

PROCEEDINGS OF THE SECOND SESSION OF THE MIZORAM LEGISLATIVE
ASSEMBLY HELD AT THE ASSEMBLY HALL FROM 20.10.72 TO 1.11.72.

9TH. SITTING 1ST. NOVEMBER, 1972 AT 10 A.M.

PRESENT

Pu H. Thansanga M.A., B.T., Speaker in the Chair. One Chief Minister and Four Ministers and Twenty three Members.

BUSINESS:

1. Unstarred Questions.
2. Starred Questions.
3. Private Resolutions.
 - (a) Pu Ngurdawla-Education Board.
 - (b) Pu Lalkunga- Family Maintenance Allowances.
 - (c) Pu F.Hrangvela- Planning Commission for New Villages.
 - (d) Pu Lalsangzuala- Land Ceiling.
 - (e) Pu K.L.Rochama- Mizoram Civil Service.
 - (f) Pu C. Lalruata- Fruit Preservation.
 - (g) Pu C. Chawngkunga- Wild Life Sanctuary.
 - (h) Pu Vanlalhruaia- Non-Mizos in Mizoram Govt. Service.

SPEAKER: As I said Yesterday, Committee on Assurances had been constituted as follows. Let me read out (He read out to the Members). List of various Committees and the members will be distributed to each member. (It was then distributed to the Members). Pu P.B.Nikhuma was a member to the Committee on Petition before he became a Dy. Minister. As he is now Dy. Minister, he can no longer hold his membership to this Committee and he has to be replaced by another member His place will be filled up by Pi Saptawni.

Members may get curfew Passes from the P.A. to the Speaker if they have not already taken.

Now, we will start question hour. Question No. 32:

PU R. DOTINAIA: Mr. Speaker, Question No. 32:

"The number of MNF who have surrendered to the Govt. of Mizoram since the Govt. declared Amnesty? Does the Govt. arrange relief/rehabilitation for them? If so, how many of them are rehabilitated?"

SPEAKER: The Minister i/c will give reply.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, a total of 560 hostiles belonging to MNF have surrendered to the Govt. of Mizoram during the Amnesty period. A cash grant of Rs. 200/- is given to each surrenderee.

PU G. CHAWNGKUNGA: Mr. Speaker, supplementary question: Is it a fact that some persons disguised as MNF received such grants?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, only one case had been detected in this respect.

PU LALKUNGA Mr. Speaker, supplementary question: A cash amount of Rs. 200/- is to be given to each surrenderee. But this amount is not given to the surrenderees. Only Rs. 100/- is given to them. Is there any proposal to distribute all grants during this session?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, if less than Rs. 200/- is given, it may be due to shortage of grants.

PU LALSANGZUALA: Mr. Speaker, supplementary question: Will those MNF who surrendered to the Govt. of Mizoram after declaration of Amnesty be given Rs. 200/- each?

PU K. SANGCHHUM: Mr. Speaker, one surrenderee was told like this "You stole some money while you were an underground hostile. As such you will not get this grant". If this is so, who will be included under this general amnesty?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, they are not expected to surrender to the Govt. as a result of Amnesty. Such special case will have to be given consideration.

PU SAFLIANG: Mr. Speaker, supplementary question: Some MNF who surrendered to the Govt. were used by the Security Forces as "Guides". Did the Govt. allow the Security Forces to do this?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, I have no information about this.

PU LALSANGZUALA: Mr. Speaker, many surrendered MNF are facing great difficulties. If the Hon. Chief Minister is right in saying that the increase in crime

is caused by MNF., then these MNF returnees must be given suitable employment.

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, the Govt. will consider their cases as found necessary.

PU VANLALHRUALA:

Mr. Speaker, do the Govt. propose to declare Amnesty again ?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, we have not yet considered this.

SPEAKER:

Now, Question No. 34.

PU R. ZOLLANA:

Mr. Speaker, Question No. 34:

"Whether the Govt. of Mizoram proposes to set up an Enquiry Commission to look into alleged crimes committed by the Security personnel in Mizoram. If so, what will be the extent and purpose of the enquiry ?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, There is no proposal under consideration.

PU R. ZOLIANA:

Mr. Speaker, supplementary question:
Did the Govt. take up their cases ?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, we have received 12 cases between 11.10.71 to 28.8.72. Joint Enquiry Commission will be formed.

SPEAKER:

Question No. 35.

PU R. ZOLIANA:

Mr. Speaker, question No. 35: Whether the Govt. of Mizoram intends to maintain the Chin Hills Regulation 1973 in Mizoram.

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, Perhaps the Hon. Member refers to the Chin Hills Regulation, 1896 The Govt. intends to keep the Chin Hills Regulation, 1896 in force for the time being.

PU SAITLAWMA:

Mr. Speaker, Supplementary question:
Does the Govt. intend to keep the "Bengal Eastern Frontier Regulation" in force ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, we keep this in force now, and we will continue to keep it.

PU C. CHAWNGKUNGA:

Mr. Speaker, if that is so, should not the Govt. put many Policemen to check inner line permit at Vairengte and Kanmun ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, we intend to send many Police personnels to do this work. More check gate will be opened at Vairengte and more Police personnel will also be stationed there.

PU LALSANGZUMLA:

Mr. Speaker, supplementary question: Who will give trade licences to non-Mizos after we have an Union Territory ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, the Ministry will do this.

SPEAKER:

As Pu K.L. Rochama is absent from the House, we cannot take up Question Nos. 70 and 69. So, we will take question No. 65.

PU R. ZOLIANA:

Mr. Speaker, question No. 65: Whether it is a fact that the FWD will be expanded by opening four more Divisions ?

(b) If so, whether it is also proposed to open new Divisions in PHE Deptt. within Mizoram ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, two new Divisions namely:- (1) Kolasib and (2) Saiha have recently been opened.

(b) No proposal for opening of new PHE Division at present.

PU LALSANGZUMLA:

Mr. Speaker, supplementary question: During this current session, it has been pointed out that the PHE Deptt. could not do its works. Why is this Deptt. not expanded ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, the PHE Deptt. is now functioning under the Public Works Deptt. and necessary steps for its expansion will be done at the appropriate time.

PU R. DOTINAILA:

Mr. Speaker, is it a fact that the Govt. proposed to open PHE sub-Divn. at Serchhip?

PU CH. CHUNGA
CHIEF MINISTER : Mr. Speaker, there is no such proposal yet.

PU SAITLAWMA: Mr. Speaker, supplementary question:
Is there any proposal to open new Division?

PU CH. CHUNGA
CHIEF MINISTER : Mr. Speaker, it will be necessary to open
some Divisions.

SPEAKER: Now, question No. 66.

PU R. ZOLIAN: Mr. Speaker, question No. 66(a), (b) & (c):
Whether it is a fact that SDO (PHE)
Lunglei is a Mechanical Engineer ?

(b) How many times the SDO (PHE) Lunglei
has visited Bangladesh ?

(c) Had permission been obtained from the
authorities for these visits ?

PU CH. CHUNGA
CHIEF MINISTER: Mr. Speaker, (a) Yes. But now he has been
repatriated to Assam and another Civil
Engineer now working as SDO (PHE) Lunglei.

(b) SDO (PHE) has not made any official
visit to Bangladesh and there is no information about the visit
he made to Bangladesh while not on duty.

(c) No.

PU SAITLAWMA: Mr. Speaker, supplementary question:
What is the name of this Civil Engineer
(PHE) at Lunglei ?

PU R. ZOLIAN: Mr. Speaker, his name is published in the
Mizoram Gazette- M.M. Choudhury.

PU SAITLAWMA: Mr. Speaker, That one is the Mechanical
Engineer. What is the name of this Civil
Engineer ?

PU CH. CHUNGA
CHIEF MINISTER: Mr. Speaker, I do not know his name.

PU I J SINGZU LI: M. Speaker, the Hon. Chief Minister said
that no Official report had been received
in this regard. Is there any unofficial report ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, we received no unofficial report.

SPEAKER:

Now, we come to question No. 67.

