

PROCEEDINGS OF THE FOURTH SESSION OF THE MIZORAM LEGISLATIVE
ASSEMBLY HELD AT THE ASSMEBLY HALL FROM 25.9.73 TO 10.10.73

1st Sitting on 25th September., 1973 at 11:00 A.M.

(H.Thansanga M.A.B.T., Speaker on the Chair. One Chief Minister and four Ministers and twenty seven Members).

Business:-

- 1) Questions.
- 2) Obituary Reference.
- 3) Annaucement by the Speaker the Panel of Chairman appointed
- 4) (a) Annaucement by the Speaker the Report of the Business Advisory Committee.
(b) Motion for adaption.
- 5) Laying of Reparts, Orders etc.
- 6) Introduction of Government Bills.

SPEAKER:

"For he doth not afflict willingly nor grieve the children of men. In crush under his feet all the prisoners of the earth, to turn aside the right of a man before the face of the most high to subvert a ved not.

Rule 31 of Conduct of Business prescribed the business of the Assembly be transacted in official language of Union Territory of Mizoram or Hindi or in Englis actually we do not have if any Member, cannot express himself adequately in English or in Hindi. I hereby permit him to speak in his mother tongue.

Now we shall take up Question No. 1 which is of Pu J.Thanghuama and also of Pu Zalawma.

(Pu Zalawma: Mr.Speaker Sir, seen my adjournment motion ?)

I am mistaken. These areunstarred
Question No. 1 of Pu Lalsangzuala.

PU LALSANGZUALA: Mr.Speaker Sir, Whether the Government of Mizoram have enforced the Prevention of Corruption Act?

(2) If so, since when ?

(3) If not, whether the Government have any proposal to enforce the said Act in Mizoram ?

(Speaker: Let the Minister i/c reply).

PU CH.CHHUNGA
CHIEF MINISTER

Mr.Speaker Sir, Prevention of Corruption Act had been enforced in Mizoram since 21.1.72. Therefore, No. 3 does not arise.

.....2/-

PU LALSANGZUALA: Mr. Speaker Sir, supplementary Question, whether the Government is aware of offences committed under this Act ?

PU CHCHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, there are some.

PU J. THANGHUAMA: Mr. Speaker Sir, supplementary question, whether the Government of Mizoram have checked personal salaries, income, household properties and moveable properties ? Is there any proposal to do it fairly ?

PU CH. CHHUNGA
CHIEF MINISTER

Mr. Speaker Sir, it is under consideration.

PU ZALAWMA:

Mr. Speaker Sir, has this Prevention of Corruption Act being run by separate Department ? Which Department deals with this ?

PU CH. CHHUNGA
CHIEF MINISTER

Mr. Speaker Sir, Now the Chief Secretary is appointed as Vigilance Officer and there is proposal for the appointment of Inspector, Sub-Inspector, U.D.A., Constable and IV Grade Staff also.

PU R. ZOLIANA

Mr. Speaker Sir, this Act is enforced since 21.1.72 and recently the Chief Secretary is appointed as Vigilance Officer. Therefore which Department dealt with this Prevention of Corruption Act prior to the appointment of Chief Secretary as Vigilance Officer.

PU CH. CHHUNGA
CHIEF MINISTER

Mr. Speaker Sir, if we have anything to investigate on corruption we used the Police Department.

PU J. THANGHUAMA

Mr. Speaker Sir, supplementary Question, If so, how did they dispose those cases which seemed to be facts and which were pointed out about a year ago ?

PU CH. CHHUNGA
CHIEF MINISTER

Mr. Speaker Sir, some are being registered for further action.

PU SAITLAWMA

Mr. Speaker Sir, supplementary Question- Is there any notification in the Gazette or Government newspaper that the prevention of Corruption Act is extended in Mizoram from 21.1.'72 ?

.....3/-

PUCHCHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, the Prevention of Corruption of Corrupt Act was automatically enforced, because Mizoram became Union Territory as it is the Central Act.

SPEAKER: Question No. 2, Pu Lalsangzuala.

PU LALSANGZUALA: Mr. Speaker Sir, Whether the Government have any proposal or scheme for rehabilitating ex-MNF personnel? If so, how?

PUCHCHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, The following rehabilitation are now in vague :-

- 1) Shramik Bahini consisting of MNF returnees are registered to undertake construction work.
- 2) Co-operative Societies formed by MNF returnee are given assistance under the Co-operative Societies Registration Act.
- 3) Arrangements for recruitment of MNF Returnees to CRPF and BSF is made by Government.
- 4) Route permits for Taxi and Mini-Bus are given to such Returnees.
- 5) Recruitment to the Government post has been opened to ex-MNF personnel provided a person is not adversely reported by Police on grounds of his continuing subversive activities or otherwise.
- 6) Loans are granted for terracing lands for cultivation.

PU ZALAWMA Mr. Speaker Sir, supplementary Question- In respect of rehabilitation, there are some points in which the Government of Mizoram failed to follow the instructions of the Central Government. Some of them, which were not done during the time Chief Commissioners were done recently. There are, whether the Government take steps for rehabilitation of which some of them were of Rs. 1000/- or Rs 2,000/-

PUCHCHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, Last year ex-prisoners were given Rs. 500/- each or so, from Social Welfare Department. And in case of appointment as I have said before, special considerations were given in the recruitment of CRP and BSF. But in case of appointment in the Secretariat and D.C's Office, experience and qualifications should be considered. It is not right to appoint them straight away. As we think it will be for the good of the country fair test and interviews were held and appointments were made according to it.

.....4/-

R. zht/-

PUCHCHHUNGA CHIEF MINISTER Mr. Speaker Sir, the Prevention of Corruption of Corrupt Act was automatically enforced, because Mizoram became Union Territory as it is the Central Act.

SPEAKER: Question No. 2, Pu Lalsangzuala.

PU LALSANGZUALA: Mr. Speaker Sir, Whether the Government have any proposal or scheme for rehabilitating ex-MNF personnel? If so, how?

PUCHCHHUNGA CHIEF MINISTER Mr. Speaker Sir, The following rehabilitation are now in vogue :-

- 1) Shramik Bahini consisting of MNF returnees are registered to undertake construction work.
- 2) Co-operative Societies formed by MNF returnees are given assistance under the Co-operative Societies Registration Act.
- 3) Arrangements for recruitment of MNF Returnees to CRPF and BSF is made by Government.
- 4) Route permits for Taxi and Mini-Bus are given to such Returnees.
- 5) Recruitment to the Government post has been opened to ex-MNF personnel provided a person is not adversely reported by Police on grounds of his continuing subversive activities or otherwise.
- 6) Loans are granted for terracing lands for cultivation.

PU ZALAWMA Mr. Speaker Sir, supplementary Question- In respect of rehabilitation, there are some points in which the Government of Mizoram failed to follow the instructions of the Central Government. Some of them, which were not done during the time of Chief Commissioners were done recently. Therefore, whether the Government take steps for rehabilitation of which some of them are of Rs. 1000/- or Rs 2,000/-

PUCHCHHUNGA CHIEF MINISTER Mr. Speaker Sir, Last year ex-prisoners were given Rs. 500/- each or so, from Social Welfare Department. And in case of appointment as I have said before, special considerations were given in the recruitment of CRP and BSF. But in case of appointment in the Secretariat and D.C's Office, their experience and qualifications should be considered. It is not right to appoint them straight away. As we think it will be for the good of the country fair test and interviews were held and appointments were made according to it.

.....4/-

R.zht/-

PU SANGCHHUM Mr. Speaker Sir, supplymentary Question-
How many ex-MNF personnels were rehabi-
litated in various ways ?

PUCHCHHUNGA Mr. Speaker Sir, the financial rehabi-
CHIEF MINISTER litations to MNF returnees was Rs 178,800/-
and the Members of the Shramik Bahini in P.W.D. rises
upto 250.

In an Intensive Industrial Enterprise
Ltd of the Co-operative Society, there are 50 members
and a loan of Rs 20,000/- was given. Many of them are
also recruited in the CRP and BSF.

Three permits for Taxis and Mini-Buses
were given. Rs. 2400/- for terracing was given to Pu Zamawia.
Again, 20 Kgs of rubber seeds were given. For land and
WRC reclamation Rs. 1726/- were sanctioned to four
persons also.

SPEAKER: Question No. 3. Pu Sangkhuma.

PU SANGKHUMA Mr. Speaker Sir, Question No. 3 -
(a) Whether it is a fact that the stay
orders issued by the Revenue Department to some holders
of garden pass are defied by the Pass Holders.

(b) If so, what action has been taken
by Government ?

PU KHAWTINKHUMA Mr. Speaker Sir, the Government are not
MINISTER: aware of this, therefore No. (b) does
not arise.

