

PROCEEDINGS OF THE FOURTH SESSION OF THE MIZORAM
LEGISLATIVE ASSEMBLY HELD AT THE ASSEMBLY HALL FROM
25.9.73 TO 10.10.74

PRESENT Pu R.Thansanga. M.A., B.T., **Speaker**
in the Chair. Chief Minister and
four Ministers and Twenty seven
Members

B U S I N E S S:

- 1: Introductions
- 2: AnnounmeINent of the names of Members appointed for various Assembly Committees.
- 3: Calling Attention.
- 4: The Chairman of the Privalege Committee to move that the First Report of the Privilege Committee in the matter of Breach of Privilege by the Editor, "Hmar Arsi" be adopted.
- 5: Half-an-hour discussion on matter arising out of Unstarred question NO.1 answer on 25.9.73.
- 6: Finance Minister to move that the Mizoram Excise Bill, 1973 be considered.
- 7: Finence Ministers to move that the Mizoram (Sales of Petroleum and Petroleum Products including Motor Spirit and Lubricants) Taxation Bill, 1973 be considered.

" Defend the poor and do
justice to the afflicted and needy.
Deliver the poor, and needy: rid them out
of the hand of the wicked".

ORAL ANSWERS TO STARRED QUESTIONS.

We have about 25 questions to do and we will start from Question NO.42. We will try to make them as short and relevant as possible. Now we'll take Pu C. Lalruata's Question NO.42.

PU CLALRUATA:

Arrest of robbers of Govt. Godown at Chhiahtlang.

PU CLALRUATA: Will the Hon'ble Minister-in-charge of the Supply Department be pleased to state -

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that some persons were arrested for committing robbery on Govt. godowns at Chhiahtlang in the month of July, 1973?

(b) If so, what action has been taken against those persons?

Speaker Sir,

PU R.THANGLIANA
MINISTER

Supply Department has not received any information from Chhiahtlang about any arrest.

PU C.LALRUATA

Mr. Speaker Sir, Supplementary question: Suppose the Supply Department did not receive such report, is there any other Department who will receive the report?

I've heard that the president of the V/C and his party searched the village along with the Store Keeper and they found about 12 quintals and even made an arrest. Is there any other Department who receive the report?

PU R.THANGLIANA
MINISTER

Mr. Speaker Sir, it is the matter related with the Supply Godown, Police will receive the report as this is a robbery case. Department concerned should also receive the information. However, the Supply Department did not receive any report.

Receipt Tarpolins by Supply Department

PU C.LALRUATA

Will the Hon'ble Minister-in-charge of the Supply Department be pleased to State -

(a) Whether it is a fact that the Govt. the Transport and Supply Department has received some tarpolins in July, 1973 from certain firms.

(b) If so, name of the firm?

(c) What is the amount paid to the firm for the Tarpolins?

(d) Whether any tender was called for?

(e) If the answers to (d) above is in affirmative, how many tenders were received?

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Mr. Speaker³ Sir,

PU R.THANGLIANA
MINISTER The Supply and Transport Department has received 40 pieces of Tarpaulines during the month of July, 1973, and the name of the firm is National Agriculture Co-operative Marketing Federation Ltd. Each Tarpoline costs 250/- and the amount paid to the said firm is Rs 10,3000/-.

Altogether 6(six) tenders were received.

PU C.LALRUATA Mr. Speaker Sir, Supplementary question: Is the tender period extended after notice was given once?

PU R.THANGLIANA
MINISTER Mr. Speaker Sir, yes, it was extended. There was only one tenderer when called first and his name is Pu Rozana, V/C President of Ramhlun Veng. Since the Govt. cannot consider only one tender, the tender was extended then.

PU C.LALRUATA Mr. Speaker Sir, Supplementary question: The Hon'ble Minister said that there was only one tenderer, but when the last date for that tender was 16.4.73, there were three tenderers namely Rozana of Ramhlun, Zangena and Navik Motors, Delhi. Has the NAFET whom the Minister named submitted tenders along those others?

PU R.THANGLIANA
MINISTER Mr. Speaker Sir, the fact is this. The tender was called on 3.3.73 fixing the 20th March as the last date. The tender was extended upto the 16th April since there was only one tenderer. When various tenderers submitted, Pu Rozana of Ramhlun Veng quoted Rs 305/- on the size of 18ft by 21 ft, Khandelwal Trading corporations of Bilchar quoted Rs 262.50 for the same size while Navik Motors, Delhi quoted Rs 298/- and Zangena & Broas quoted Rs 320/- for the same size. Eastern Supply Agency quoted Rs 546/- for the same size Pu Thangtinkhuma of Aizawl also submitted, but his application could not be accepted for he made some mistakes. In the meantime, the NAFET quoted for the same by telegram and their rate was Rs 250/- since their rate was the lowest, it was accepted.

PU LALRINLIANA Mr. Speaker Sir, Supplementary question: The Hon'ble Minister also said that the sample of the materials should be sent along. Has the Minister get an information that the samples were sent by air?

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PU R.THANGLIANA
MINISTER

Mr. Speaker Sir, yes, I was informed. This firm (NAJEE) is recognised by the Govt. and their case is different from the rest. Since the Department required an immediate supply, the said firm also would not do all at once. Then Pu Rozone was asked to supply, but he was out of town at that time. We then asked Chhote Lal and they supplied some quantity. The Government also has some benefit since the rate is low.

PU C. LALRUATA

Mr. Speaker Sir, they have sent the telegram replying to the tender. The message was re-mitted from Calcutta on 5.5.73 and said that 100 pieces of sample will be sent from Silchar by air. The same reached the office on 10.5.73. Can this be accepted as a proper procedure?

PU R.THANGLIANA
MINISTER

Mr. Speaker Sir, As I have said before, the rate of the said firm is the lowest and besides, they are a recognized firm. The size of the materials they were sending also is the exact size required.

PU C. LALRUATA

Mr. Speaker Sir, though the rate might be satisfactory, but what about the quality? Is it a fact that the Transport Officers did not even dare supply those tarpaulins to Lunglei side?

PU R.THANGLIANA
MINISTER

Mr. Speaker Sir, I have not much to say about its quality or defects, and I did not receive any information about fear of supplying these to Lunglei side.

PU ZALAWMA :

Mr. Speaker Sir, supplementary question: Will the tender be accepted from other tenderers by saying that they are sending sample or material?

PU R.THANGLIANA :
MINISTER

Mr. Speaker Sir, All the tenders cannot be accepted, but as I said Govt. too has a share in this. The said firm and they can be trusted upon.

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PU SAPLIANA

Mr. Speaker Sir, the Minister said that since there was only one tenderer, the Govt. could not accept it. What will be the minimum number of tenderers the Govt. can consider?

PU R. THANGLIANA
MINISTER

Mr. Speaker Sir, According to rule there must be at least 4 tenderers.

PU LALHMINGTHANGA : Mr. Speaker Sir, Our Hon'ble Minister said that it is beneficial to the Govt. and also the firm is an approved one. Their rate is also the lowest among those. But will the Govt. choose those rate? Had the Govt. think about the quality?

PU LALKUNGA

Mr. Speaker Sir, could not the Govt. learn the quality from the samples they have sent?

PU R. THANGLIANA
MINISTER

Mr. Speaker Sir, In regard to its quality, there can be more to say. But in respect of utility, they are using them till now.

SPEAKER

Pu C. Lalruata's question NO. 44.

Complaint lodged against F.P. Shop Dealer of Kelsih.

PU C. LALRUATA

Will the Hon'ble Minister - in-charge of the Supply Department be pleased to state -

(a) Whether any complaint lodged against the Fair price shop Dealer at Kelsih had been received by the Govt?

(b) If so, action taken in this regard?

PU R. THANGLIANA : The complaint lodged against the Fair price shop dealer at Kelsih had been received, but the complaint was found to be baseless after a careful study made by the Government.

SPEAKER Pu C. Lalruata's Question NO. 45

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Delivery local (Mizo) Rice into Govt. Godown at Hnahlan.

* 45: PU C. LALRUATA: Will the Hon'ble Minister-in-charge of the Supply Department be pleased to state -

(a) Whether it is a fact that the AO and/or the Storekeeper at Hnahlan allowed delivery of local (Mizo) Rice into the Govt. godown at Hnahlan in lieu of Govt. controlled rice?

(b) If so, whether such substitution is permissible?

(c) If substitution is not permissible, has the Govt. taken any steps against the AO or the Storekeeper concerned for allowing substitution of controlled rice by local rice?

Mr. Speaker Sir,

PU R. THANGLIANA: **MINISTER.** It is allowed to be delivered. But such substitution is not permitted. The Govt. took action upon some A.Os or Store Keepers, but since the AOs are not under the Supply Department, appropriate action cannot be taken and it was then sent to the Chief Secretary to take action.

PU C. LALRUATA: Mr. Speaker Sir, supplementary question: In this case, who receives the local rice, A.O or Store Keeper? Is it permissible to accept foreign rice rather than local rice, e.g., Burmese rice or Bangladesh rice etc.,?

PU R. THANGLIANA: **MINISTER.** Mr. Speaker Sir, In the case of its acceptance, it is in the hands of AO and the receipt must be issued by him (AO) The Government does not allow to accept other rices where it (Govt) sends rice. There is no reason to send rice in those places by the Govt. where other rice can be found.

PU VANLALRUATA: Mr. Speaker Sir, supplementary question: Is it a fact that one senior Gram Sevak employed under the A.O. of Hnahlan practised corruption by misappropriating Rs 5169 in 1971? Has appropriate action been taken?

PU R. THANGLIANA: **MINISTER.** Mr. Speaker Sir, It will be better to consider the case of that AO by the Department concerned since that money did not belong to the Supply Department.

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PU LAHLIIRA: Mr. Speaker Sir, Has the Govt. learnt that rotten rice was bought from Chawphai Godown and after mixing with local (mizo) rice, they have sent to Inahlan Godown?

PU R. THANGLIANA: Mr. Speaker Sir, the Govt. did not receive any such information.
MINISTER.

PU SAPLIANA: Mr. Speaker Sir, Supplementary question: In some places where AOs are absent, Store Keepers used to take charge. But our Hon'ble *minist* said that Store Keeper cannot have responsibility. Will it be that the Store Keeper will remain in-charge without having any responsibility?

PU R. THANGLIANA: Mr. Speaker Sir, Store Keepers also will bear responsibility where there is no A.O. But my point is that if AO is at station, Store Keeper cannot take responsibility.
MINISTER.

PU VANLALRUAI: Mr. Speaker Sir, Is there any order to check all kinds of rices? If not how can they be held responsible for taking rice?

PU R. THANGLIANA: Mr. Speaker Sir, If they had no knowledge, they can be excused. Further, the Govt. needs not to send rice to those places where there can be enough supply of local (Mizo) rice.
MINISTER.

PU SANGKHUMA: Mr. Speaker Sir, What is meant by local rice? It may please be clarified?

PU R. THANGLIANA: Mr. Speaker Sir, we call a rice to be Govt. rice when it goes to Govt. Godown and any other kind of rice ~~which~~ is found in the local is said to be local rice, no matter it is Chinese rice, American rice, etc.
MINISTER.

PU CHAN'NGUNGA: Mr. Speaker Sir, what is the matter if the rice is consumed by the Mizos, whether it comes from Burma or any other places?