PU R. ZOLIANA:

Mr. Speaker, question No. 67: Whether there is a complaint received that one SDO (PHE) has often been trying to cheat in the matter of payment of bills and in the execution of works?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, No Official complaint has been received so far.

SPEAKER:

The next question is question No. 71 to be asked by Pu R. Zoliana. But according to Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, no Member is permitted to ask more than 5 questions at a time. So, we shall take up question No. 87.

PU LALSANGZUALA:

Mr. Speaker, question No. 87: Give the different roads within Mizoram which the PWD proposes to make into A-I roads, (stating the dates they are proposed to be completed)?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, a list of roads tentatively proposed in the programme for construction of roads is enclosed herewith.

As regards target dates for completion, individual target dates could not be furnished at this stage. It is proposed to complete the above roads in about 10 (ten) years.

SPEAKER:

Now, Question No. 58.

PU R. DOTIMAILA:

Mr. Speaker, question No. 58: How many Govt. buildings have been constructed since the inauguration of Mizoram Union Territory and how much money was expended for the same?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, 26 (twenty six) buildings only. Rs. 16,31,841/-¹⁵/₄ spent for the construction of buildings.

PU LALSANGZUALA:

Mr. Speaker, supplementary question: Is it a fact that a sum of Rs. 160,000/- has been spent for construction of "Jericho Wall" as mentioned by the CLP Leader?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, I have no knowledge about it.

PU LALSANGZUALA:

Mr. Speaker, the Hon'ble Chief Minister said that our people made many complaints in regards to giving of contract works. What did he mean by "our people"? Is it the "Mizos". If so, did the Govt. gave many contract works to non-Mizos? Or did he mean the Mizo Unionists by "our people"?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, by the words "our people" I meant those who are interested in

contract works.

SPEAKER:

Proceed to question No. 59(a)(1), (2) & (3).

PU R. DOTINAILA:

Mr. Speaker, (a) Whether it is a fact that a number of Govt. buildings were constructed by other agencies than the PWD after the inauguration of the Union Territory of Mizoram. If so,

(b) What are those agencies?

(c) How many buildings constructed by

them? (d) Who now maintains the buildings so constructed?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, (a) Yes.

(b) Deputy Commissioner, Agriculture Department. Forest Department. Supply & Transport Department.

(c) Information not readily available with PWD.

(d) The same agencies maintain the

buildings.

SPEAKER:

Now, question No. 60.

PU R. DOTINAILA:

Mr. Speaker, had there been construction of Govt. buildings (after Mizoram U.T) without calling of tenders? If so, how many cases and why?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, Yes. In seven cases, the works were allotted on negotiation due to emergent nature of work.

PU LAISANGZUALA: Mr. Speaker, is it a fact that many non-registered contractors were given contract works while PWD Registered Contractors have no contract works?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, I have no information about this.

PU SAITLAWM: Mr. Speaker, supplementary question: Is there any particular reason or convenience for the Govt. when contract works are given without calling tender ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, such contract works were given without calling tender because the Govt. believed that the tempo of work would be speeded up.

SPEAKER: Take up question No. 61.

PU R. DOTINAIA: Mr. Speaker, (a) Whether allotment of contracts for some major stone masonry works had been invariably given after tenders had been invited?
(b) If not, why ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, in case of emergency involving danger to structures, works on masonry, especially retaining walls, contracts were given to some capable workers without calling for tenders.

PU LAISANGZUALA: Mr. Speaker, as already pointed out by our CLP Leader, is it true that those Contractors who had undertaken construction works of 'Jericho Wall' were selected by the Finance Minister and that he instructed the Executive Engineer to issue work order to them ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, I do not know that we have a 'Jericho Wall'.

PU ZALAWM: Mr. Speaker, supplementary question: Did the Govt. make Rules for allotment of contract works without calling tender or the Department give these contract works as it liked ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, only those Contractors who would be able to execute the works were given these contract works. The Member may see PWD Code Para 287.

SPEAKER: We shall leave question No. 62. We shall proceed to question No. 68.

PU SANGKHUMA: Mr. Speaker, Whether it is a fact that the Subdivision of I.W.T for Mizoram is located in Cachar District in Assam? (a) If so, what steps have been taken by the Government in this matter?

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker, Yes. Govt. of Mizoram has decided to take over the Subdivision of I.W.T. with the workers. Payment for their salaries are also being arranged. Suitable site for location of the site for shifting the I.W.T. Subdivision is under consideration.

PU C. CHAWNGKUNGA: Mr. Speaker, will it not be possible if the Sub-Division of I.W.T., now at Silchar is placed at Bairabi for the common good of the people?

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker, something of that nature will have to be worked-out by the experts for the common good of the people.

PU NGURDAWLA: Mr. Speaker, what about the General Post Office for Mizoram?

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker, this supplementary question is not relevant. However, I will give reply. It is proposed to find a suitable house at Aizawl for use as Office of Superintendent of Post Offices. But we cannot find a suitable house. After we find the house, the Superintendent will be shifted to Aizawl.

SPEAKER: Now, question No. 86.

PU ZALAWMA: Mr. Speaker, the whether of the surrendered guns to Security Forces in Mizoram?

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker, 2020 of the surrendered or captured guns are with the Army and 552 are in the custody of the 1st. Assam Police Battalion, Dergaon (Assam)

PU SAITLAWMA: Mr. Speaker, supplementary question: Will you tell me the whereabouts of the other 1248 guns or so surrendered to the Security Forces?

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker, I do not know about that.

PU VANLALHRUAIA: Mr. Speaker, is there any proposal to bring back the surrendered guns to Mizoram ?

PU CH. CHHUNGA: Mr. Speaker, this has not been considered yet
CHIEF MINISTER:

PU CHAWNGKUNGA: Mr. Speaker, local arms captured or surrendered to the 6th Assam Rifles were kept at Masimpur. When I went there, I saw that the authorities at Masimpur had a document that these guns were kept in custody. But we could not see a single gun ! It seems that Army Officers had taken away these guns. Can we get these guns back from these Officers ?

PU CH. CHHUNGA: Mr. Speaker, if these guns could be taken
CHIEF MINISTER: back even before Mizoram returns to normalcy, I am sure it would be possible to bring them back when normalcy returns in Mizoram.

PU R. ZOLIANA: Mr. Speaker, is it a fact that some big Officers at Aizawl sold these surrendered or captured guns to their friends and relatives at low prices ?

PU CH. CHHUNGA: Mr. Speaker, we know nothing about this.
CHIEF MINISTER:

PU ZALAWMA: Mr. Speaker, what is the total number of guns surrendered to or captured by the Security Forces ? 552 guns were kept in the custody of 1st Assam Police; then where are the others ? Again, many of these guns were captured by the Security Forces in the Western side of Mizoram. What was the total number of these guns ? Where have they been kept ?

PU CH. CHHUNGA: Mr. Speaker, I can tell the Member later if
CHIEF MINISTER: he so desires.

PU SAILLAWMA: Mr. Speaker, supplementary question: If we cannot know the whereabouts of these surrendered guns, had not the Security Forces violated the provision regarding "Right to Property" in the Constitution of India ?

PU CH. CHHUNGA: Mr. Speaker, this matter relates to the Consti-
CHIEF MINISTER: tution of India. I am not in a position to answer this question.

SPEAKER: Now, we come to Question No. 71.

PU R. ZOLIANA: Mr. Speaker, whether there is a proposal on the part of the Govt. to entrust the construction of road along Aizawl-Sateek road to BRTF.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, there was a proposal to entrust the construction Aizawl-Sateek (i.e. Aizawl-Thenzawl Road). But the BRTF does not accept to take up the road in question.
↳ the BRTF

SPEAKER: Proceed to Question No. 72.

PU R. ZOLIAMA: Mr. Speaker, (a) The period within which the PWD proposes to finish the road construction of Aizawl-Thenzawl Road ?
(b) The amount sanctioned so far for the construction of this Road ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, (a) The earth cutting and formation for 16 ft. width will be done by the end of 1973-74 and soling, metalling and blacktopping by the end of 1975-76.
(b) Rs. 51,01,927.00

PU ZALAWMA: Mr. Speaker, what is the rate per mile or per Km ?