PU SANGKHUMA Mr. Speaker Sir, supplementary Question-
There are many ignorant people like
Pu Bela of Suangbuilawn, Pu Thawma of Phuaibuang and
Pu K. Thawma of Kepran. So, whether the Government
should cancel those if the matter is reported ? Otherwise
ignorant people will be benefited if passes are not
cancelled ?

PU KHAWTINKHUMA Mr. Speaker Sir, the matter will be
MINISTER: enquired in the office and if there
are such people, action will be taken accordingly.

PU PUCLALRUATA Mr. Speaker Sir, supplementary Question-
Can the verbal talks of the members of
the matter which the Minister i/c Director or Secretary
be an official report ?

.....5/-

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, the report by the V/c or MLA in writing, which can be kept for record will only be an official report.

PU C. LALRUATA:

Mr. Speaker Sir, supplementary Question- In the land reclamation along the banks of Chite River, some people cultivated as much as 18 bighas where they have pass for only one bigha, The Mizo Union Secretary had already submitted complaint what action has been taken to that ?

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, due to the shortage of the staff, it is very difficult to have exact measurements not only in the valley of Chite but also in many other places, be demarcated as soon as there are sufficient staff. X boundaries will

PU SAPLEINA:

Mr. Speaker Sir, supplementary Question- Whether the Government is aware of the fact that some people retained much land without proper passes from the time of District council ? If so, whether the Government would consider those cases ?

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, it seemed that there is no report in writing and it is also the intention of the Government to make correct passes.

PU NGURDAWLA:

Mr. Speaker Sir, supplementary Question- Whether it is a fact that there are some who are given house passes without the V/C recommendations contrary to the Government's order in my constituency at Tanhril ?

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, If there is such complaint, the matter will be considered.

PU SAITHAWMA:

Mr. Speaker Sir, supplementary Question- Whether the Government should only consider matters only when there is complaint ? If not, whether the construction of houses . cultivation could be done ?

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, the matter will be considered if there is such complaint.

.....6/-

SPEAKER: Question No. 4 Pu K.Sangchhum

PU K.SANGCHHUM: Mr. Speaker Sir, Question No. 4 - Since when the Deputy Commissioner of Chhimituipui District had not been in the Headquarters.

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, The Deputy Commissioner Chhimituipui District could not be in the District headquarters since 15th March, 1973.

PU SAPLIANA: Mr. Speaker Sir, supplementary Question - Whether the Deputy Commissioner had not been till now ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, Now Mr. Aggarwal IAS joined the office since 6.9.1973, but due to the need to give him training, he was detained here.

PU SAPLIANA: Mr. Speaker Sir, supplementary Question - The Deputy Commissioner, Chhimituipui District functions his office at Lunglei due to had communications. So, has the Government transperred the Headquarter of Chhimituipui District to Lunglei ? If the Deputy Commissioner functions his office contrary to the Government's orders, whether the Government would take action ?

Again whether the Government is aware of the fact that one Inspector of Police posted at Demagiri runs his office at Lunglei ? If so, whether the Government intend to take action ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, we have no information that the Deputy Commissioner, Chhimituipui could not reach Saiha.

Therefore, I could not say how the action will be taken as the reason his inability may be quite reasonable. I could not give proper reply to it, nor to the matter about the police officer. *x to go to Saiha*

PU LALSANGZUALA: Mr. Speaker Sir, supplementary Question - Whether it is a fact that Deputy Commissioner, Chhimituipui District functions with only 5/6 clerical staff ? If so, is the post made there only for political purpose ?

PU CH.CHHUNGA
CHIEF MINISTER: Mr. Speaker Sir, the posts should gradually be increased. But as the question is whether D.C. was at the Headquarter, I think this is not relevant.

..... 8/-

PU K.SANGCHHUM: Mr.Speaker Sir, What is the reason as to why the Deputy Commissioner, Chhimtuipui District had not been in the Headquarters from 15th May.,1973 to recent days.

PU CH.CHUNGA
CHIEF MINISTER: Mr.Speaker Sir, the reason is due to the bad communications.

PU K.SANGCHHUM: Mr.Speaker Sir, supplementary Question- It is clear enough that during the month of May, Saiha can be reached. So, will the Minister be pleased to make more reasonable reply ?

PU CH.CHUNGA
CHIEF MINISTER: Mr.Speaker Sir, Mr.Baijal, Deputy Commissioner left the Headquarter on 15th May and took charge as Deputy Commissioner on 1st September vice Mr.Bezbarua on leave, but as I have said before, he is detailed for training for a few days and actually left for Saiha on 12th September.

