the Act is passed and enforced from today, the actions already taken by the Government before today (the commencement of the Act) have to be validated by some provisions of the Act.

PU C.LALRUATA: Mr. Speaker Sir, I think it is not necessary to make mention of the Act and the provisions separately as all the words contained in it are its provision. Section 1(3), Section (2) and Section (4) also are the provisions of this Act what I want to say is that different provisions of this Bill appear to conflict each other.

SPEAKER: What the Member is not clear about appears to be the commencement of the Act and the date of the coming into force of the Act. He stated that the intention of the clauses like "it shall come into force at once", "it shall be deemed to have been in force from 21.1.72" and the provision of section 4 appears to be the same as such these clauses are repetitive and redundant.

But the Minister already mentioned the necessity of these provision for clarify from the legal point of view. The Act is to come into force at once. But only that provision does not clarify that actions already taken between 21.1.72 and the commencement of this Act are to be validated. So, as the Minister clarified, the provision that it shall be deemed to have been in force from 21.1.72 is necessary as the provision that it shall come into force at once means only that the Act shall come as soon as it is passed.

PU NGURDAWLA: Mr. Speaker Sir, was the Assam Registration act not included in the list of Acts adopted by the Govt. of Mizoram?

PU R. THANGLIANA: Mr. Speaker Sir, our present Bill is  
MINISTER. "Societies Registration (Extension to  
Mizoram) Bill, 1976". Section 1(3) of  
the present Bill provides that this Bill and not the Central  
Registration Act, 1860, shall come into force at once. At  
the same time we have a Central Act - Societies Registration  
Act of 1860. This Central Act is to be extended to Mizoram  
by an Act of our Assembly, that is, our present Bill of 1976.  
While the provision in Section 1(3) of the Bill is the  
commencement of this Bill itself, the provision of Section  
(2) of the Bill refers to the Principal Act - the Central  
Act of 1860. Pu Lalruata seems to be conferred about this two.  
While our present Bill is to come into force at once that is,  
when it is passed by this Assembly, we want the Principal  
Act be valid in Mizoram from 21.1.72. So, it is provided that  
the Principal Act be deemed to have been in force from  
21.1.72. That does not mean the commencement of the present  
Bill. The present Bill which is to come into force at once  
is drafted in such a way as to validate retrospective from  
21.1.72 the enforcement of the principal Central Act.  
(Pu C. Lalruata: Mr. Speaker Sir, "come into force" means the  
commencement of the Bill and "hereby extended" means the  
extension of the Principal Act.) Mr. Speaker Sir, "come into  
force refers to the Central Act. (Pu C. Lalruata: Even thus  
"commencement" means the commencement of extension of the  
Central Act.). (Pu Ngurdawla: Mr. Speaker Sir, have not we  
adopted the extension act of Assam Govt. when U.T. was formed?)

SPEAKER: Had the Act (extension Act of Assam Govt.)  
been adopted, there won't be lots of  
controversy.

(PU NGURDAWLA: Mr. Speaker Sir, it is always over the  
uncertain things that we have confusion.  
Why did not the Govt. adopt the Act  
(extension) as soon as U.T. was formed ?)

Mr. Speaker Sir, † let me clarify this.  
The Central Act, 1860 and the Society Registration, Extension  
Act which we are going to pass are widely varied. The valida-  
tion of the Act we are going to pass is explained in No. 4.  
By this Act, actions taken by 1860 Act are to be validated.  
It means that we must follow our own rule, thus abolishing  
the act of 1860. This action might not be right legally yet  
I found nothing wrong in it.

PU LALSANGZUALA: Mr. Speaker Sir, Pu Ngurdawla asked as  
MINISTER. to why the Act is not adopted as soon  
as U.T. was formed. But, there are  
reasons for not doing so. Because of the Act being an exten-  
sion to Assam Govt., it cannot be applied to Mizoram which  
has separate political status. Before the creation of U.T.,  
the Act was applied also to Mizoram.

As regards the commencement- it is  
not only Mizoram, but other States also which have passed  
the Act to be enforced where and when the Administrator thinks  
necessary. Even if the commencement date is 21st Sept., 1972,

we were not in a position to enforce it at the exact date of commencement. Hence, under the provision of that 'it shall come into force at once' the Act becomes automatically effective from today which makes provision No. 2 also effective.

Thank you.

SPEAKER:

I think we have now understood this Act. We will now call upon the Minister i/c to move for passing this Bill.

PU CH. CHHUNGA:  
CHIEF MINISTER.

Mr. Speaker Sir, It is obvious that our members are interested in the Act on which we had long discussion. I am truly glad that you have studied it thoroughly. As I have said, it is necessary to immediately extend the Act to this Territory of ours. I therefore request the members to kindly accept to pass this Bill.

SPEAKER:

Here is the question - 'That the Societies Registration (Extension to Mizoram) Bill, 1976 be passed.'

Those who agree to pass the Bill say 'agree' and those who disagree say 'disagree'.  
(Members - 'agree'). Anyone who disagree ?

(Nobody).

The Societies Registration (Extension to Mizoram) Bill, 1976 has now been passed today. Our business for today is finished. Our sitting will be resumed tomorrow at 10:30 A.M. Our Business will be Government Order on Chakma Council.

Meeting adjourned at 1255 hrs.

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

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