PU CH. CHHUNGA:
CHIEF MINISTER: Mr. Speaker, I cannot give that information now.

PU LALKUNGA: Mr. Speaker, the Hon'ble Chief Minister said that Rs. 51,01,927/- is sanctioned for the construction of this road. Is the sanction made in advance upto 1975 ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, the bill is already sanctioned for the construction of this road.

PU SAITLAWMA: Mr Speaker, is there any proposal to extend Aizawl-Thenzawl. road upto Lunglei ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, it will be done so. At present this road reaches Sateek.

SPEAKER: Now to Question No. 73.

PU R.ZOLLANA: Mr. Speaker, Whether complaints of partiality towards non-Mizos have been received against the PHE Department in Mizoram ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker, No.

PU R.ZOLLANA: Mr. Speaker, what is the ratio of Mizo to non-Mizos amongst the staff of PHEE Office?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker, there are many non-Mizos amongst the staff of PHE Deptt. I do not know whether partiality prevailed in this Deptt. Non-Mizos are, of course, required to do technical works; but I do not know if they are required for other nature of duties.

PU LALKUNGA: Mr. Speaker, supplementary question: the Public Health Engineer employed one Chowkider on a master-roll basis for a long time to look-after the Pumping House. He also advertised the posts of Chowkider. Is it a fact that the PHEE intended to appoint non-Mizos to these posts instead of those Chowkidars already employed on master-roll basis ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker, the Govt. have no knowledge about this.

PU C.CHAWNGKUNGA: Mr. Speaker, supplementary question: Is it a fact that the Public Health Executive Engineer is determined to execute his duties badly ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker, I have no information about this.

SPEAKER: Question No. 62.

PU DOTINALA: Mr. Speaker, (a) Whether there are instances when a PWD Officer offers a contractor to take up work at the lowest rate tendered by other contractors ?

(b) If so, is this permissible under the rules ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker, (a) Yes. But such negotiation is restricted only to those contractors who have tendered for the work.

(b) Yes. As per para 287 of APWD Code of executing the work, the authority accepting the tender can select the contractor on the basis of capability, financial status and past performance even though he is not the lowest tenderer, if it is considered that the lowest tenderer that the lowest tenderer is not capable.

PU ZALAWMA: Mr. Speaker, supplementary question: What is the meaning of "Restricted Negotiation"? Can restricted negotiation be made with the Officers ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, the authority can select the contractor on the basis of capability and financial status. According to PWD Code Para 287, the authority can select the contractor on the basis of past performances even though he is not the lowest tenderer, if it is considered that the lowest tenderer is not capable.

PU ZALAWMA: Mr. Speaker, supplementary question: Cannot the contractors be given equality of opportunity ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, I have read out the Rules. I do not know the opinion of the framers of these Rules.

PU ZALAWMA: Mr. Speaker, what do you mean - PWD Code of Assam ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, the pattern of Assam is still followed.

PU LALSANGZUALA: Mr. Speaker, if that is so, why have not the buildings been constructed according to the pattern set by Assam Govt. ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, the pattern of Assam Govt. is in practice because we do not have our own pattern yet.

PU LALSANGZUALA: Mr. Speaker, does it mean that we are going to use the Rules of Assam Govt. ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, we are going to use the principles of these Rules.

SPEAKER: Now, question No. 63.

PU R. DOTINALA: Mr. Speaker, (a) Whether it is necessary for contractors to be notified of the time fixed for opening of tenders ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, (a) Yes, this is always indicated in the notice inviting the tenders.

SPEAKER :

Question No. 64.

PU R. DOTINLIA:
personal works ?

Mr. Speaker, Whether the PWD Officers can utilise Government labourers for their

PU CH. CHHUNGA:
CHIEF MINISTER:

Mr. Speaker, No.

PU C. LAIRUKTA:

Mr. Speaker, instead of mere consideration, is it possible to punish them ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, it will depend on whether the report is correct or not.

PU C. CHAWNGKUNGA:

Mr. Speaker, will action be taken on these Officers ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, it will be first examined and if found necessary action will be taken.

PU SAITLAWMA:

Mr. Speaker, supplementary question: It will be very difficult for the Govt. because at the time when investigation is made, there are possibilities of escaping punishment. Are the clerical staff empowered to utilise labourers for their private works ?

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker, the Member has asked about the Officers.

PU R. DOTINLIA:

Mr. Speaker, Officers include even IV Grade Staff.

PU LALSANGZUALA:
its forms ?

Mr. Speaker, does not all this show that PWD Ministry is full of corruption in all

PU SAITLAWMA:

Mr. Speaker, we shall Co-Operate with honest persons. Shall we support and protect dishonest and corrupt persons ?

PU ZALAWMA:

Mr. Speaker, how many labourers are detailed to look-after maintenance of road per K.M. during the dry season ?

PU CH. CHHUNGA

CHIEF MINISTER:

Mr. Speaker, corruption is rampant not only in FWD but also in other Department. We are now fighting against this evil. We are fighting against those evils resulting from the Congress ruled Govt. of Assam.

PU C. LALRUATA:

Mr. Speaker, if action cannot be taken, how can we work together ?

PU LALSANGZUALA:

Mr. Speaker, the Ruling Party severally criticised the works of the Ministry. Is not the opposition Party working hard for the Ministry ?

SPEAKER:

The question hour is over now. We will come to the Private Resolutions. Let Pu Ngurdawla move his resolution.

PU NGURDAWLA:

Mr. Speaker, I withdraw my resolution.

SPEAKER:

Then, let Pu Lalkunga move his resolution.

Private Resolution:
PU LALKUNGA:

Mr. Speaker, let me read out my resolution:

"This Assembly is of opinion that the Family Maintenance Allowance should be given to all Mizo Political prisoners who were then detained under the detention order of D.I.R and P.D. Act."

Mr. Speaker, I have a few words to say on this. Many persons were arrested by the Security Forces as a result of the disturbances. They were treated with brutality by the Security Forces. After they were tormented harshly, they were treated as political prisoners. The Government of Assam stopped giving FMA to these political prisoners. We demanded payment of Family Maintenance Allowance to them as they were detained as under-trial prisoners. But the Government of Assam kept silent to our demand. Besides, the politicians never attempted to plead for our cause. We were helpless.

Let me illustrate the develish attitude of the Assam Government towards granting Family Maintenance Allowance: Mr. Vansangliana and Mr. Sanghlira were arrested with their friends in the same place. Mr. Vansangliana received F.M.A. of Rs.2,000/-, Mr. Sanghlira Rs.200/- while their friends were given not a rupee!

There is another example here. There was one political prisoner. While he was in Jail, his relatives could draw his F.M.A. But when he claimed F.M.A. after his release, he was told that he had nothing to receive. Moreover, Pu Lallianzuala had many cases. But he could draw the Family Maintenance Allowance without any difficulty. While he was in Jail. Thus there was impartiality.

The poor political prisoners could not get their allowances. So, today - I appeal to the Government of Mizoram to give Family Maintenance Allowance to all political

prisoners as they had been declared to have been pardoned on the day the Union Territory of Mizoram was inaugurated. There is also difference in the amount of Family Maintenance Allowance received by these political prisoners. Some could get Rs. 100/- only while others who surrendered to the Govt. after we have an Union Territory received Rs. 200/-. This should be rectified. There are also different rates of Family Maintenance Allowance ranging from Rs. 75/- to Rs. 250/-. So, I request leaders of the Govt. to take necessary steps so that these poor and helpless political prisoners may get the highest amount of F.M.A they could be entitled.

SPEAKER: There is no amendment to this resolution As such it will be discussed as it has been moved, and the discussion may now start.

I shall not call upon the mover to speak again. He may give explanation, if necessary in course of the discussion. Every member will have 10 minutes for speech. Now, let us start.