PU R. THANGLIANA: Mr. Speaker Sir, sometimes back, the
MINISTER. Govt. has learnt that rice can be
bought at Burma border whose quality
is better and cheaper; but that rice
could not be procured. When the Govt. gave loan to the
public, they could buy any kind of rice. Since rice is
in a state trading, the Govt. does not allow to buy local
rice.

PU J. THANGHUAMA: Mr. Speaker Sir, How many quintals
of local rice had been taken?.

PU R. THANGLIANA: Mr. Speaker Sir, it was reported
MI NISTER. to be round about 71 quintals.

PU VANLALHRUAILA: Mr. Speaker Sir, supplementary ques-
tion: I've learnt that one Asstt.
Supply Inspector was suspended. I
have also enquired some people at
Hnahlan and I came to know that not even a single Kg of
local rice had been consumed. It being so and since the
correct quantity of rice have been brought to Hnahlar
I am therefore requesting the Govt. to withdraw all the
actions it took so for.

PU R. THANGLIANA: Mr. Speaker Sir, There will not be
MINISTER. much difficulties for withdrawal.
Anyhow one sub-Inspector is now under
suspension and if the Govt. is satis-
fied, he may be re-employed. I want the Members to be
clear at my point. That if there can be enough supply
of local rice, there is no necessity for the Govt. to send
rice and waste much money.

SPEAKER: Has the Chief Minister anything to
say?.

PU CH. CHUNGA: Mr. Speaker Sir, There can be corrup-
CHIEF MINISTER. tion when the contractor who is
supposed to carry Govt. rice to
certain places does not carry rice
which he takes out from the Govt. godown. He might sell
all the rice he took from Govt. godown but bought the
local rice somewhere else and filled up the Godown. He
then could make a bill for rice which he did not carry.
(Pu J. Thanghuama: Mr. Speaker Sir, Does it mean that
Hnahlan people are not starving?) If there is no shortage
of rice, it means that the public are not starving.
There-fore to prevent such corruption, the Govt. lays

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Down a strict rule saying that any contractor should deliver rice from Govt. Godown and should reach the *given* destination(Godown).

PU C.LALRUANTA: Mr.Speaker Sir, Is it verified that the rice is from Hnahlan village itself and who made verification?.

PU R.THANGLIANA: Mr.Speaker Sir, It is not that it is verified that the rice is from Hnahlan village but that it is verified that the rice is not from Government Godown.

PU CH.CHHUNGA: Mr.Speaker Sir, I think we all can distinguish between the local rice and Govt. rice. I think we all know well about the difference of rice.

IU CALHLIRA: Mr.Speaker Sir, why so much rice is sent to Hnahlan if it is not necessary.

PU R.THANGLIANA: Mr.Speaker Sir, rice is sent according to the demand of A.Os.

SPEAKER: Pu K.L.Rochama's question NO.46.

Visit of Lunglei, Saiha, Delhi, Agartala by important officials.

PU K.L. ROCHAMA :
* 46: Will the Hon'ble Minister i/c of the G.A.D. be pleased to state

How many times the following officers visited

(a) Lunglei (2) Saiha (3) Delhi (4) Agartala since they took over charges.

- | | |
|----------------------------|----------------------------------|
| (1) Chief Secretary. | (2) Inspector General of Police. |
| (3) Director of Education. | (4) Director of Agriculture. |

PU CH.CHHUNGA: Mr.Speaker Sir, the question asked how many times these towns:- Lunglei, Saiha, Delhi and Agartala were visited by the Chief Secretary, Inspector General of Police, Director of Education and Director of Agriculture.

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The Chief Secretary visited Lunglei once, Saiha once. He visited Delhi ten times and Agartala once.

The Inspector General of Police went to Lunglei twice, Saiha once, Delhi five times and Agartala once.

The Director of Education has not yet visited Saiha nor Lunglei. He went to Delhi four times and three times at Agartala.

The Director of Agriculture went to Lunglei once, but did not go to Saiha. He went to Delhi seven times and four times to Agartala.

PU ZALAWMA:

Mr. Speaker Sir, what did they do when they went to those places like Delhi, Agartala?

PU CH. CHHUNGA:-
CHIEF MINISTER.

Mr. Speaker Sir, they are all on official duties. Since our head-quarter is Delhi, they have to go there for a number of times. It

may be due to their departments concerned or other official works. We have to send them on financial matters as well.

PU C. LALRUATA.

Mr. Speaker Sir, Did they use to go to other places like Shillong, etc?

PU ZALAWMA:

Mr. Speaker Sir, Did our Hon'ble Chief Minister know all about their tour and what they were going to do? Are our Director

of Education and Agriculture sent to study the Agartala pattern?

PU CH. CHHUNGA:-
CHIEF MINISTER.

Mr. Speaker Sir, Of course I knew all about their going on tour.

Some Officers used to go to Shillong too.

PU K. L. ROCHAMA:

Mr. Speaker Sir, I could understand about the tour to Delhi because Delhi is the seat of the Govt. But it is hard to understand their tour

to such place as Agartala. There are important headquarters within Mizoram like Saiha, Lunglei, etc. and particularly the Education Department had to visit various fields. Can the Minister give me an assurance that the Director of Education will visit Lunglei and Saiha within this month.

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PU LALETHIGA: Mr. Speaker Sir, Can this House be informed about any good result from the visit to Agartala performed by the Director of Agriculture and Education?

PU CH. CHHUNGA: - Mr. Speaker Sir, it does not mean
CHIEF MINISTER. that we are following a Tripura Pattern. But we will not feel shame to copy other States' Pattern if we think it beneficial.

I don't think it wise to give an assurance that the Director of Education should be sent to Lunglei side within two/three months. There may be illness and other difficulties. But we can let them know the necessity of visiting those places.

SPEAKER: Let us go to Question NO.47.

PU K. SANGCHHUM: Mr. Speaker Sir, Only few words I would like to say for point of information that even Inspector of Schools never visit Chhintuipui District not to speak of the Director and even the S.D.A.O. never go out from the Headquarters. I want to ask why Saiha and Lunglei were never visited. Is it because there is not public interest there or other reasons?

PU CH. CHHUNGA: Mr. Speaker Sir, It is not because
CHIEF MINISTER. of negligence or there is not a public interest.

SPEAKER: Pu Lalsangzuala's question NO.47.

Promotion in P.W.D.

*47: PU LAISANGZUALA: Will the Hon'ble Minister i/c of the P.W.D. Department be pleased to state -

(a) Whether it is a fact that unlike other departments under the Government of Mizoram, the services of Departmental Promotion Committees are not utilised for effecting departmental promotions in P.W.D. (including PHE and Electrical Division).

(b) If so, why?

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PU CH. CHHUNGA:
CHIEF MINISTER..

Mr. Speaker Sir, some officers in P.W.D. were promoted through DPC and there are some who were not promoted through the DPC and these are mostly technical

because of an emergency staffs.

PU VANLALRUATA:

Mr. Speaker Sir, why the post of the Addl. Principal Engineer can not be filled up upto now?

PU CH. CHHUNGA:
CHIEF MINISTER.

Mr. Speaker Sir, The post of Addl. Principal Engineer has already been created. The appointment is under consideration of the DPC.

PU C. LAIRUATA:

Mr. Speaker Sir, supplementary question: The promotion in PWD is so fast and too many. There are some unqualified staffs among them. Has the Govt. receive any report regarding these?

PU CH. CHHUNGA:
CHIEF MINISTER.

Mr. Speaker Sir, though report is not received, but we had some information about that, since we don't have an efficient staff in Mizoram, we have to ask from outside, but even the outsiders do not like to come here without promotion and that is our difficulties.

PU ZALANMA:

Mr. Speaker Sir, what I want to say is whether the Bridge Design Division has been formed in the PWD?. Did they appoint an Engineer for that post or is there any advertisement? Since it is the responsibility of the DPC do they (DPC) have any discussion for that officer?

PU VANLALRUATA:

Mr. Speaker Sir, In other states, there is one Addl. Principal Engineer where there are four Executive Engineers. How many posts of Addl. Principal Engineer is proposed to be created in Mizoram?.

PU CH. CHINUGA:
CHIEF MINISTER.

Mr. Speaker Sir, we did not create Bridge Division, but the Cell is created. We are having an experienced officer from the Central and that officer will look after it. He arrived recently (Pu C. Inlruata: Mr. Speaker Sir, what is the designation of the officer in the Bridge Cell?) That will be considered by the D.P.C. soon. (Pu Zalawma: Mr. Speaker Sir, Does it mean P.E?) Executive Engineer will be called Executive Engineer.

PU LALSANGGUALA:

Mr. Speaker Sir, supplementary question. The quality of works became worse due to an accelerated promotion in the FWD and if this is a fact what action the Govt. is going to take upon the official concerned and the contractors whose works were termed as sub-standard?.

PU CH. CHINUGA:
CHIEF MINISTER.

Mr. Speaker Sir, we did not have any information regarding the quality of works becoming worse.

PU ZALAWMA:

Mr. Speaker Sir, Did our Ministry asked the Central Govt. for that Executive Engineer in the Bridge Design Division and is the Bridge Design Division not included in Bachelor Engineering subject? Is it a fact that our Principal Engineer will be leaving soon and be replaced by one Karna who is the Personal Assistant to Chief Engineer in Nepal?. Do our Ministry think the Chief Engineer P.A. fit for the past.

PU CH. CHINUGA:
CHIEF MINISTER.

Mr. Speaker Sir, It appears that our Hon'ble Member knows everything about the leaving of P.E. and the one who is going to replace him. I think it will better to accept what the Central Govt. has sent to us, but we can refuse if they don't give us any information before. They knew better than us. We are taking them out on deputation for 2/3 years and we have select the experienced officers.

SPEAKER:

Question hour is over.

Now, let the Finance Minister place the information on the

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table of the House that relates to the starred question NOS 37 and 38 which are not included in the List of Business.

PU KHUMBINBAM:
FIN. MINISTER.

Mr. Speaker Sir, There were some supplementaries, ^{on question NO. 37 + 38} were not made clear and I now rise to place them on the table of the House. ^{which}

PU J. THANGHILL:

Mr. Speaker Sir, It is said that the answers for the questions were made some days back were placed on the table of the House. Can we get the copies?

SPEAKER:

Since it is the House property, all the members can have it.

PU SANGHITA:

Mr. Speaker Sir, my question is not included and can it be done so?

SPEAKER:

We will do it some other time. Now we will go to Item NO.2.

PU J. THANGHANA:

Mr. Speaker Sir, None of the replies to unstarred questions were given to us, is it possible to give out now?

SPEAKER:

Those that are placed on the table of the House are replies to unstarred questions and they will be distributed soon.

ANNOUNCEMENT OF DIFFERENT COMMITTEES

SPEAKER:

We will now go to item NO.2 various House Committees were formed last October with different Committee Members,

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The terms of various Committee members are now expired and I will now announce new Committee Members which will come into force from 1st October, 1973.

Under Rule 216, the Business Advisory Board is formed under the Chairmanship of the Speaker and the Members are - Pu Ch. Saprangna, Pu Hrangaiia, Pu R. Dotinaia, Pu R. Zoliana and Pu Zalawna.