PU CH. SAPRAWNGA: Mr. Speaker, we desire that the political prisoners be given Family Maintenance Allowances. But our desire may serve little purpose because there is a standing Rule in regard to Family Maintenance Allowance. According to this Rule, those political prisoners who were detained under P.D. Act and D.I.R. should be given Family Maintenance Allowance. If this is violated in respect of a particular person, we must fight against it in a law court. The Mover also stated that some persons who were charged with serious cases could draw this Family Maintenance Allowance. They could get it because they probably bribed the Officers. If this resolution is passed, such difficulty will still prevail. So, it will be better to fight for this in the law court.

PU ZALAWMA: Mr. Speaker, just a few words on this resolution. What Pu Rawnga had said about this resolution is true to some extent. It is learnt that many of the political prisoners could not get Family Maintenance Allowance. There may be existing Rules framed by the Central Govt. in respect of Family Maintenance Allowance for political prisoners. *However,* we must try to press the Central Govt. to give F.M.A to the political prisoners.

While we were under the Assam Govt. there was no equitable distribution of Family Maintenance Allowance. Again, D.I.R. is enforced in a different way. We have now our own Legislature. I therefore appeal to the Members that this resolution be passed.

PU VANLALHRUAIA: Mr. Speaker, Pu Lalkunga's resolution is very important. It appears that there was no equal distribution of F.M.A. under the Assam Govt. But the matter related to the time we were under the Govt. of Assam, and the Ministry is too new to do such thing. Needless to say, we

sympathise with the prisoners whether they were members of underground hostiles or not. So, I request Pu Lalkunga to withdraw his resolution.

SPEAKER: Now, I will call upon the Ministers to speak on the resolution.

PU KHAWTINKHUMA: Mr. Speaker, this resolution is very good, no doubt. It is our sincere desire that the political prisoners who are our brothers receive Family Maintenance Allowance. Those who were detained under D.I.R., P.D.A and A.P.M.O could get this allowance. As this Rule is still in vogue, I think it is not necessary to pass this resolution. Some of these political prisoners were charged with criminal Cases. So what we can do is to press the Govt. of Assam to review their cases. It will be better if the mover withdraws his resolution.

PU CH.SAPRAWNGA: Mr. Speaker, as pointed out by the Hon'ble Minister, this resolution needs not be passed again as there is a standing order for grant of F.M.A. For example, if we pass a resolution that diet be supplied to the prisoners, there will be no meaning at all. If we pass this resolution, it will simply mean showing of our ignorance and childishness to the Govt. It is not also necessary to give advice to the Central Govt. in this respect. It is true that this Act is enforced in different States in different ways. It is enough that these political prisoners were helped by M.L.As, and groups of people in their distress. So, I do not find it necessary to pass a resolution on a policy already formulated by the Central Govt.

PU LALKUNGA: Mr. Speaker, the Members have misunderstood my point. It seems that we have no hope in the Govt. of Mizoram for this purpose. This resolution is quite different from supplying of diet to the prisoners. The latter is in no case the same with P.D. Act. We are entangled with the Rules of the Assam Govt. and D.I.R. Our main objective is to give F.M.A. to all political prisoners. The political prisoners who were detained under DIR were charged with political case as well as criminal case. Mr. Speaker, we had also submitted a memorandum on F.M.A. to the Govt. and contacted the Deputy Commissioner in this connection. The Deputy Commissioner told us that the matter could be settled easily by legislative. So, if we cannot pass this resolution, we will come to the conclusion that this Assembly can do nothing for the people.

PU HIPHEI: Mr. Speaker, how far has the Assam Govt. violated the D.I.R? How far can we make a legislation for the purpose of rectifying this defect?

PU LALKUNGA: Mr. Speaker, it has been laid down that political prisoners would be given Family Maintenance Allowance. But this allowance was not given to them.

PU CH. SAPRAWNGA: Mr. Speaker, the D.I.R. do not seek to abolish family maintenance allowance. If family maintenance allowance would be given to the political prisoners from tomorrow, it may be good for us to pass this resolution.

PU CH. CHHUNGA:
CHIEF MINISTER: Mr. Speaker, according to this resolution, these prisoners have to be tried under DIR & PDA. Some of these prisoners who regarded themselves as security prisoners were also charged with Criminal acts. We may like them to receive family maintenance allowance. But it would be meaningless if the court charged them with criminal cases.

On the charge that some prisoners received big amounts while some others received only small amounts, I want to point out that those who were detained could get an allowance ranging from Rs.75/- to Rs. 250/-. The amount depends on the living standard of the family of the prisoners.

According to the report of the Dy. Commissioner, 2272 persons were detained under D.I.R. ,out of which 2058 persons applied for family maintenance allowance. The Government will consider their cases in due course. There is no intention on the part of the Government to stop giving them family maintenance allowance. We are not supposed to consider individual cases in this House. Even if this resolution is passed today, it will serve no purpose

SPEAKER : We have been discussing this resolution long enough. The mover moved that Family Maintenance Allowance be given to all Mizo political prisoners who were detained under the detention Order of D.I.R. and P.D. Act. But it is not possible for us to pass this resolution. We know that the matter is under serious consideration of the Government and the mover is also requested to withdraw his resolution. Will the mover be pleased to withdraw his resolution ?

PU LALKUNGA : Mr. Speaker, the matter is being discussed in the House as political prisoners could not get the allowance for a long time. I had obtained the opinion of Law Secretary in this connection. As such I cannot withdraw my resolution.

PU CH. SAPRAWNGA : Mr. Speaker, the Hon'ble Member moved his resolution after he had heard what the Law Secretary said in this regard. He said that if we can pass this resolution, the political prisoners would be able to get Family Maintenance Allowance. We are not experts in law and if such thing ^{was} said by the Law Secretary, it will be good for us to pass this resolution.

PU LALKUNGA: Mr. Speaker, two persons met the Law Secy. yesterday in this regard. He told us that this allowance being grants, law cannot interfere with it.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, this allowance (FMA) is a grant. I also admit that law cannot interfere in this matter. This means that the prisoners must be purely political prisoners free from criminal cases. The difficulty lies in that some prisoners were charged with criminal cases by the Magistrate. Did the Member asked the Law Secretary what would be the position if some of these prisoners were charged with criminal cases ?

PU LALKUNGA: Mr. Speaker, I did not ask him about that. I moved this resolution because he told me that the law would not interfere in the matter.

PU VAIVENGA
MINISTER: Mr. Speaker, in the main Act, it is provided that FMA will be given to the political prisoners. If that is so, is it necessary to pass this resolution? An individual prisoner may, of course, be charged with different cases.

PU LALKUNGA: Mr. Speaker, it is necessary to pass this resolution because the prisoners could not get this allowance.

SPEAKER: It appears that the mover moved his resolution in a wrong way. According to the Rules, all political prisoners are to get FMA. So, there is a standing Rule and the resolution cannot be adopted unless it is changed. If the mover does not intend to withdraw the resolution, we must have voting on it.

PU CH. SAMPRAWNGA: Mr. Speaker, we should not simply oppose this resolution. Otherwise we would be blamed by the people. The mover said that if we pass it today, FMA will be given to the prisoners tomorrow. I request him to give further explanation.

PU ZALAWMA: Mr. Speaker, it appears that this resolution is going to become an important factor for the formulation of policy because these prisoners were imprisoned as a result of the disturbances. We are now discussing the position of these political prisoners who were not given family maintenance allowance.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, it is my desire that the mover would not try to press us to pass this resolution. The most important thing is whether he asked the

Law Secretary about this matter. There is a standing Rule on this matter. There are some difficulties in giving FMA because some prisoners were charged with criminal cases by the Magistrates. Even if we pass this resolution, it will have no meaning at all in those cases. It will not drive away the difficulties faced by the prisoners in regard to FMA. This is a fact.

PU CH. SAPRAWNGA: Mr. Speaker, if we pass this resolution, it will have to be executed by some one. As such, it must be within the purview of this Ministry. If we pass it, the Court will have to execute it. As there is a standing policy, how can this be executed? It will have to be considered by the Court itself.

PU LALSANGZUALA: Mr. Speaker, the wording of this resolution may be wrong causing legal complication. Many persons were arrested as a result of the disturbances, some were pardoned and some others surrendered, taking advantage of the General Amnesty offered by the Govt. It is not fair that while some received the Family Maintenance Allowance, some could not get it. As there is legal complication in this resolution, Mr. Speaker, allow me to make an amendment.

SPEAKER: After the resolution is passed the Ministry concerned must execute it. If we pass this resolution, it will mean that we pass what is already in force. According to the mover, all prisoners should be given FMA. This is a legal issue. So, the resolution cannot be adopted. The mover may move the resolution in other forms later.

PU LALKUNGA: Mr. Speaker, I considered this carefully. I have high hopes in the Govt. of Mizoram. If we can pass this resolution in this House, it will be very effective. I therefore do not intend to withdraw my resolution.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, I sympathise with the mover. If we pass the resolution now, it will block the scope of getting FMA for some prisoners.

PU ZALAWMA: Mr. Speaker, why did the Law Secretary and the Secretary, Legislative Assembly admit this resolution since there can be a legal complication?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, he did not admit it. The mover himself said that the Secretary did not answer his question. As FMA is a gift, law cannot interfere with it. Even if we pass the resolution, it will not mean that all the prisoners would get FMA. We have to take cautious steps in this regard; otherwise it will be a boomerang later.

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PU ZALAWMA: Mr. Speaker, can the Govt. give assurance that FMA. would be given to these prisoners who had not yet received it ?

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, it will be said that there are none who are entitled to receive it, but, who have not received the FMA. That is the point of our argument now.

SPEAKER: Has the mover anything to say ? We will have voting on it.

PU LALKUNGA: Mr. Speaker, considering the difficult position of our friends, I find it still impossible to withdraw my resolution.

PU CH. SAPRAWNGA: Mr. Speaker, did he submit a petition to the Ministry apprising the difficult positions of these prisoners ? (Pu Ch. Chhunga, Chief Minister: Yes, he did and his petition is being considered by the Govt.) If so, we must approve it. What I want to make clear to the Members is that we want that those who were entitled should be given FMA because we have to maintain the dignity of this House.

PU CH. CHHUNGA
CHIEF MINISTER: Mr. Speaker, according to the official report there are none who are entitled but who have not received it.

PU ZALAWMA: Mr. Speaker, what harm will happen if we pass or do not pass this resolution ?

PU CH. SAPRAWNGA: Mr. Speaker, it is sometimes difficult to explain matters, but since these are matters pending before law courts, it will be wrong to pass this resolution at this stage.

PU KHAWTINKHUMA
MINISTER: Mr. Speaker, some prisoners received a small amount of FMA because when they were charged with criminal cases, the Govt. stopped giving them. So, all the prisoners could not get the FMA. It solely depends on the nature of their cases.

PU LALKUNGA: Mr. Speaker, I moved this resolution because the financial position of the political prisoners are awkwardly difficult. I also moved the resolution with a view to finding out the true attitude of the Govt. towards these political prisoners. If the Speaker can give me assurance, I will withdraw my resolution (Members clapped hands).

SPEAKER: Yes, it is a great pleasure for us that the resolution is withdrawn. If the members find out some faults with this, they may submit to the authorities.

Now, we will have recess and the meeting will be resumed at 2 p.m.

Recess till 2 p.m.

2 p.m.

SPEAKER: Now, we will take up the resolution of Pu F. Hrangvela.

PU F. HRANGVELA: Mr. Speaker, I beg to withdraw my resolution.

SPEAKER: Then we come to the resolution of Pu Lalsangzuala.

PU LALSANGZUALA: Mr. Speaker, I am very glad that my resolution on "Land Ceiling" is admitted to be discussed in the House.

A day ago, the Hon'ble Chief Minister expressed his determination for the successful implementation of our Prime Minister's policy. Poverty consists of many things. We, the Congress Party, have a slogan-"Poverty must go, Disparity must diminish, Injustice must end". "Land Ceiling" is thus one of the implements for the successful implementation of this policy.

In India, land owners and rich people possess vast areas of land. Well-to-do people also purchased lands from the poor. On the other hand, poor people have no land wherein to settle. Since land ceiling is within the State list, the Central Govt. decided that all State Govts. should make necessary arrangements for limiting the ceiling of land holdings in their respective States.

It is the policy of the Govt. that 8000000 homeless people be given homes within 25 years. The Hon. Finance Minister also expressed his intention to extend a cooperative hand to the Central Govt. for its implementation. If an average of 4360 homeless people are to be given homes in a year, in Aizawl 170 homeless people will have to be given home every year. As Mizoram is now included in the list of States in India, we have to try our best for the implementation of this policy.

In my resolution I suggested that ceiling on land holdings be prescribed for the towns. Even in Aizawl there are many people who have no lands of their own. I myself have no land given by the Govt. I see that there are big gardens in Aizawl which are not well looked-after by the owners. It is now time that the Govt. fix land holdings for each family and the surplus lands be given to the landless families. I therefore request the Hon. Members to support my resolution for the upliftment of the sad position of the poor.

SPEAKER: Will ^{you} read out your resolution ?

PU LALSANGZUALA: Mr. Speaker, I did not read out my resolution because I thought that every member has his Copy. Let me read it out now.

"This Assembly is of opinion that Ceiling on land holdings be prescribed for the Towns of Aizawl, Lunglei, Saiha, Kolasib and Champhai."

SPEAKER: The resolution will be discussed just as it had been moved. Now, the Members may discuss the resolution.

PU ZALAWMA: Mr. Speaker, the V/C Members of Ruantlang and Champhai divided up the lands in these two villages amongst themselves. Did the Govt. agree with them? The Govt. may empower the M.L.As with power to distribute lands, but the population of Mizoram is on the increase and we will have to be very careful. It will be necessary to prescribe ceiling on land holdings for each family. If we can do this, the rich people will not be in a position to acquire too much lands for themselves. Those lands which are not properly looked after by the owners should be distributed to the landless families. The Govt. of India also do not like to give permanent land holdings to private persons. I therefore strongly support this resolution.

PU LALHLIRA: Mr. Speaker, let me explain what Pu Zalawma has said about Ruantlang and Champhai. The local people with the V/C Members petitioned the Govt. to give them permission to cultivate these lands on temporary basis. Accordingly the Govt. gave them the permission to do so. The lands were not distributed by the MLA. It is not also the power of the MLA to give such lands.

I find it very difficult to adopt this resolution because it made no suggestion as to the extent of lands to be given to one family. A man may like to hold 1000 acres and so on and so forth. Secondly, in Saiha, Kolasib and Champhai, the population is rather thin. There may be paucity of lands in Aizawl and Lunglei. Besides, Kolasib, Champhai and Saiha have not yet been recognised as towns. In Champhai

no scarcity of lands prevails yet. So, it is rather difficult to adopt the resolution.

PU K. SANGCHHUM: Mr. Speaker, Saiha is included in this resolution. Saiha is situated within the District of Chhintuipui. As such it is outside the purview of this Assembly. It is therefore impossible to adopt the resolution.

PU CH. SAPRAWNGA: Mr. Speaker, I want some explanation on the following:- (1) If ceiling on lands be prescribed, what will be the extent of lands for one person? (2) The Mover said that there are many unoccupied lands at Aizawl. But many of these lands are not suitable for settlement will all these lands be included in this resolution? (3) How will the position of the poor people be uplifted by this resolution as it does not include the whole country?

PU LALSANGZUALA: Mr. Speaker, this resolution is a bit different from the original one I submitted to the Assembly Secretariat. I prescribed "limit for town area" in this resolution. (Pu Ch. Saprawnga: Mr. Speaker, is that specified?). The limit is not more than one bigha. There are many poor people in Aizawl. Most of them migrated to Aizawl as a result of the disturbances.