Rules Committee under Rules 247 under the Chairmanship of the Speaker. The Members are - Pu Saptawmi, Pu K.L. Rochana, Pu Ngurdawla, Pu Saitlawna, Pu Lalhlira, Pu Lalkunga, Pu Sangkhuna, Pu Zalawna.

Committee on Petition under Rule 227 - Chairman will be Pu Hrangaiia, Members - Pu Vanlalhruala, Pu Lalkunga, Pu M. Sangchhun, Pu F. Hrangvela and Pu K.C. Thakuri.

The House Committee under Rule 249 under the Chairmanship of Pu Hiphai, Dy. Speaker with the Members of the following: Pu Lalrinliana, Pu S.P. Dewan, Pu F. Hrangvela, Pu Sapliana and Pu Lalhmingthanga.

Library Committee under Rule 250 - Chairman - Pu J. Thanghuana, Members:- Pu Ngurdawla, Pu Saptawmi, Pu Lalhmingthanga and Pu Lalhlira.

Committee on Privileges under Rules 234 - Chairman - Pu Saprangna, Members- Pu J. Thanghuana, Pu R. Dotinaia, Pu K. Sangchhun, Pu H.K. Chakma, Pu L.L. Thangzika, Pu Chawngkunga.

Committee on Government Assurances under Rules 245:- Chairman - Pu Lalrinliana, Members- Pu Saitlawna, Pu R. Zoliana, Pu C. Lalruata, Pu Lalsangzuala and Pu Chawngkunga.

Committee on Subordinate Legislation was not formed last year and we will have in the current year since we had a subordinate legislation. Chairmen- Pu Hiphai, Dy. Speaker, Members; Pu K.L. Rochana, Pu Zalawna, Pu Lalsangzuala, Pu Sangkhuna, Pu C. Lalruata and Pu Ngurdawla.

These are the different House Committees and they will function with effect from today.

CALLING ATTENTION:

SPEAKER:

We received a notice of calling attention from Pu Saitlawna in time and I will request him to call the Minister's attention now.

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PU SATHLAHMA:

Mr. Speaker Sir, Thank you for giving me a permission of calling attention which demands the Minister's explanation in the House.

As under Rules 57 reads, it was published in the paper of "Mizo Aw" dated the 25th. Sept, 1973 under the caption of "Tualchhung" (Local) that - "Rice in the Govt. Godown at Chawngte Grouping Centre was adulterated with pieces of sands and the Contractors were B.C. Dey & Bros of Lunglei and Miras Mony Chakma of Donagri". If there were such unfaithful Contractors and if it is a fact, what action the Govt. is going to take?.

SPEAKER:

We will call upon the Minister i/c to give the statement.

PU R. THANGLIANA:
MINISTER.

Mr. Speaker Sir, I would like to add some other subjects published in the "Mizo Aw" from time to time besides the said food adulteration and I am asking the permission of the Speaker as well so that other members also can make an idea.

In this (Mizo Aw) paper, it was published last year that numbers of bundles of C.I. sheets were to be delivered from Gauhati and the paper wrote that the Director gave contract to Lala Sarda without calling tender. The paper further adds that how much money will be shared by the Supply Director and Minister. On that time, I was in Delhi and when I returned I went through this and I found out that there were about four tenderers. Then Lala Sarda were selected to do the work. Secondly, I've found that it was published in the same paper that "one truck load of rice had been detected at Ramllur Veng" But after careful scrutiny, this turned out to be meaningless.

Again, recently this paper wrote false information regarding the boundary. When I went to see the Chief Minister of Assam some time back, we discussed about the eviction of Mizo Cultivators of Vairengte. But the paper said that the Assam Chief Minister showed him the map of Assam showing the boundary. Mr. Speaker Sir, we did not have any look at the map and I like to tell the House. It was further written that the students of Shillong were quite unsatisfied in our discussion. But the students of Shillong did not know anything about our discussion and I asked the D.C. who went along with me, at that time whether he had any meeting with the student, but the

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Deputy Commissioner told me that he met none. When I reached Silchar on my way back from Delhi, I found that the Assam Tribune wrote the truth. I therefore request and wish the press to give right and just information to the public.

The paper also wrote about me that I was given a site for Stall at Para Bazar that blocks the step linking the upper and lower lanes. The Revenue Department actually gave me a site, but there is not any step except rocks. (Pu J. Thanghuana:- Mt. Speaker Sir, The Finance Minister said that none was given house site etc., How can be (the Minister) now say that they gave him?).

As I used to call false reports before in the paper, I did not give much importance before the Hon'ble Member submitted calling attention. But when the calling attention was received, I've directed the Development Commissioner to send or telegram and also the Chief Secretary. I asked our Under Secretary, Supply and A.D.S. too to send the telegram. But since there could be only a telephone call, nothing in detail can be had. If it is a fact, Mr. Speaker Sir, the Govt. will not spare such contractors or responsible persons. I've directed the D.C. to have an enquiry and if it comes out to be a fact, appropriate action will surely be taken.

SPEAKER: This is not to be taken for debate but for the statement which is called When I received this notice I informed the Minister concerned about it. For we could not collect enough information, let that much be enough and I expect the Members not to be disappointed.

PU ZALAWMA

Mr. Speaker Sir, I wish to ask one clarification from the explanation.

PU K. L. ROCHAMA:

Mr. Speaker Sir, It is provided in rule 58 of the Rules of Procedure and Conduct of Business that if the Minister gave a statement, there will be debate or questions.

SPEAKER:

It is provided that there cannot be a debate "at the time of making a statement". If you want to raise questions, you will give notice some other day, but it cannot be done now.

Neni/-

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PU J. THANGUANA: Mr. Speaker Sir, what about the speech made by Finance Minister the other day.

SPEAKER: What is also a question. If the question is not clear enough, you will give another notice and we will except it.

PU ZALAWMA: Mr. Speaker Sir, Did they give contract to one Inazononia or something who is Chakma?

PU R. THANGUANA: Mr. Speaker Sir, The site for stall
MINISTER. which the Revenue Department gave does not block the said step.

SPEAKER: We will go to Item NO.4. Pu Hiphei the Dy. Speaker and Chairman of the Privilege Committee has submitted the report on the table of the the House. I think that you all would have studied. He will now ask the approval of the House.

LAYING ON REPORT OF THE HOUSE COMMITTEE.

PU HIPHEI: Mr. Speaker Sir, I am asking the
DY. SPEAKER. approval of the House the report of the Privilege Committee which was submitted.

SPEAKER: If the House can approve it, we will now go to Item NO.5. This is "half an hour discussion on matter arising out of Unstarred Question NO.1, answer on 25.9.73". We received the notice from Pu Zalawma and it is accepted as Rules 52 and the discussion will take time for not less than 3 days. We will start from today and now we will call upon the Mover who submitted the Notice.

PU ZALAWMA: Mr. Speaker Sir, Thank you for giving me permission to move our Question NO.1. It is about the giving of house sites near the Power House at Electric Veng by the authorities.

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Originally that area belongs to the Aizawl Sports Association. The erstwhile District Commissioner had proposed to use the area for public purpose, but now it seems that it is given to individuals for some structures of buildings can be born. As the population grow bigger and bigger, we will surely require some places for recreation and for that we have to reserve some plots like the one I've mentioned. That area which is called "Refugee Veng" was given to some individuals for a temporary settlement and the authorities in the erstwhile D/C gave them an alternative sites. But now it appears that permanent settlement is going to be issued. Will the pass of Aizawl Sports Association be cancelled? This site was allotted by the then Chief Executive Member on 4.12.1959 to the Aizawl Sport Association (now Mizoram Sport Association) with its area of 200 yards for the public playground. But due to the outbreak of disturbances in 1966, many people come in here at Aizawl and these people were given a temporary sites in that area for the time being only. We now want to know whether the Govt. is going to issue a permanent settlement to those individuals and cancelling pass issued originally to the Aizawl Sports Association for public purposes. I wish it be considered and be reserved for public purpose. If the passes are not issued by the Revenue Department to those settlers, it can even be termed as an "encroachment" and the eviction order can be done at the same time. The distance of these houses are also so close to each other and the fire may come out easily. Therefore, I am requesting the authorities to withdraw for the safety of the general public.

This Unstarred Question was raised because the answer they gave us was pointless and the answer is:- "No specific order allowing construction of permanent ~~structure~~ structure like R.C.C. has been received by the Govt. if it is so, why the construction of building is carried on still or is the Govt. going to give them stay order. etc., when it was asked how many of them had been given permanent settlement the reply comes as - "some of them had been given" But we want to know the exact number of pass holders. Though the Revenue Department or the Govt. can issue any pass to any individual, but all the responsibilities will be upon you. I can understand if the settlers applies for and the authorities gave them. But in the answer we have seen, it is said that order was not issued. Is it a proper act to be an unauthorised occupant? We must respect what the former authorities have carried out for public purpose. Will it not be a shameful act

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to change what the former authorities have done? and that's what I like to say.

PU SANGHUMA: Mr. Speaker Sir, I like to say few words on the speech made by Pu Zalawma. Of course that area is meant for those people who come to Aizawl from the interior due to disturbances without possessing any valuable goods with them. But it is not true to say that passes are not issued to them. If we go there and have a look at each and every house, they all possess a 'temporary pass'. It is also mentioned that those houses are built wherever one pleased and without any demarcation.

Boundaries are carefully made and the main road also is well planned.

Fu Zalawma also said that fire may come out and it endangers the area as it is now. I cannot understand why he mentioned about the fire. Is he going to burn them or send some one else to burn?'

I also would like to make clear that there is none who is given an alternative site. There might be some who applied for a site in that area and some might be allotted. So it will certainly be a wrong approach to give an eviction order, etc., upon those settlers, and that's all I want to say.

PU J. THANGJUMA: Mr. Speaker Sir, There will not be a confusion between what the Member from the Ruling party side said and one from the Opposition Bench. We are not pressing for their eviction, but said their settlement is unsatisfactory. I would also like to say that most of them are said to have come from interior villages whose houses are burnt down and having nothing with them but I don't think they are all as such for some of them who are well known to have houses, etc.

I think we all know that the site had been given to the Aizawl Sports Association, but due to the disturbances, some refugees were given a temporary pass to settle there for some time. In this case, I want to say that our hon'ble Supply Minister is now constructing a pucca building. It is certain that the said Minister is receiving a "green signal" from the Ministry itself and it will be worrison if our leaders are leading the way like this. We are saying that the people who are living there are having sites on some other places too, and if it is an alternative site, why did not they vacate that place? It is learnt that the

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area belongs to the sports Association and if the occupiers are given permanent passes, will it mean that the pass originally issued to the Association is being cancelled? I am demanding the list of those to whom permanent pass is issued and if it is not possible now, I want it in the next session. A few days back our finance Minister announced that no one will be given a site at Bara Bazar and the paths and steps will remain the same. But the supply Minister said that he was given a site by the Revenue Department and I want to know the name of the office in the Revenue Department that issued pass to the Supply Minister. We want to know the one who favoured him (Supply Minister) and the one who tries to bribe him. We want it now.

SPEAKER: I am going to close half an hour discussion if the time runs out and the Minister also may not have time. So you'll try to utilise the time wisely

We cannot have full confidence in various ways and there is another point. Recently Pu Thangzika mentioned a point on Motor Spare parts. It was mentioned that the Peosons Automobile, Calcutta supplied all the paints for the Mizoram furniture and their rate is costlier by five times than the existing rate in Mizoram. I would also like to know the date from which it is supplied.

PU C. LALRUARA: Mr. Speaker Sir, I want to point out why our opposition members have strongly criticized upon the site given to Minister. We must share their happiness, and they are also working at their utmost for the country. (Speaker:- That is not the subject and not relevant. We are discussing about the sites at Refugee Vong. Otherwise we cannot finish in half an hour.) when they (the opposition) were E.M. or some thing else, they were also giving themselves at different places and we did not oppose that. Now the Minister, etc. also require house sites or stall and we should not criticise in this way and that's what I want to say.

PU ZALAWMA: Mr. Speaker Sir, I was raising a question whether the Revenue Department has knowledge about the selling of house sites in that area. Some of them sold their areas since the permanent building was constructed, If you want to know, Pu Vanlalngena, Editor,

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of "Zawlkhawpui" is the one among them who bought the site there.

PU NGURDANLA: Mr. Speaker Sir, I know that area was prepared for a field or playground, but due to the disturbances and the circumstances arising out of it, various refugees were given a temporary permit to take shelter there. I therefore strongly oppose the criticism and also the suggestion to evict them.

SPEAKER: I will now call upon the Minister i/c for there is only four (4) minutes left.

PU KHAWTINKHUMA: Mr. Speaker Sir, As the Hon'ble
FIN. MINISTER. Members said, that area was given to the Sport Association, but due to the disturbances many refugees has to be given shelter and they then settled there temporarily with temporary passes. Some of them are now given an alternative sites (Pu Zalawna: Mr. Speaker Sir, can the temporary passes be shown to me?) If the Member wants that, he can see it in the office.

One Member said that 90% of them were given an alternative sites, but this proves to be wrong. Out of 63 houses there, only 27 were given an alternative sites. That area is quite unsuitable for hockey or football field for it is covered with rocks and boulders. If the field is to be constructed crores of rupees will have to be spent. Therefore there is a proposal to cancel the pass of the Sports Association and be given to individuals.

Besides we gave option to them whether they would like to settle permanently there or choose an alternative site given to them. But it takes a long time to find out their pass Nos. and the Nos. of alternative sites. If they choose an alternative site, they will have to leave that place. There is also a question whether construction of pucca building is permitted and this is permitted so if they chose to settle there permanently.

I can now read out the names of those to whom passes were gives as one member demands (Speaker: There is no time to read out the names)

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The names of 27 individuals who were given an alternative sites can also be read out (Speaker - will it not be enough to mention the numbers?). If the members want to see, it is here. We don't have any information whether some plots were sold and the Govt. will not accept if it is so. It is also notified in the papers that if the Govt. does not give permission to dispose a plot of land, that will not be accepted. Therefore the Govt. is not going to accept it.

SPEAKER: We will now close our discussion and it will be resumed at 2 P.m.

Recess till 2 P.M.

1.10.74 - (Afternoon) 2 P.M.

CONSIDERATION OF MIZORAM EXCISE BILL, 1973.

SPEAKER: Item NO.6. Now, I shall call upon the Fin.Minister, to move the Mizoram Excise Bill, 1973.

KHAWNTINKIRUMA: Mr.Speaker Sir, I beg to move the Mizoram Excise Bill, 1973 for consideration in this House.
FIN.MINISTER.

SPEAKER: Is there any objection? If not, it shall come under consideration and it can be passed as there is no amendment. So, I shall call upon the Minister i/c to move for the passing of the bill.

PU KILAWTINKIRUMA: Mr.Speaker Sir, There is one typing mistake on p.45 Section 67, which runs as "in presumption as to offence under Section 50 in certain cases" should be changed as "Section 50" So, with that correction, I beg to move for the passing of this Mizoram Excise Bill, 1973.

Mr/-

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PU C. LALELUATA: Mr. Speaker Sir, on page 6, other is also one mistake, as it stated "Raksu" was to be changed into "Rakzu", "Z" instead of "S"?

PU KHANTINKHUMA: Mr. Speaker Sir, I heard that we have FIN. MINISTER. made corrigendum for it.

PU ZALAWMA: Mr. Speaker Sir, The Mizoram Excise Bill, 1973 is being introduced, but what we have to pass is rather that of 1972 according to its forwarding. This is completely incorrect.

SPEAKER: In which section, it is incorrect?.

PU ZALAWMA: Mr Speaker Sir, In the list of business, it runs thus "1972 be passed"

PU KHANTINKHUMA: Mr. Speaker Sir, I feel that this FIN. MINISTER. Mizoram Excise Bill 1973, introduced by our hon'ble Minister be passed by our house, after studying from the beginning and to the end, I felt it as a good one. Some may say it as improper to pass the bid in this Christian land, but we have to mind that this Excise bill is not a mere permission for the sake of liquar, but it is a prohibition rule also. So, as we have no such proper rule, I find it is essential to have in a country like ours. Besides, it mentioned intoxicating liquar, it includes all kinds of drugs. It has the power to prohibit even drugs like marifiance, LSD etc which become big problem in developed countries. Mizoram being a growing country I regard the Mizoram Excise Bill, 1973 as necessary to be passed. Besides these, it run as "medicinal and toilet preparation" in some seal portion, and I think this could be misunderstood.

For instance, if a person uses some medical mixtures as medicine, which is not prohibited by it. But, I regard as intoxicant if he mixes different kinds of medicines and drinks like a liquar. I would be very glad if the Minister i/c can explain the point. Again, it can be manufactured from pencapple or sugar mixing with leaver. So, I think this needs clear explanation.

I realised this bill, as a good one, but will all its contents be practicable for the whole of Mizoram, in urban and rural areas alike? To whom the Govt. would delegate power?

SPEAKER: Is it not "powers"?

FU R. ZOLIANA: Mr. Speaker Sir, The condition when V/C or Village leader can be used by Executive powers or Excise Department is clearly explained in Section XI, I.P.C. Let me read out the portion:-

"Person: The word "Person" includes any company or Association or body of persons, incorporated or not".

Again "the possibility of using V/C as "person" is clearly mentioned in the general Clause Act, 1897, Section 3, sub section 42. Let me read out "Including" is a term employed generally where the scope of the class indicated by the words preceding it is wider than that of the class specified by the terms which follow".

The meaning is Government can empower Village Council in the enforcement of this Act in Village level and I accept in this manner. Besides this, in General Clause Act 1897 and I.P.C. even females can be used as agents of Govt. I therefore, do not find difficulty here, and I find that passing of this Bill is imperative. Since we have no Act etc., for prohibition of liquor here in Mizoram; this Bill should be passed.

FU SANGKHUMA: Mr. Speaker Sir, as we are to discuss Mizoram Excise Bill, 1973, I want to say something concerning this Bill as there are many things to be taken into consideration. Though I have read the contents of the Bill, I do not intend to say about it, for I have something to say in general term. The Bill we are now considering and discussing is prohibition of liquor in Mizoram, and it may appear suitable; however, on the other hand, if we had reversed it to mean that a person may freely sale liquor without fear, this may also be true. The way and process of issuing permission, licence etc, the issuing authority, the control are all written, and it seems we can call by either of the two names.

Many trouble have arisen out of excess liquor availability in Mizoram, we have never heard. "He drank and became good man, it is good luck". We have said

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very much of the bad effect of liquor, in the whole of India, the Constitution too does not even permit this kind; in Article 47 - 'State Government must take steps to improve the people in health, way of life, manner, behaviour, and in development' and so on. I feel that even our Constitution does not permit sales of intoxicants like liquor, as it can be clearly seen from the said above Article. Hence, when we think the effect and trouble caused by consumption of liquor, though it is for restriction on the one hand, it also means liberalisation of it on the other hand, I feel that these are many things important to be carefully considered. If we ask 'Who suffered injury without any reason, who are doomed, who worried, who fought each other fiercely' they are those who drank and enjoyed such short pleasures! who make unsafeness, why is it unsafe to walk in this Aizawl street after 8 P.M? The reason is purely Zu. We mean this Bill for restriction of liquor, I feel that it is necessary to carefully consider whether this will be true for future, when we are going to liberalise wine; result in out break of fighting; hence, in Mizoram such drunkenness are the root cause of trouble. In Nagaland Police Report, 75% Police case, and reported troubles are said to be due to wine. I think we should admit that wine is a very bad intoxicant; they get drunk, they say they do not remember what they said and did. It clearly appears that we have so much trouble, in Mizoram, because there were many such things. Therefore, though this wine liberalisation appears acceptable in general, I believe it shall depend on the way we enforce; we must have known there was widespread trouble when people daringly bought rum, all and different kinds of wine, as sales of wine was liberalised before Christmas time of the past year. I therefore, fear that this will turn out as our disgraces; for these reasons, though we may call this liberalisation Act as restriction, I really fear that the effect will be coming out, in the worst way, on the people. Besides, at present, in every street, villages, the people united with hatred of wine in minds as we know the bad effect, we hate wine; we search in our street, and we feared these may arise trouble in our street, villages and prohibit manufacture of wine, with making V.D.P. It was tried with best to abolish wine, and it is good news and we feel happy when we receive reports from villages that there is no wine in their particular village. However, here in Aizawl, suppose a particular person sales liquor by permission

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What will be the effect?. Poor widows, poverty stricken persons who make living by their manufacturing wine in little quantity, are suppose, checked and their manufactured wine are thrown away. I firmly believe that the desire to eradicate Zu will die in the minds of the people, and the public support will be lost in this regard, even if we are to issue permission, I think it would be better to give only 'selected few' I also feel it necessary to consider what may come in future when we are going to discuss Excise Bill. In many other states, like Nagaland they too have Excise Bill or Act, which though meant for prohibition, was more generally taken advantage for liberalisation, as it shall depend on the enforcing authority. Hence, we, the members present here shall no longer have power to say 'you must give this or you should not give that' because there is an Act for issue of permission. None of us can tell what that will effect, the worst kind in future. In Nagaland too, they have Excise Bill, and they issued permission for sales of wine, the Naga people never so much troubled there on that point. Even their United Churches held meeting, on October 12, 1966, in their Chief Minister's room - they requested him to minimise the issue permissions even if he cannot shop authoritatively. But, instead of cutting down the quantity and number, they have been reported to be increasing in number. They have tried their best that way, they held movement on this regard on February 3, 1971; they compelled the Election Candidates to sign 'I shall cancel these issued permissions of Sales of wine, in their coming General Election. Likewise, though it appeared good and acceptable in the beginning, it can really bring effect of the worst kind to a country. It is necessary that we have to know it is the root cause cause of increasing wine, I also feel important that we should be careful in the enforcement of the Act. I regretted very much when I read the Financial Memorandum, next to the last page, I really feel sorry when I see and know that Government expects Rupees 5 lakhs from this Excise Bill because I feel Government should aspire for such taxes. If we pass this Act, our real intention should be to drive away and abolish wine, manufacture, sales etc, and also should try to minimise or reduce at the lowest rate possible. Why should we expect profitable and high Revenue? We should not expect such thing. We should not envy wine Taxes; we should expect and hope this Bill to improve the social life, manner and mode of living of the people. If we say this is for our profit in Taxes, and haphazardly and unthinkfully give

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permissions. I am really afraid we shall betray and seal our dear people to wine-sellers. Even standing and great leaders of Indian Government opposed wine we should oppose it on the double, our President V.V.Giri stated, "Wine solves no problem, but it creates many". Mr.Gandhi also stated "Suppose I am a dictator of India for just one(1) hour, what I shall do first - without compensation, I shall close down Wine shops". Therefore, If we are to make wine shops, we should not make many let there be only one for the needy people, if we are going to pass. I find improper to give many people with the every of Taxes for Revenue in mind, I don't say this Act is bad in general, it shall depend on the way and process we enforce. If our Government is prepared to enforce in the best way, and can assure me so, I would agree to pass. Thank you.