PU CH. SAPRAWNGA: Mr. Speaker; the meaning of this resolution is clear and the motive of the mover is also good for he said that this resolution seeks to uplift the condition of poor people. But I want to point out here that Saiha and Kolasib are not to be included among the list of towns. The Govt. of India prescribed ceilings on holdings of Agriculture lands. When land ceiling is prescribed on lands within town areas, the value is assessed by the Govt. of India. One Bigha of land is also too small for a family. This will bring about great inconveniences to the family. It may, however, be possible to prescribe ceiling on Agriculture lands. In this connection, I want to point out that the Congress Party, while in power under the defunct D/C allotted vast areas of lands to private persons. If this resolution is adopted, these lands will have to be divided among many persons and the people who received favour from the Congress Party would suffer a great loss! Every family will resist and request the authorities not to divide their land on the ground that some members of the family would like to live in a separate household. Then this will not serve a great purpose for the poor people. In the plains there are vast tracts of cultivable lands and in such cases prescription of lands ceiling is desirable. But in our country we have only small tracts of cultivable lands and we have not yet fully utilised our lands for agriculture purposes. Ceiling on land holdings may be prescribed in such towns like Aizawl and Lunglei. But it will be very difficult to implement this resolution exactly as it is moved by the member, because one bigha

of land is too small for a family. Besides, the sites for dwelling houses, we require kitchen gardens and there are some areas which are not suitable for construction of the houses. So in my opinion, it is not yet time to adopt this resolution.

PU SAPLIANA: Mr. Speaker, the policy contained in this resolution is no doubt very good for the policy of our Prime Minister is to uplift the condition of the poor. Even the late Prime Minister, Jawaharlal Nehru and M.K. Gandhi said that this policy is the "guiding star" of India. But one bigha for a family is too small for Mizoram. Pt Indira Gandhi has created some Autonomous District Councils within Mizoram. Saiha is within the Lakhur District Council. Therefore, if we pass this resolution, we shall then be encroaching upon the powers given to the District Councils by the Sixth Schedule, which will be acting against the policy of Pt Indira Gandhi. Therefore passing of this resolution could amount to ignoring the powers of the District Council; as such this resolution should not be passed.

PU VANLALHRUALA: Mr. Speaker, it seems that Pu Lalsangzuala thought that the lands within Aizawl town and Kolasib are not accepted by the people. Aizawl town is thickly populated and it will be difficult to implement this. It is not also enough to prescribe one bigha of land for each family. (Pu C. Chawngkunga: Is not that too large!) The Congress members had distributed large areas to individuals before the termination of District Council. Had Pu Lalsangzuala been a member then he would have persuaded his fellow Members not to give such vast tracts of lands to private persons.

PU SAITLAWMA: Mr. Speaker, Mizoram is to a large extent a socialistic state. Every man is a land lord. As such it appears that it is not necessary to adopt this resolution. It is not clear in the resolution whether ceiling is to be prescribed on lands for house site and for agricultural lands. It will not also be fair to pass this resolution merely because it is done in other States.

Mr. Speaker, as we are fully aware, lands in Aizawl and Lunglei are very valuable. As such these towns need be expanded. So, it is impossible to adopt this resolution unless an amendment is made by the Member.

PU ZALAWMA: Mr. Speaker, we are going against the policy of the Central Govt. This resolution is not a Bill. Pu Lalsangzuala made no limit in his resolution because he had great confidence in the Ministry. The Central Govt. prescribed that ceiling on land holdings in Hill areas must be 68 bigha per family, and it also prepared the valuation of the area. It is really surprising to see that Pu Lalsangzuala could prepare this. I want to mention also that there is discrimination in regard to allotment of lands. I think the Mizo Union are trying to possess all 13acs which of the Parties - Mizo Union or Congress Party, allotted more lands to the people? (Pu Hrangala:

Mr. Speaker, the Congress Party had allotted more lands during their 2 or 3 months only than all the lands allotted by the Mizo Union Party during its 18 years. Prescribing Land Ceiling is the policy of the Prime Minister, Mrs. Indira Gandhi. Even if you turn down the resolution this time, a time will come when you will be compelled to adopt it. Thank you.

PU KHAWTINKHUMA: Mr. Speaker, the Member confused land ceiling with property ceiling. The Central Govt. did not prescribe ceiling on land holdings in towns but on agriculture lands. If ceiling on land holdings is prescribed in towns, the value of one bigha of land in Bara Bazar will amount to Rs. 3 lakhs while in the remote corner of the town, it will be about Rs. 1,000/- (Zalawna: Mr. Speaker, there is area valuation on which the Central Govt. based its land ceiling principle). The motive of this resolution seems to be prescription of ceiling on property holdings. So, the resolution itself is wrong. (Pu Zalawna: Our Leaders may easily make amendment to this resolution. We give them that power). The Central Govt. have not yet adopted "property ceiling". It will be discussed in the coming Parliamentary Winter Session. The Govt. will examine those lands which have an area of 10 bighas or more.

PU CH.SAPRAWNGA: Mr. Speaker, just a few words again on this resolution. We find it difficult to adopt this resolution. As we did not have ceiling on land holdings in the past, we have to think over it seriously. When this resolution is passed, it will be implemented in the areas already mentioned. So, it is not good that Saiha should be included in the resolution. Next, I want to point out that we should be very careful in framing the wordings of resolutions in future. We have to remember this in the next session. So, it is not possible for us to adopt this resolution as it was moved by the Member.

SPEAKER: We have been discussing the resolution long enough. As pointed out by the Minister i/c valuation of lands will have to be prepared since towns are included in the resolution. As it will be a bit complicate for us. It is not also fair that Saiha is included in the resolution. Does the Member want to give further explanation on this resolution?

PU LALSANGZUALA: Mr. Speaker, the Members said that if land ceiling is prescribed many lands will be lying unutilised. This is a wrong idea. We can pass a Bill covering the area with the P-L Region. We must not think that the people will be foolish enough to ask the Govt. to give them a thousand bighas of lands. Pu Vanlalhrnaia mentioned that I would keep silent on this issue, if I had been allotted land for house site. During the Ministry of the Congress Party under the east-while D/C I had never applied for a house site and no land was allotted to me. Lastly, I think the Hon'ble Finance Minister

could not understand the real meaning of land ceiling, although for 58 years he... (Pu Ch. Saprawnga: Served in Govt. Service !)
Yes. My resolution is very justified.

PU KHAWTINKHUMA: Mr. Speaker, the Govt. of India never prescribed ceiling on land holdings in towns. In the towns, the Govt. prescribed ceiling on property. (Pu Lalkunga: Land is a property). Yes. That is true. It is also true that a house is a property. The value of properties possessed by people in the town is taken. The people are not allowed to own properties the value of which is in excess of the prescribed ceiling. This is called "property ceiling". Ceiling is generally prescribed for agriculture lands. This resolution is different from the policy of the Central Govt. and it has no meaning.

PU K.SANGCHHUM: Mr. Speaker, the fact that Saiha is included in the resolution testifies the ignorance of the mover about the Rules, for Saiha is outside the purview of this Assembly. I know it very well.

PU ZALAWMA: Mr. Speaker, allotment will be made; this is not an allotment yet.

BU CH.CHHUNGA:

CHIEF MINISTER: Mr. Speaker, it will be very difficult to prescribe ceiling on land holdings and properties in places like (say) Kolasib as the areas of lands are not the same. The Congress Committee proposed to give 68 acres to every family in urban as well as in rural areas. (Pu Zalawma: That is on agriculture land). If we are going to do that in the towns ... (Pu Zalawma ! That is for Hill Areas) Mizoram is a Hill Area. If Mrs. Indira Gandhi were standing on the top of the Blue Mountain today (Phawngpui), she would clearly see the extent of land owned by private persons in Mizoram. Seeing that the areas of the lands are small, she would take pity on us and would tell us not to prescribe ceiling on land holdings. In other States private persons owned lands of 68 acres or more while in Mizoram nobody had such lands. The largest area of land possessed by private person in Aizawl town is 152024 bighas only - 8 acres roughly. If we oppose this resolution today, we will not be going against the policy of Mrs. Indira Gandhi. (Pu Zalawma: Is our Chief Minister the Prime Minister of India ?) Were the Prime Minister in our midst, she would say to us. "It is not yet time for you to prescribe ceiling on land holdings. The area of land possessed by private person is very small. The population of Mizoram is also very small". So, let us admit that this resolution is not yet necessary for us.

PU LALSANGZUALA: Mr. Speaker, I think the Hon'ble Chief Minister has misunderstood the difference between urban and rural areas. In Aizawl, 90 % of the population do not own even 1 bigha of land.