PU C.LALRUATA:

Mr.Speaker Sir, I want to say a few words regarding Excise Bill. The bill introduced by our Hon'ble Minister i/c is good. I am agree-

ing with Pu Zoliana who had said that the bill is to be passed. I think the bill will be passed immediately. We drank alcoholic liquor but we want to appear as those who did not drink it, but it is not possible not to drink it.

Now, As we have no Excise Bill in Mizoram, there is no rule to prohibit it, there is no rule to give permission either. When we were under the Govt. of Assam, we were excluded from Excise Act. We were talking about the leaders of the church, politicians and the people. All people, let me say, are not in favour of liquor, but it is almost impossible not to drink it. It is an inevitable. As long as the world exists, liquor also will exist. It must exist and so if it is inevitable, we must try to control it in the right way, it has been tried to prohibit it in Mizoram especially at Aizawl, and we have a search for it and found it and seized. Working together with V.D.P., Y.M.A and V/C we search the house of widows. I, myself, also accompanied them for searching it several times but we had often faced difficulties. But no difficulty is with the wretched widows and we had poured down their tins of liquor but we have difficulties with intellectual and well-to-do persons. As there is no Excise Act, it is some that we will be in the wrong side in the Law Court if we are challenged. But we have co-operation as we all dislike alcoholic liquor. The co-operated peoples are respectful to those who sold liquor and we were obeyed to some extent. And so, an act is needful so that it can be imported and

and prohibited. This Act is also good and I don't know some points to be omitted. If the beginning of the act is read, there may be different interpretation as some of our hon'ble Member has read it out.

This has become the main topic of peoples' talk in the street and some people are busy to get permission. This is our condition. With Excise Bill, it is possible to control sales, possession, import, export and transport of liquor. If we read it through, we can learn that it shall come into force on such date as the Administrator may, by notification in his official Gazette, appoint in this behalf. Prohibition of liquor can be declared with this Act in any part of Mizoram and in particular area and villages. And so, the bill seems good and I think it is to be passed. If we are really in favour of decreasing the quantity of liquor in Mizoram, tax must be levied as much as possible, not only 5 lakhs but in crores, But to increase tax we should levied heavy tax on sellers without increasing the sold it in large quantity and many peoples are drinking it.

PU LALRINLIANA:

Mr. Speaker Sir, I want to say a few words in this regard.

Anyhow, I want to say something regarding the Bill but I am not intending to trace its chapters and clauses. The bill seems good but there may be an impending danger with it. There may be some defects, if permission is issued for selling liquor as we are Christians, Anyhow, the bill is an act for the restriction of selling liquor for it is impossible to prohibit it ~~without~~ without this Act. But I am afraid that the bill will not be beneficial for a long time. It is the same with word of God. The Bible contains the truth, and proverbs but no one can obey it. A few months ago, two or three persons were permitted to sell liquor but now their shops had been closed. But even before passing of the Bill two or three persons already got license, And so, the Act may have an impending danger with it. A dao is a good and useful thing, if it is sharpened. If it is used for clearing jungles it will clear off a vast area of jungles from which a great quantity of paddy will be procured. But if it is in the hand of a mad man some may be cut to death. So the man who enforced this Act may not be perfect. Now, if selling of liquor is a good source of income a rich person may do it with a large sum of money and the poor people will not be able to sell it. If liquor is sold openly in market we will not be ashamed to be a drunkard. If the whole villages have co-operation for the prohibition of liquor it is an useful thing and drunkard persons shrink from us

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But really nothing was done for the prohibition. And now, if license is given out, we will not be able to control those who are in some corner. However, being we are in the Christian land, and our doctrines does not allow as we can find in the Bible as in Hosea 4:11-18., Numbers 6:1-4., Rom 13:13&14, ICorinth 6:9&10, Isaih 5:11-13 and 22 and 24, Leveticus 10:9, Jeremiah 35:5-8, Ephesi 5:18 Luke 12:45-47, & 21&24,. All these mentioned about the will of liquor. It taught not to be drunk. Therefore, I find it so difficult to consider about the Excise Bill, in this Christian land. However, I feel that we must think carefully in this matter. In Nagaland they tried to stop liquor completely. Satan would be very pleased when we consider this Bill.

I firmly believed that, Satan would say that he opened shop now. Therefore, I felt much importance not to please, our enemy, the enemy of the Christian, Satan. However, although the bid is passed, I, firmly believed that our intention for complete stoppage of liquor may be a failure. Therefore I felt it is better not to pass the bill.

PU CHAWNGKUNGA:

Mr. Speaker Sir, I am very please as this bill is introduced, And I am so please that we could have discussion on

the bill. The Speaker before one pointed out the badness of liquor by mentioning many verses from the Bible, but human kind are all created in sin. Eve and Adam lived in the garden of Eden, and were given only two laws "to do" and "not to do". It is not so difficult but they broke the laws of "do's" and "dont's" so, they were given more rules. Likewise in case of liquor, we have not proper rules in our land. So, I feel it, very grateful to have this bill. But, we the Mizos are pretending to be good Christians while being addicted to liquor, pretending to be a paster but often drinks liquor in secret. To tell the truth I realised it is a high time to consider it frankly, and to use the bill as it is. Let those who like to drink, let them drink, and those who do not, let them not drink. If we do not let the bill passed straight away, the present condition of our life is irksome, and we must pass this bill in Mizoram. I had been one of the members who tried to stop liquor before. We had brake some widow's utensil, or sold by auction or even destroyed thier house or drove them away from villages. But some well-to-do families manufactured all the same. But this liquor, which is as old as Satan, cannot be stop

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completely. So, if we fail to stop, we must have rules for its proper use and we must consider that point. For instance;— The river Brahmaputra often rises heavily and the Indian Govt. even referred to the U.N.O. The Indian Govt. considered to stop the flood and examined from its source in China. But they only realised that trying to stop the flood is of no use and instead, they took the advantage of the flood earliest paddy and could reap quite a lot every year. So, it is now necessary to think about the advantage of liquor. I feel that this bill must be passed. By this bill, it appears that V/C Members or individuals can be used as. This Bill plus the door to prohibit the liquor in the village in that if all the people of the village do not allow any body of the village to have a license there will be no liquor in that village. It also depends upon personality.

Besides these, the one who gets license would watch out those who manufacture secretly or even upart to authority. In this case, the whole community need not be busy. So, it can be done in that way, but things cannot be perfect, yet let us use the bill as we have as proper rule before, It can be amended. Therefore, I felt this bill must be passed by our house . Thank you.

BU SAIGCHHUM: Mr. Speaker Sir, It is quite pleasing to have discussion on liquor. The reason lies in that when we consider liquor, Christianity appear automatically, It is only because of liquor that there are some bad wands like "You bloody bugger", "you bloody chap, come on etc" in an ordinary person. As the case concerned public as whole of Mizoram, it is necessary to discuss. If we look at more developed, older and christian countries, they regard excise bill as one of the important things. We are to discuss matter regarding liquor as it has come here for discussion, and it seems there may appear different ideas, which is begging clarification. The word liquor includes all tozicants, if we see expression in English; when we say ZU (Libour) in Mizo, it points to all intozicating liquours, whatever the name. It is well known that liquor can spoil human behaviour, including individual and Society, people and their native land, as we all have experienced its uselessness. We are going to pass Act here, and public opinion may come saying. We are Chistians, import of liquor or permission of drinking openly, as contemplate by Mizoram Government is surprising. When I read through carefully, I do not find connection of liquor with the Churches. It is -

just a matter of selling of liquor, but not of drinking those who sale opium are also fined, punished and failed, by Government Order, while opium addicts are not punished. Similarly, these liquor addicts are not punished if they have not committed trouble; but they are punished when found they made trouble. Likewise, we cannot command any person to drink or not to drink. Therefore, we do not come here to discuss the order regarding drinking of liquor. Your drinking or not depend upon your christianity.

Every christianity comes under the discipline of the churches. In this present Bill under discussion, there appears not a single order to any person to drink, which the people and we, the members need to be clear of it. Hon'ble members who spoke before me expressed their apprehensive regarding its causing trouble and misunderstanding from public opinion. There is not a single reason to make trouble! In Mizoram, there is one thing we must keep in mind regarding liquor, a person may avoid drinking because his christianity and the possibility of being punished by the Churches, restrained him to do so. They do not stop drinking just because the Rules prohibited them. Now, the limit of liquor drinking has reached the highest possible rate even before we pass this Act here. There can be no higher drinking limit than this present condition; even if we had pass act commanding people to drink, it would never come higher than the present rate, because all liquor addicts had consumed as much as they could. Those who have not yet tested are those who cannot afford to drink and those who were having excellent self-control. We are in this condition, and the reason we avoid drinking is not because of religious prohibition. The present addicts will never stop; we need not consider the matter of drinking, or not, as it is clearly known that this Bill prepared by Government to enforce is acceptable for the people. There is another important point to keep in mind, as Hon'ble Members pointed out its defect regarding Revenue while there is hope of profit at the same time. This tax differs from other Taxes. The difference will be that Taxes will be imposed only on those who applied for permission to sale liquor, as it would not be imposed on people who are not dealing in liquor, and Government would not collect taxes by compulsion. Therefore, it should be leaved at the highest possible rate. Besides, the hardship and famine Mizoram, as we have experienced, is due to low, poor production of rice from the Soil. I opined that if taxes had been imposed on local liquor made from Mizorice, and much more has been imposed on any kind of liquor exported from Mizoram, it would have been profitable regarding our source of Revenue. In fact, the villagers are known to have never touched Rum, Whisky etc. as the addicts themselves reported. Then, if we ask

where from did they get, they consumed Mizo local production. If Mizo rice has been made into liquor and if that caused famine, the villages would be clear off. When taxes will be heavily imposed on any kind of liquor produced from Mizoram. In some villages, there are Assam Rifles Posts, Police Posts etc., which are the main sources, but the majority of villagers could not get from those sources. If so, the possible earliest way to control for non-Christian and Christian in villages, any kind of liquor produced from Mizoram should be costly, which will control it to some extent. Another suggestion is that Govt. should be strict regarding issue of permits. It should not be issued to all, only the rich, not to all which I hope shall improve the liquor problem of Mizoram. This Excise Bill is very essential for Mizoram to improve the manner of drinking by the public.

PU HRANGAIA: Mr. Speaker Sir, as hon'ble Members said their ideas we should pass this Bill, but I would like to speak different idea. If we could drink like our forefathers we shall need not pass this Excise Bill. Our forefathers drank on special occasions of festival. But now our position is the worst possible. It depends on the manner of the drinkers, so we have to pass this Excise Bill as we have needed from some time back. In 1952 during the time of the District Council this excise Bill was presented from the pressure of the public, but it was beyond the purview. Now we can make it a success every-body with appreciate it. Liquor distrubs our gatherings, our children, grand-children become addicted, If one Member says liquor is good, none of us would support him. As we cannot drink like our fore fathers who used for physical health, we have to introduce this Act.

I hope this Act may lead us to the ancient path of our forefathers. Therefore, I want this Act to be passed.

PU ZALAWMA: Mr. Speaker Sir, By this Act we are going to increase the Enemy Member 1 of Mizoram. I request the hon'ble Speaker to be liberal in regard to time as the Ministry may have to be safeguarded. The reason is that the first Mizoram Ministry introduces the Bill to increase Mizoram Enemy NO.1. Anyhow, in this "Statement of object and reason" point 1 is to increase Revenue, point 2, the control of consumption. If we pass this Act it mean that we lose control and then let loose the use of liquor,

My younger brother never dated smoke near me, but once I encouraged him to smoke near me without any hesitation. Hon'ble Members I want to remind you that this is for Misera, for the future generation and the people you have at present. If this Act is passed, the practical control of liquor in villages will be lifted. If a person have Dealership licence he can sale and it means that drinking also is allowed.

As Pu Lalrinliana called it kingdom of Satan, our Christian Legislature is going to lift today what the Church and the Principal Prohibited. I think our Ministry would not like to be the first to break this. The responsibility shall be on them, as it is official Bill. If we could make Act to curtail this Excise Act, our christian people will be glad. Suppose there is a licenced liquor dealer near my house, trouble may not necessarily start in the house, but when it starts in the nearby place, that is detrimental to public peace. The happy christian life will be pricked by some thorn. If the drunkard come from the licenced dealers house, nobody has anything to say against him. We shall need knowledge of the Act, Police will interfere only after everything is spoiled. Maintenance and control will be problem. If we cannot control Zu even now, now, it will be more impossible when this Act comes into force by which men will sell it legally. He will boast of his licence, that is the aim of this Bill, Our state will become higher, Revenue will increase even without this Excise duty. By this Act our enemy will be legalised throughout the land. Will our Church elders, and Missionaries be happy?. We represent the people, and should make Act to cover the whole land and the people.

The Bill is introduced which I think will be passed, otherwise the Ministry will suffer. if we are going to legalise let us give permit to all who desire, so that the Market profit will decrease resulting in the reduction of liquor. The Act is for trade, State Trade, Revenue and individual will even the profit. Our Members' suggestion to issue permit in a limited method is not acceptable. If we had allowed to display every kind of liquor in shops from the past, the price will go down with the profit so that they would not bother for it, other means of profitable trade will come. We are going to make way for trade of the people and the Govt. Is this Excise Bill a profitable trade for the Govt. and the people?. Think of those who will escape Salvation because of this!

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We are to think that while we are shouting to save at least one lost soul who nearly escapes, it because of this, why should we legislate to make souls lost. Our Finance Minister is a good Christian who enters Mizoram after serving as Church Elder in the Shillong Mizo Church, I believe he shall never dream that someday his party Ministry will compel him to make Excise or Liquor Act. I observe that our Ministry needs protection because of its being the first Ministry to make the Excise Act, their responsibility is so great, so let us not compel them. Petroleum Bill should have been done first. I wonder whether the Excise Act is so urgent? It seems we are anxious to do because before the Act is passed there are 4/5 licenced dealers how are you going to treat those people? Is it not shameful? Who gives permit before making the Act? What Ministry is this? The issue of licence prior to Act enforcement is wrong. After framing the Act the licence shall be enforced, abiding by it. How shall you treat the licenced dealers who beautifully displayed it? This covers the whole of Mizoram, your brother, your son who never dared smoke and drink near you will be emboldened because discipline is nil in Mizoram.

In advanced countries like England, America etc., liquor is their problem, control is impossible. Why? Their economical position is already built up. We are under-developed with low economical standard, but a family with 75 paise income will want to drink, provided we legalised it. Those who drink secretly never drink much. If we pass this Act men will recklessly drink, further will fear his son. He will say to his Father, "Why, father, you made Act?" If we pass, drinking will be permitted, but where is the provision for punishment of drunkards? As I said, consideration of tax is a topic. Some Members suggest varying of tax at the highest rate but if the rate of Silchar is lower than that of Mizoram Govt. will not earn profit, nobody will ever buy, which does not mean reduction. I object the Act, on our economical point of view. As I said we are going to make Act for the future generation, let us think it shameful to be the Members who make this Act. We are all Christians, many of you are better than me, so let us drop this. Is our Christianity based on Synod Synod or elsewhere? For those in the Synod it is favourable, more so for Roman Catholic Fathers. But for those living and drinking the water of life like hon'ble Member Pu Saprawnga it is impossible to

pass. The people of Mizoram will bear the legalisation of it on the Radio and even those who never drink will drink for the fun, which will cause misery for parents. I fear this will give birth to "Hell". If this Bill had been referred to the Select Committee with the recommendation of the Ministry, the Ministry itself will be lightened of its burden and with the approval of the Select Committee the Ministry shall sit upon the throne of safety, which I want to advise them. The British and American Govt. and people could control themselves before their being advanced. They lose control only after becoming advanced. Are we not a but under developed yet? Besides trying to pull over people to expensive way of life and our christian principle regards liquor as sinful, I object this Act to be the first of its kind framed by the Mizoram Legislative Assembly and introduced. I propose and suggest revision.

PU LALKUNGA:

Mr. Speaker Sir, this topic deserves serious consideration though we seen not serious, we may say something we ought not. The shape of

Mizoram shall become clear. It is known that licence are issue prior to passing of the Act, which I think degrade this this House. It is shameful for Members that Govt. issue licences prior to passing of the Bill. It is wrong to a assume what our Superiors did as right. If this House is degraded there is no meaning in being a MLA, the legislator, I opine that utilisation of it prior to passing as Act lowers the House's Privilege and dignity and the consideration is unpleasant.

I want to say in this house that the wealth of Mizoram is going to few rich people of other States hence it should be dropped.

We are going to make Act to legalise sale of liquer, Mizoram is christian land and the Churches conduct campaign etc. which we all know. In such time the position of our christianity will be manifested more than speaking if this bill is voted down. Advanced countries like America etc., are blamed on their christianity because they passed this kind of Act. If the Legislators voted down this Bill people of other States shall see Mizoram as real christian land. I consider the view of other states important more than our discussion here. The Bill is published in local newspapers, while campaign is going on saving lost souls. I regret that we should uplace such happiness with this liquor legalisation Act. The servants of God and missionaries also have to think deeply of this Act. If will be shameful for God's servant if the christian Legislators legalise sale of liquor, they will not have good reason if people happen to challenge them.

Those who think sale and drinking of liquor as prohibited will now fear no more. We are going to legalise it by the Act, and Order. I will call shameful to deliver sermon from the pulpit for those who pass this Bill. Mr. Speaker Sir, I request you to allow us Secret Ballot Vote so that "Who is who" shall be clear.

PU LALHNINGTHANGA: Mr. Speaker Sir, when I read out and think of the Bill, the thing that comes to my mind is 'completely dry' to be in our Mizoram. But, on deeper thinking, using all our consciousness and our hearts, it is impossible to avoid consideration of this Act. Firstly liquor is the source of troubles in every family whether it is the family of leaders of the Church Pastor, leaders of the country or officers. We cannot deny this. Besides this, we drink liquor in all places and in all times meaninglessly losing our behaviour and manner and we do not know how to enjoy and drink it. With all these things in our mind, I think, we are discussing the Bill aiming to chalk out the best way. We are not going to teach peoples to drink liquor. So we need to be very careful in considering it.

We all know famine always visit mizoram. We have no self-sufficiency of food. Do we not convert rice into liquor while we have no self-sufficiency of good in Mizoram? We know some lads had often converted their only rice to liquor without the consent of their parents. So we have many things to put in our minds if we are to consider the whole of Mizoram. When we say liquor, the common people mean liquor made out of Mizo rice. I think, this kind of liquor is to be discussed. Some of our hon'ble members may think that I am recommending liquor, but I do not. We are to judge ourselves whether we are recommending it or not.

With the Bill Government had prepared an arrangement for controlling liquor and the best way of using it. To me, the Act is good and no clause of it is to criticise. But we must be careful, if not, there may be an impending danger over it. Price must be strictly controlled. And those who drink it must be careful, it should not be drunk meaninglessly. It should not be drunk as tea in tea-stall. But these are impracticable without passing the Bill. Besides, I am in favour of not to issue licence to many persons. It will not require so many persons. And if village Council of a particular area or village do not want the existence of liquor, I think, it is a good thing not to give permission for sales of liquor to the people living in that particular area or

village so that all the dangers may be avoided. I think, we are going to lay down rules to do all these things. The country is progressing and we want to administer the country more meaningful and the Government also want to do the same but nothing can be done without an Act; today, when we see the other side, by what act they arrest people? by what act you question me? Am I your dependant? Such are similar usual questions! Hence, it is clear that Act should bind us; some or any kind of act should bind us, however, this act should be in harmony with the condition of Mizoram, utilising in the best possible way, and I request our Minister and Government to see it go off smoothly.

PU SAITLAWMA:

Mr. Speaker Sir, I want to say a few words regarding the Bill. I expect that I may have enough time if I want to say many things as

I may have many thing to say if I can talk fluently. Though some hon'ble members, had said many things, I think, they do not know the ins and outs of the Bill. The Act will be beneficial to us as we are christians. Nowadays, there is a great quantity of liquor in some villages and towns, and troubles had often arise but those who create troubles are not punishable only due to their drunkerness unless their wrong deeds are found out. But with this Act we will have complete rules regarding this. The delay of having this Act had given us troubles for a long time. If the Act is rightly enforced, it will be beneficial to us. And so, to pass it is extrearily necessary for us as it contains the details of rules regarding liquor. As we all know, liquor has not been drunk openly but no one feel ashamed of their drunkness. They get drunk openly and troubles often arise. This is a sorrowful thing. Prohibition is highly needed. Therefore, we must enforce it as soon as possible so that we can have a meaningful control over it.

Looking at Section 27 of the Act, we can learn that it is possible not to give permission for sales of liquor in a particular area or village if the people of that area do not want the existencer of liquor in their area. The local people may submit petition to Excise Commissioner or Excise Officer for the prohibition of liquor and they may be granted. The Act describes it in detail. Prohibition of production is also possible.