SPEAKER: The Mover said that his resolution is true while some Members are of the opinion that it is not yet time to adopt this resolution in Mizoram. We are not also to interfere with the powers of the autonomous D/C in regard to Saiha. In the towns, ceiling on properties and not on agriculture lands is to be prescribed. So, there is difference of opinion on this resolution. Shall we have voting on the resolution? What is the Mover's opinion?

PU LAISANGZUALA: Mr. Speaker, I beg to withdraw my resolution as it violates some provisions of the Rules (Members clapped hands).

SPEAKER: That is good. Now, we will take up Pu K.L.Rochama's resolution. As he is absent, we will take up the resolution of Pu C.Lalruata.

PU C.LALRUATA: Mr. Speaker, I am glad that my resolution is admitted to be discussed in the House. This is my resolution: "This Assembly is of opinion that Fruit Preservation Centre be established by the Mizoram Govt. at Chhingchhip, Grouping Centre during the Current financial year". Some members may think that the scheme is meant especially for the people living within my constituency. But this is not so. Chhingchhip is situated in the heart of Mizoram and different kinds of fruits from the adjoining localities can be easily obtained for preservation. Secondly, the lands in Chhingchhip G.C. are not longer productive. Even Buhpui can hardly flourish in these areas. Having no other alternative the people started plantation of pineapples, banana and sugar-cane. Here, one pineapple weighs about 3 Kgs. According to the information I received there are about 3,14,200 full-grown pineapple plants. Most of the pineapples sold at the market in Lunglei come from Chhingchhip G.C. It is also the duty of the Govt to encourage the pineapple growers of these areas. I therefore request all the Members to adopt my resolution.

A few years ago, the Industrial Co-Operative Society at Chhingchhip started processing pineapples by hand-machine. But the processing work was discontinued due to financial difficulty. The Govt. must give financial assistance to this Co-Operative Society.

SPEAKER: The resolution is admitted for discussion as moved by the mover. Any members may speak on the resolution, now.

PU SANGKHUMA: Mr. Speaker, just a few words on this resolution. The mover did not mention the areas to be covered by this Fruit Preservation Centre. It is a good thing that such Centre should be established for the encouragement of pineapple growers. But if such Centre is to be established for the benefit of the whole Country, a more suitable place must be selected.

PU CH.SAPRAWNGA: Mr. Speaker, I cannot say whether it is good to establish Fruit Preservation Centre at Chhingchhip. Such Industry will require enough supply of raw materials and water supply. We have to examine whether Chhingchhip is situated in the heart of Mizoram. So, it will be enough if we adopt that Fruit Preservation be established at a suitable place.

PU ZALAWMA: Mr. Speaker, this resolution is vague. What kind of fruit is to be preserved? (Pu C. Lalruata: Any fruit) But you did not mention here. The Mover also did not tell us the annual production of pineapple in Chhingchhip. Thingsulthliah will be more suitable than Chhingchhip for establishment of such Centre. The very location of Chhingchhip is not suitable for establishment of a Fruit Preservation Centre. Besides, Chhingchhip produces pineapples only. This is not enough. Although the principle of the resolution is good, on closer examination, I would request the Hon'ble Member to withdraw his resolution.

PU HRANGAIA: Mr. Speaker, Chhingchhip well deserves Pine-apple processing and preserving machine as mentioned by Pu C.Lalruata. But I want to point out that the location of the Village is not suitable enough for establishment of a Fruit Preservation Centre. Unless money is sanctioned for the manufacture of bottles, the cost of bottling them may even be higher than its market price. I therefore request the Hon'ble Minister to give assurance that Pine-apple processing and preserving machines will be given to Chhingchhip G.C. and a more suitable place will be selected for establishment of Fruit Preservation Centre.

PU LALSANGZUALA: Mr. Speaker, the feasibility of this plan scheme must be first examined by the Planning Board and experts. For establishment of this Centre, availability of resources and raw-materials and geographical location of the place must be taken into account. We must examine all aspects carefully before the Centre is established in that Constituency (Pu C.Lalruata : It will have to be established in any Constituency). If that is so, let it be established within the Constituency of Pu Hrangaiia. In short, the location of Chhingchhip is not suitable.

PU C.CHAWNGKUNGA: Mr. Speaker, it may not be good to establish Fruit Preservation Centre at Chhingchhip. The people living within the Constituency of Pu Ngurdawla and the Chief Minister also grow pineapples in abundance. So, it will be better if the Govt. give them machines or money for processing and preservation of pineapples.

SPEAKER: Most of the Members opposed the resolution of Pu C.Lalruata. It is true that Fruit Preservation Centre should be established at a more suitable place. Has the Minister i/c Agriculture anything to say on this resolution?

PU R. THANGLIANI :
MINISTER

: Mr, Speaker, Fruit Preservation is indeed very important and the people of Chhingchhip deserve praise for taking great interest in growing pineapple. It is also the duty of the Government to give them encouragement. But for establishment of such centre, there can be technical difficulty. The resolution also states, "during the current financial year". I think there will be no raw-material at present.

So, all the factors of production must be first examined. I am afraid that one bottle may have to be sold at Rs. 10/- in the market, with no profit for the Government. The Pineapple processing machine has been established at Vairengte, but we cannot get enough raw-materials from Mizoram. So, I request the Hon'ble Member to withdraw his resolution.

SPEAKER : What is the opinion of the mover ?

PU C. LAIRULTA : Mr, Speaker, the Members believed that this resolution is meant for my constituency only. Transportation is, in no way easier for Thingdulthliah than Vairengte. From Chhingchhip we will be able to get fruits from Aizawl, Lunglei, Saiha, and Champhai. There is no place where we can get fruits (raw-materials) easily for preservation. Vairengte also depends on the fruits grown at Lakhipur. It is not good that the money earned in Mizoram goes to the plains. We have to establish Fruit Preservation Centre in a place where fruits are available in the locality. Chhingchhip is the most suitable place for establishment of such Fruit Preservation Centre.

PU F. HRANGVELA : Mr Speaker, from the foregoing discussion we know that pineapples grow abundantly at Chhingchhip. As the members are aware, the shifting cultivation has been a failure in Mizoram and we have to devise a new and better method of cultivation. Even if it is impossible to establish Fruit Preservation Centre at Chhingchhip, we have to give assistance to the pineapple-growers in some way or another, say, in the form of financial assistance.

PU KHLWINKHUMA
MINISTER

: Mr Speaker, We have no time for establishment of a Fruit Preservation Centre during this financial year. If this is established, it will become a Public Undertaking. But no Budget provision is made for this purpose this time because we did not know that many pineapples were lying decayed at Chhingchhip due to lack of processing machines.

We also knew that the Co-Operative Society

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was doing the processing works of Pineapple. So, if this Society applies for loans, it may be given for the purpose of processing and preservation of pineapples. Fruit Preservation Centre will be established only after a concrete scheme is made. This will be considered at the Government level, next year.

So, I request the Hon'ble Member to withdraw his resolution.

PU K. SANGCHHUM : Mr Speaker, I admit that what the mover had said about pineapples at Chhingchhip is true. I often spent the night at Chhingchhip during the course of my tour, and I knew that there are many pineapples. The locality of Chhingchhip is also very suitable for establishment of such a project. He must therefore be supported in his resolution.

In the resolution, the mover suggested Chhingchhip but this is not what he really meant. With a view to maintaining the dignity of the House, the resolution must not be adopted as moved by the Member. So, I request him to withdraw his resolution.

SPEAKER : I thought you were supporting him. But you did not. I also knew very well about this village. Let the mover speak again.

PU C. LALRUATA : Mr Speaker, Does it mean that the Minister i/c has given assurance that the feasibility for establishment of Fruit Preservation Centre at Chhingchhip will be examined? Will loans be given to the people there?

PU KHAWTINKHUMA
MINISTER : Mr Speaker, this will be considered.

PU C. LALRUATA : Mr Speaker, as he had promised to consider the matter, I withdraw my resolution.