The hon'ble member who said before me expressed that no provision is in the Bill regarding the punishment of a drunkard. I think he had expressed his own idea without reading the provision of the Bill. It is a regretable thing. To express our own idea without certainty

will always bring troubles. If we look at General Provision, Section 76 of the Act, we can see provision for prevention of drunkenness and punishment of a drunkard. And so, if read, from the beginning to the last page, it is crystal clear that it will bring comfort for the people of Mizoram and early enforcement is extraordinary necessary. Let me say an example. One rich person sells liquor in one village. But the poor people of that village do nothing against him as they are afraid of him. Sales of liquor always create troubles in that village. But the poor people do not have enough courage to challenge him in the Court though they dislike sale of liquor in the village. This often creates troubles and brings about good problem in that village. But as no Act regarding its prohibition is in Mizoram, and no one is intending to challenge seller of liquor. And so, we have had difficulties. But after this Act is enforced, no one will be against it as no man is beyond law. It will be a delightful thing to have an Act for the punishment of those who violate it. And so, I think to pass the Bill is a pressing need of the House and it will be a great work of the House. When I read local newspaper today, which says that a bill for Sales of liquor is to be passed, my heart was saddened. I think publishers did it unknowingly. It will be known to them if they read the provisions of the Bill which are with all the M.L.As. It is another thing if they published false statement knowingly. The Bill contains a full description of different restrictions, like limitation on drunkenness, for example, in important places like Aizawl and Lunglei, if liquor is undesirable during the period of Christmas, Government could restrict sales of liquor within the period of December, 10th to January 10th, such provisions for doing so are made in this Bill. If drunkards are caught within this restricted period, we would have done well for we shall have base on Rules; therefore, the sooner the Bill passed the better for the police and Excise Department. Besides, if this Bill had been passed, the profit which is now still will be required. I think that we shall reap all the profits for I do not find its disadvantages.

Besides these, Government will have new revenue source, and I feel, we are responsible to pass this Bill at the earliest favourable time. Thank you.

PU J. THANGHUAMA:

Mr. Speaker Sir, our subject under discussion at present is very important. In other states, when they take up important subject they also take public opinion besides the opinion of

Assembly Members. I feel that this Bill demands public opinion. This is a law for sale of liquor. However, when we say Excise, it may point different angle, but we are to concentrate our discussion mainly on sale of liquor; when we mention act, there are too many acts on punishment of thieves, what can the Police detect and arrest today? Don't depend at-all-on Police. Even when they arrest some one he is released on bail on account of "something" therefore, such Acts on arrest are but nominal acts, we shall never arrest anyone! Its profit as new Revenue Source like 4 or 5 lakhs of Rupees per year are nothing. Our Assembly has already proceeded on till today without such profit on Revenue Source; regarding Unemployment Problem, it is rather that we are going to increase the number of corrupt people. There will be an Excise Officer whom they shall bribe with bottles of wine and bribery will increase. The solution of unemployment problem it will make will go side by side with corruption. At present, there may be a houseful of liquor in some street corners, do we arrest them? Do we arrest any Government Servant who is seen drunk or Selling liquor? Does Act permit this? Now, we have many acts of prohibition and restrictions that Government servant shall not do contract work, Government servant shall not carry on business, I can tell hundreds of them violating these Acts presently, as I keep the list with me here. Our Hon'ble Ministers have not yet checked till today. I have the list of names to whom they issued permit for selling of liquor with me here. It is not that we envy them. Do we arrest them? The advantage and disadvantage of this Act is controversial. The less outweighs of profit. Tamil Nadu has been declared Dry Area, there was no liquor for some time. They afterwards lifted the "dry area" by giving permits for sale of liquor. But they realised their mistakes and they lamented on their having lifted the "dry area" and they made it again "dry area" because they found that being "dry area", is preferable to the revenue received from the liquor. The other night, some youths wanted to have spees at one of their friends' expense; they went out with Rs 100/- for the prices but they returned without finding liquor. The wife of the person, who was to give spees to his friends at his Rs 100/- expense, was thankful for she has reserved that Rs 100/- for buying Rice and other essential commodities. If there is Excise Act merely in name, and large quantity of wine is available, those who were supposed not to drink, will surely drink too. If we heat Ghee by the fire, it will surely melt. Likewise, temptation is inevitable. In fact, youths tried to get together by

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drinking wine, they sometimes could not be successful when they could not find wine near at hand; when wine is available nearby, those who were supposed never to drink will surely drink, too, therefore, they lose sense and give way to temptation. Suppose, there is proposal to issue 'permit' to 2 or 3 persons, such were monopolized by some people; they will have sub-agent, and corruption will become high and intolerable. For these reasons, as Hon'ble member Pu Zalawna said, if we are going to be liberal enough to liberate wine, let us give each and everyone; so that nobody will trade in wine when the price comes at lower rate. But, when there is profit somehow, somewhere, people trade in this "intoxicant drink". However, if this Excise Act is passed, with liquor available everywhere, which our school children have often seen everyday; they will run away from School and drink wine, that is due mainly to easy availability of liquor. Now, in fact, hence, if we pass this Resolution, it will be a regrettable matter. Besides, we, the Opposition members will not agree to take 'voice-vote' we should like to take vote by standing up, for it is worth weighing the profits and losses, as this will affect greatly afterward if we, (thirty) 30 House members pass here. For these reasons, if we cannot go to distant villages, I believe it will be better to take public opinion, of various party leaders, Church elders or Ministers, etc; Mr. Speaker sir, they want to increase Revenue source, yet has Forests' Royalty increase Revenue source for maintenance of Mizoram? Never! Now, Mizoram is Union Territory Government, Central Government financed us in every way; if we know how to utilise the status of U.T. there is opportunity to build Mizoram, but if we don't know how to utilise, we shall be ruined. The Central Government do not urge us to levy taxes, the reason is that we are wholly financed by Central Government. If we ever have statehood, we may have to levy some taxes. Which will be more beneficial to our new generation, 4/5 lakhs of rupees or making the land "dry area"? Now, in fact, liquor is not easily available or the price rate is high even when available, and majority could not afford such due to high price, and they cannot then drink. Now, when we see Mizoram Government, especially in F.W.D., they have get together with plentiful wine and roasted meat, it is very shame ful to hear such thing. Instead of thinking how I shall serve my country; and what shall I do to improve and develop my country, wine is given priority in every dinner and get-together. while we were under

Assam Government we considered ourselves as labourers; and we criticised Assam Government. After we left Assam, we should give first thought as our own and do good work for Mizoram. It is harmful that we are mindful to seeking self-profit instead of thinking and giving priority how to work and do good for Mizoram. In every kind of party, liquor is too common. Whenever there is gathering, enjoyment of liquor is inevitable. Let us try to make it better on Government but even if we cannot completely prohibit selling of liquor on personal individual level. We are boasting of our enjoyment of liquor. Hence, it is a must to take precaution of this evil which is gradually developing in Mizo Society. None of human beings is perfect, however, this kind of control makes a person better. Therefore, people are making liquor while we are considering this Excise Act, and people will continue making even if this Excise Act had not been considered, let alone pass the Act; on the contrary people are secretly making and selling liquor. It is shameful that we are here discussing the permission to sale, instead of trying to control this evil. Let us look to the coming future; will it be good looking for Mizoram if bottles of liquor are displayed in bars in every street and drinkers are allowed to go on till date midnight, 12 O'clock?. Is it good for your Children? Liquor had doomed Mizoram, even girls and women have drunk, let alone boys. Some girls came drunk to Theatre Hall in a gathering some days past; yet there is no Rules for punishment. They can be arrested by I.P.C. 188; but whom has they arrested? There is some way of arresting him! This Excise Act will not bind us if we do not follow and obey, hence, I am afraid and find it difficult to pass, therefore, consider the time factor. Suppose, we had passed prostitute Licence, the name itself is shameful however. Other States are called 'Dry area' and that is praiseworthy, people are careful in drinking and in their behaviour of action. Therefore, Mr. Speaker sir, if this Excise Act is passed permitting open sale and drinking, taking into consideration the Rules and prohibition of sale and drinking we shall never be able to follow the Rules to the fullest extent. If this Excise duty has created employment products, we are sure to make some corruptive party. Someone will commit bribery, and we therefore need to be very careful there. Thus, with keeping the coming future in mind regarding Excise Bill, I feel it will be proper to make Mizoram as a 'dry area'.

PU NGURDANLA:

Mr. Speaker Sir, this Excise Act draws my attention and I gave much thought, yet I am in a dilemma on this particular subject, I think

it would be better if this Act be delayed yet I am willing to pass however. I would like to express my view point of its being introduced a bit earlier; those Hon'ble members, whom I trust, favouring the passing of this act, will hold my hand only half, but I am sure that they cannot hold my soul, in this regard; I request you all to kindly imagine my idea and view points, it would be excellent to have prohibition Act for the whole Mizoram by which control of liquor could be enforced. As Hon'ble member said that it was the will of Gandhi, but we can clearly see that such prohibition is impossible, even Indian Government could not succeed in following the principles of Gandhi. In our present condition prohibition is necessary; I do not mean that this Excise Act should be dropped; I therefore favour that let the general public know about this Act so that they may make their ideas. This Act will surely affect the democracy of Mizoram, and I opined that it would be advisable to inform and explain the meaning and intention of this Act to the people as there are many, like our Opposition members who would like to spread the news only in its dark side without giving any of its bright side. As was practical in Democracy, though we are representatives only in name, we have no unrestricted representative concerning public matter, as we did not include this in our election manifesto, and the people casting votes have never thought of this, I wish the general public to study this Bill thoroughly, and write articles on this subject with our Hon'ble Ministers, the need and necessity of this Bill, so that this Bill may be passed without any fear of reaction. It is troublesome if only few realise the 'good' of a right thing. Otherwise, the best thing may lead a country to resign. Our Hon'ble Ministers who have planned this Bill may face difficulties in the carry out and execution. Some of us have quoted from the Bible. Jesus knew the exact time and did in the rick of time, as he felt that there was a certain time to do his miraculous work. Therefore, I am of the opinion that this should have been introduced after some time, as our Opposition leaders also opposed it. I think that the general people will take it the other way, and thus the best possible even will have to wait for favourable right time. However, I shall not deny if we all shall do and carry out this with courage. In the execution, people will talk that our Ministers do and so regarding liquor, and as I fear that we shall

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criticise one another on this point; and I feel that this subject needs wide publication, as I feel that, it is unfair to pass this in 'whispering mood'. It will be a pleasure and good if I could win over some of Hon'ble Members. I believe and hope that we shall be able to convince and win over our Hon'ble Members if we had extended this time to finish this best possible means. If they had carefully thought of this Bill, they will realise that there will and never be peace and stoppage. Concerning liquor without this Act; a certain persons idea may not be all perfect, yet he has written these lines - "Prostitution and wine has been the first trade in Babylon, and it has never stopped from then" That has been the life of people. but we shall never be able to explain from Christian point of view. In our Mizoram many of us are opportunist, without never taking care of discuss any matter on friendly terms; even in our political sphere many of us are opportunist who will condemn and say that we have liberated liquor and passed Excise Bill, hence I suggest that we better wait for some favourable time to pass this Act. Besides, hon'ble member Pu Hrangaiia talked, concerning this Bill, that some could get at cheap rate, and he also told us that these people feared that the price will rise when taxes collection started; and that may also be a fact, Therefore, I found out that this is not the principle of our democracy, I wish this "Cup to pass me this time" I believe that some more reasonable time, may come in the future, for this Bill but not we shall completely deep forever; Plato wrote "the Republic" which the people criticised on the ground of its inapplicability in this world; on hearing that criticisms, he said he still have the "Second Best" which he wrote after "the Republic" It was almost the same as the Republic, which he called the "Second Best". However, I feel that our Hon'ble members and the general are not yet ready for this and I wish this "cup to pass in for this Session".

PU CH. SAPRAWNGA:

Mr. Speaker Sir, as we are discussing an important Bill here, it deserves careful consideration, and I would like to say something concerning this Bill. It appears that we are ignorant and do not know much of the origination of this Bill its position is that Mizoram came to this present stage for a pretty long time without this Excise Bill, we have time acted without law which is regrettable. As Hon'ble Member Pu Hrangaiia said before me, our elders have had tried to drive away this liquor since 1952,

during the period of District Council, when we, the members mention liquor, we generally mean Mizo local liquor, and we also tried to find the way how to control and stop making of this local Mizo liquor. Once, we proposed to make Rules of control, but that was beyond our purview. They said that the District Council cannot make order if this Central Excise Act is not introduced, but we dare not enforce this Central Excise Act in Mizoram; because we feared that it will follow suit to introduce other central Acts also in Mizoram. Hence, there has never been control of liquor in Mizoram, and some Hon'ble members appeared to be ignorant of this point, and there has never control on liquor. I can clearly forceses that the end will not be far off if we prefer to go on without legal control on liquor. In the past time, there has been control on liquor in villages, even at Aizawl, we however, had dared to control some people while we never dared to touch others, the reason is that if people had challenged us in Law Court we are sure to lose; our Deputy Commissioner with the heads of District Council proposed to hear together matters concerning control of liquor as was done by village councils as liquor problem made them restless in mind, and our Deputy Commissioner and his subordinates issued executive order, which were not based on Acts, while the village Councils issued order for the control and prohibition of making liquor in their respective villages. Therefore, they punished and fined people without base on Acts, even if they had appealed, our Deputy Commissioner and subordinate officers of District Council understood the problem concerning liquor and they joined hands on this subject matter, we proceeded on somehow. But, as time rolls on we came to the status of Union Territory which is a new, different stage. At present, if people try to deal with liquor offence, they are sure to lose if people, dealers in liquor had appealed to High Court or even Supreme Court the reason behind is that we do not have Act etc., for control of liquor. The people joined hands and understand each other with Deputy Commissioner as they tried to control liquor as they wished. We are, in some sence compelled to make Rules, Acts, etc., ad it is not proper to have law for control of liquor, as some of Hon'ble members seemed to misunderstand the intention of this Bill, who however, spread runour rather that we intended to liberate sale and consumption of liquor if we had passed this Act. It does not mena that we shall liberate liquor, we rather wished to control liquor completely in Mizoram; however, it would be impossible to complete control, as we may be successful in some places while it may fail in other places. I firmly

believe that we shall never completely control liquor in the whole of Mizoram, as it appears impossible task; it is our duty, however to try to control even if it is possible to eliminate. If, on the other hand, we agree to enjoy liquor as liberal as possible, leaving control aside, this Act provides us such liberal enjoyment. If you propose to give licence or permit to all applicants, we are ready to do so; as there is provision to do so, however, if you propose to give only selected few which will be easily done. We can agree if you wished to give none; these provisions are seen in Chapters 4, 17 and in Sub-Section 3, which empowered Administrator to control liquor manufacture within the whole Union Territory, completely, which can be enforced specially in some pocket, for example, it can be enforced specially in Hnahlan Village. The Administrator therefore, has such power to control for special concern, at the same time the power to extent the permit for other wider areas, and he has such power to issue permit to "selected few" and to his favourite persons. Besides, he has power to fix the quantity and the rate, the time etc. for the sale, for these reasons if we have no base on acts, and control liquor as our own wishes; if we lose when people appeal to High Court blaming us on the ground that we recklessly control liquor as our own wish, some people will call our Ministers 'foolish ministry' ignorant of Rules or no Rules, Therefore, I mean to propose to make Rules for liquor control, as we had needed in the past times. It seems some Hon'ble members' points of view are not to the points, may be that we had not thoroughly read the Bill; it is necessary that we thoroughly read it. I myself read it more than once as it is difficult to understand if we read through only once. However, Pu Thanghuana's point may be right, in his fear that we may not be successful, much complaints may arise, and fear of involvement of corruption and many other points etc; as these are the possibilities that may arise, however, we shall not be powerful enough to check and control if people do something secretly. Hence, some people will make easy-money like corruption, while some others will work real hard to improve Mizoram, as these possibilities depend on the characters of respective officers; we cannot deal with these possibilities. It would be like proposing to lift punishment so that thieves and corruptive people may go as they like; hence, there is no reason why we should not make good Rules for fear of those who would misuse and abuse and for those who are incapable to use in good sense. As we are Legislators, we should do and make laws, which we think would be suitable for our Mizoram, while helping enforcement authorities in their duties of enforcement of laws; that should be the meaning behind

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I appreciate the bill in principle and I greatly support it, but when I study each provision, I feel that difficulties may arise, I felt this bill is a high standard, it may be applicable in Aizawl town, as it contains more of foreign liquor. But what we muddling about in an urban areas are of local made. Nobody manufactures in large quantity. Though it seems small quantity it greatly increase temptation to teenagers and others. So, some reject, for this areas and even V/C tries to stop. There are some who could stop to a great extent and some who failed, yet it is a great success in the long run. I feel that the scope of V/C is very small in this regard. According to some members, it also appears there is section where the administrator entitles V/C to same powers. But some difficulties arise in case of search or other as there will be a limit where the V/C exercises, which greatly confuse me. If we look at clause 32 of chapter VII it mentioned "the Excise Commissioner or the Collector or any Excise or Police Officer not below such rank". It concerned only an officer. That officer is the one who would inspect or search liquor. If it says as "not below such rank", when they finally reach the plot, liquor may be hidden away in rural areas. So, it rather seems an impossible way. I would be very please, if our Ministers can explain how our V/C would perform their power to prohibit country liquor? We conclude that prohibition can be done by V/C on the recommendation of the administrator. If it is so, in the case of prohibition, but difficulties would arise as V/C could not exercise the power to search or fine. Punishment is quiet severe according to poverty section. It also mentioned that no court inferior to that of the court of a Magistrate of the second class shall try offence punishable under this Act". and this is tax high and will not suit with the condition of our land. It may be adoptable for Aizawl Town, If V/C's are not empowered in Aizawl, it is not harmful. But, in many rural areas, they want to stop liquor, so, will there heavy provision for giving power to V/Cs? In that case, I doubt that it will not be effective if the V/Cs have no power. If, this law is only for Aizawl and Lunglei, it is not enough at all. So, clause 65 in jurisdiction of courts, its preventives, and its penalties are all beyond the power of V/Cs. Some days passed, we had discussion with our Law Secretary according to him, V/C has power only over customary law and further adds that if Will. Court is to be empowered the V/C Act or Justice Rule need be amend. If we do not amend to let V/C to have such power, I feared that our aim will completely fail, and beg our Ministers to give an explanation. If those provision are included in the bill, it will be quite good.

If not, it is necessary to make an amendment for V/C to exercise power under its jurisdiction in a specified section or chapter. In the past, Deputy Commissioner controlled high spirited liquor like "Rakzu" ~~high~~ and "Zu fang" and low class are under the control of village chiefs or councils.

Some minutes back, Pu J.Thanghuana pointed out the availability of some difficulties in its administration. That was true to some extent. For instance, Excise Department will function, wheather it may be practicable, that for its office preference will be given to non drinkers. I also hope that we can give certificate for it. Therefore, in this matter.....

Wait a minute, Mr. Speaker Sir, I've many things to say more (Members discuss about to continue or not).

SPEAKER: We have one more bill, Anyway, if the speech is incomplete, let him finish it, but it will not be possible to speak again.

(Member discuss again)

Few minutes back, mention had been made to take public opinion, and it is first necessary to settle wheather you move it or not. I regard continuation of discussion as improper unless so, that is decided do you move? Let us first settle it. We cannot continue discussion as there is suggestion in that point. There arises different opinions in consid-
ding the Mizoram Excise Bill, 1973, while some members supported the passing of the bill, stating that the sooner the better. But on the other hand, some supported the delay, so as to take public opinion before passing the bill. First of all, we have to settle this, According to our Rules NO.78, Pu J.Thanghuana hereby moved that this bill, instead of passing easily, it should be delayed in order to take public opinion on the subject. Therefore, those members who supported the motion to take public opinion should.....

The way which Pu J.Thanghuana raise can be done later, before passing the bill. But as he moved to take public opinion, further discussion will mean only a wastage of time. So, we have to settle that in stead of continuing disxussion.

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PU CH. CHITUNGA:
CHIEF MINISTER.

Mr. Speaker Sir, can we have discussion again, if, for example the motion is successful?. Whether it is is successful or not to take public opinion, does it mean that we have already made a decision?. Shall we not discuss whether that is necessary or not? Now, we shall not have time to say in contrary to take public opinion, So, that can not be passed through. But if the motion, in favour of public opinion is successful it means that there is no need of further discussion. So, can we have chance to speak in favour of its unnecessary to take.

PU CH. SEPRAWNGA:

Mr. Speaker Sir, anyways if there will be time later for discussing to take public opinion, I feel it will be better to continue as foot rest debate even for the delay, in stead of taking vote to day.

SPEAKER:

I based on your discussion.

PU CH. CHITUNGA:
CHIEF MINISTER.

Mr. Speaker Sir, you have allowed my request on stopping of the discussion and to take up again with another one of bill, the day after tomorrow, so will it be correct taking vote to end the discussion?. If we decide in favour of public opinion it will be a complete end. After taking decision will it be possible to discuss again?. So, it means that we are seeking to stop the discussion. As you had agree, to have such discussion is not necessary in the matter.

PU K. L. ROCHAMA:

Mr. Speaker Sir we are not clear enough on the matter that whether Minister other than Minister i/c can raise a suggestion for taking public opinion?.

SPEAKER:

I shall read Rule 78 as I rather mean for the continuation of discussion of this Bill. " At this stage no amendment to the Bill may be moved but if the Member i/c moves that the Bill be taken into consideration, any member may move as an amendment that the Bill referred to a Select Committee or be circulated for the purpose of deciting public opinion thereon by date to be mentioned in the motion". As he has moved and we had discussed, but since there are some want to take public opinion, with the presence of this statement, we may not be hindered in our discussion continuation; it is a waste of

time to go on discussing, I shall clear it first, we shall discuss again next time, in case that notion is wrong.

PU CH. SREININGA: Mr. Speaker Sir, I find rel irrelevant to oppose clarifi- cation, however, that point "to elicit public opinion", is begging explanation whether it is relevant or not, and I want to discuss this point.

SPEAKER: I do not oppose if the point is its relevancy or not; I propose to close the time if you want continuation of discussion on this point. However, from your speeches, many of you wanted to take public opinion and pass, I want to prove and clarify whether you can win by vote this demand to take public opinion. If this motion is present here, it obstruct the continuation of discussion.

PU CH. SREININGA: Mr. Speaker Sir, I want discussion on that particular point.

SPEAKER: If you want so, we shall give priority to this in the next-day discussion.

PU R. TRANGLIAMA: MINISTER. Mr. Speaker Sir, have we not requested day-after-tomorrow for discussion?

SPEAKER: No, that request is for the continuation.

PU R. TRANGLIAMA: MINISTER. Mr. Speaker Sir, there will be time for that, too. We shall drop this at present stage, will it be possible to take up this-day-after-tomorrow as it was?

SPEAKER: We shall adjourn the meeting now, as tomorrow shall be recess day, we shall meet again at

11 A.M on 3.10.73.

Meeting adjourned at 5.00PM.

(N.C. HANDIQUE?)
Secretary,
Mizoram Legislative Assenbly.

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