PU ZALAWMA : Mr Speaker, is that an assurance?

PU KHAWTINKHUMA
MINISTER : Mr Speaker, I mean the matter will be taken up by the Committee.

SPEAKER : Concrete plan and estimate must be submitted earlier. to the Government if they have not been done

We have to take up the resolution of Pu C. Chawngkung. The Session is to be prorogued at 4.30 p.m. today. Now it is already 4pm. Can we put off this resolution for the next Session? (Pu C. Lalkunga: It will take only 5 minutes) then, let Pu C. Chawngkung move his resolution.

PU C. CHAWNGKUNGA : Mr Speaker, I am very grateful that my resolution is admitted to be discussed in the House. Let me read out : "This Assembly is of opinion that wild life sanctuary be made in the area of Dampa, Chhawrpial and Pathlawilunglen".

Physical feature of the area : In the east, Tut river (Gutur) flows northward and Mar river starting from Chhawrpial runs southward along Saithah Loilot, crossing the Phuldungsei ranges and then joining the Karnaphuli river.

In the west, the area is encircled by the Karnaphuli river which flows southward bordering the Life Sanctuary of Bangla Desh and Tuipuibari meeting Aivapui river which flows towards the north.

In the north, Sekah and Sengmatawk rivers flows from Dampa, Chhawrpial and Pathlawilunglen and enter Teirei (Gutur) river after flowing to the north.

In the south, Aivapui starting from Chhawrpial flows to the south and enters Karnaphuli river.

Boundary line : Let Tuipuibari be taken as Zero (0) point. From Tuipuibari the boundary line runs up to the Hill along Tuipuibari where Taitesena was caught and bitten by the wild and fierce tiger, then it runs along the range of Serhmun after which it deflect down to Sengmatawk, crossing Sekah river, continues towards the west of Phaileng and Zopui and Lallen and reaches Saithah. From Saithah it runs towards the old Saithah and turns westward to Aivapui river, then continues along Karnaphuli river and reaches Tuipuibari Zero (0) point.

Its suitability for Life Sanctuary : The area is bordering on the Life Sanctuary of Bangla Desh. Elephants, wild mithons etc. can easily enter the area from the Life Sanctuary of Bangla Desh. Here Tuikuk and Takan (the Rangs and the Chakmas) are settling on temporary basis and it will not be difficult for them to return to their original place of dwelling in Tuipuibari and Marpara. We have to make a Life Sanctuary in this area before many of these people settle there.

The area is also rich in forest product. There are timber which will be sufficient for construction of ten times the number of houses in Mizawl town. There are also canes which grow abundantly. There is a salt-spring from where our ancestors used to extract salts while they settled between Sun and Tiau rivers. One can also find here different kinds of beautiful and sweet-smelling orchards. The area is also covered with a thick bamboo forest.

There are at present about 25 Elephants, 20 wild Mithans, a number of tigers, leopards, bears, deers, barking deers, wild goats, peacock, pheasants, black pheasants and beautiful wild birds. One can also catch as many fish as one desires from Nghasih river.

Besides, the area is very suitable for construction of Botanical Garden and beautiful and comfortable Tourist Lodges, from which tourists may have bird's eye view of the different places in Bangla Desh and Mizoram respectively.

With regard to the communication, Sairang-Tuipuibari Road constructed by the BRTF and Katanoni - Demagiri Road run across Dampa at its bottom.

It is said that in ancient times men living in Dampa were sturdy and active and melancholic widowers used to assemble at comfortable meadows. When the Zadengs were defeated by the Sailos, the former moved to the west and settled at Chhawrpial. Pu Rokungs also referred to this beautiful Chhawrpial when he said "Kan Zotlang ran nual hi Chhawrpial run i iang e" (Our pleasant Zoran is like a house at Chhawrpial).

No other place in Mizoram is more suitable for making of a wild life sanctuary than this area. Those who killed elephants other than the rogue elephants should be punished and no person should be allowed to enter Dampa, Chhawrpial and Pathlawilunglen with arms more harmful than daos.

As time is very limited, I cannot tell you all about this area in detail. So, Mr. Speaker, I request this august House to adopt my resolution - "This Assembly is of opinion that Wild Life Sanctuary be made in the area of Dampa, Chhawrpial and Pathlawilunglen."

SPEAKER: No amendment is made to this resolution and it is not also complicated. The Mover moved it in a convincing manner. Any Member who has objection to the resolution may speak now. We will also call upon the Minister i/c Forest to speak on this.

PU ZALANNA: Mr. Speaker, few days ago, we passed a Budget provision for reward to those who kill wild beasts. If we adopt this resolution, will it not mean that we are going against our first decision? Secondly, the area covers those fertile lands suitable for cultivation. (Pu C. Chawngkunga: The Area does not cover such lands. I have gone there recently) Thirdly, there is no budget provision for the making of a Wild Life Sanctuary. Lastly, it is not good to adopt the resolution without making prior verification about the area. The Minister i/c Forest has not yet spoken on the resolution. To-day many persons are arrested without prior notice. I request the leaders to make an effort to put an end to this unlawful arrest (Speaker: You must speak on the resolution). I am saying this because in our resolution we have, here "Pathlawilunglen" (A place where a widower feels lonely)

principles

PU LALSANGZUALA: Mr. Speaker, I admit that the ^A of this resolution is good. But it must be examined whether the scheme is good for the whole country. Some day, perhaps K.Oil may be found in this area. So, it may not be good to adopt the resolution right away.

PU LALKUNGA: Mr. Speaker, different kinds of wild animals can be found in this area. It is said that even rhinoceros were living here in the past. These animals had been driven away by the hunters. But they are driven back to this area, booming of guns in Bangla Desh. The hunters in Mizoram also cannot shoot them as guns are either captured or surrendered to the Govt. after the disturbances broke out in this country. This is the reason that many of the animals started returning to this area. So, I support that a Wild Life Sanctuary must be made with great care. This Sanctuary will also be a very good attraction for Tourists. The Rangs and the Chakmas who are now living in this area will have to be shifted elsewhere.

PU CH.SAPRAWNGA: Mr. Speaker, the area is important for two purposes - as a Sanctuary and as a Reserve Forest. Let us adopt the resolution and make a good boundary line.

SPEAKER: Now, I will call upon the Minister i/c Forest ^{*to speak on the Resolution*}

MINISTER : Mr. Speaker, the way the Mover moved his resolution is very convincing. The Govt. also examined which of the two - Tawitlang and Dampa, will be more suitable for a Wild Life Sanctuary. The Forest Deptt. found that Dampa Area will be more suitable for this purpose and the Area is supposed to cover our 200 Sq. miles. Many wild animals are living in Dampa Area for it is suitable and comfortable for the dwelling of animals. Jeepable road runs also upto Kawrthah.

On the point raised by Pu Zalawma, I want to point out that he has misunderstood the resolution. Rewards for killing wild animals will be given to those who kill fierce tigers and rogue elephants. The Area does not include fertile lands which may be utilised for cultivation. No difficulty will arise if we pass the resolution.

PU F.HRANGVELA: Mr. Speaker, I think the BRTF are going to construct a road which will run across this Area. I am afraid these animal may run away at the great noise made by the BRTF in the course of their road construction. So, this road must not run across it.

SPEAKER: It will be very important to have Wild Life Sanctuary. We have learnt from the Members that the Area is very suitable for the purpose. I have also visited this area. Can we adopt the resolution now? (Members said "Yes"). Yes, that is very good. Now, the first Budget Session

of Mizoram Legislative Assembly is coming to an end. I am very pleased to tell the Members that we have maintained a good standard in the House and if we go on like this, after three years, the standard will be very high. However it is a bit difficult to conduct the Assembly from the Chair as every Member wanted to speak while the Chairman have to restrict Members to observe the time. I am sorry that we could not have loud speakers for all the Members yet, I hope we will be able to have tape recorder in the next Budget Session. I have with me a letter from the Administrator, proroguing the Session. So the Session is prorogued now.

Session prorogued at 4:30
P.M.

Sd-B. T. SANGA

Under Secretary,

Mizoram Legislative Assembly

A I Z A W I.