PU ZALA WMA: Mr.Speaker Sir, why the Deputy Commissioner could not go while many civilians could go from Saiha to Aizawl even by foot ? And again, why didn't the Government look into the matter that Chhimtuipui District had been without Deputy Commissioner from May to September ? What is the reason ?

PU CH.CHUNGA
CHIEF MINISTER: Mr.Speaker Sir, let the Member look to the reply in Supply for the reason of why the Deputy Commissioner could not go to Saiha. And it is not right to say Chhimtuipui had been without Deputy Commissioner from 15th May to 12th September as Pu Pahnuna took charge from 15th May in addition to his works and Pu Baijal also took the charge when he went to Lunglei. After that, Pu Aggarwal was appointed as Deputy Commissioner.

PU ZALA WMA: Mr.Speaker Sir, the farmer is not to be replied by the member. So, do we have a Deputy Commissioner without legs as many people could go by foot ?

PU K.SANGCHHUM: Mr.Speaker Sir, supplementary Question- Whether it is the intention of the Government to transfer Officers from this place without making any arrangement for a substitute or a reliever ?

.....9 /-

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, That was not so. The matter was referred to the Central Government when the Central Government posted Aggarwal for Chhintuipui Deputy Commissioner, perhaps Mr. Aggarwal could not come in due time. *due to the family problems.*

PU ZALAWMA: Mr Speaker Sir, while the other States are having about 30 Deputy Commissioners and 30 Districts, we are having only about 3 but, why cannot we give clear explanation even for these ?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, It might be that there is not much to be explained.

SPEAKER: Pu Lalsangzuala's Question No. 5.

PU LALSANGZUALA: Mr. Speaker Sir, Question No. 5 -
(a) Whether it is a fact that serious cases of corruption involving many thousand of rupees took place in the Lunglei Soil Conservation Division during 1971 - 72 ?
(b) If so, what action has been taken by the Government on the matter ?

PU R.THANGLIANA

MINISTER: Mr. Speaker Sir, there is nothing in the record, and in the absence of that fact, there is no ground for taking action.

SPEAKER: Pu Lalsangzuala's Question No- 6.

PU LALSANGZUALA: Mr. Speaker Sir, Question No. 6 -
Whether the Government proposed to extend financial assistance, in the form of ex-gratia grant or otherwise, to the families of those innocent people who lost their lives in the hands of the Security Forces and the M.N.F. during the disturbances in Mizoram ?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, Yes, the Government has a proposal.

PU J.THANGHUAMA: Mr. Speaker Sir, to how many persons has the Government of Mizoram gave grants and what is the amount given upto the date Mizoram became Union Territory ? To whom the Government gave grants out of the Budget grant last year totalling Rs 1 Lakh ? When were they given ?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, as the General Financial Rules require we are laying down rules to give such grants. It is also submitted to the Central Government and they (Central) raised some questions. As soon as we receive their approval, the grants will be distributed.

PU J.TH/NGHUAMA: Mr. Speaker Sir, what had happened to the money (Rs 1 Lakh) which we passed last year? Is it that we passed that money without having any rules for disbursement? I want to know how many persons received the grant and how much. I do not ask about the rules.

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, We are saying that it is not yet distributed.

PU J.THANGHUAMA: Mr. Speaker Sir, Are we making rules when we cannot give grants?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, when we became Union Territory, we had to prepare rules, as such there was a provision last year, but we could not give them. As I said before, the Centre raised certain questions and only after the rules are approved, the money will be distributed.

PU ZALAWMA: Mr. Speaker Sir, Is it that the Central Government has no Financial Rules? We are under the Central Administrative area and cannot it be disbursed under that rules?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, we had to make our own.

PU ZALAWMA: Mr. Speaker Sir, Has our Government receive concurrence for our Financial Rules?

PU CH.CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, We are awaiting for that.

PU ZALAWMA: Mr. Speaker Sir, Is it that it will be introduced in the House only afterwards? Does it mean that the money (Rs 1 Lakh) which we have already passed would be automatically passed?

PU CH. CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, that is a draft Rule, and it can be pursued under Executive Orders if it is passed.

PU ZALAWAR:

Mr. Speaker Sir, Will it be that the money of Rs 1 Lakh has lapsed if they give concurrence next year?

PU CH. CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, It can also become lapsed, but there will be certain amount of money to be distributed when the rule arrives.

PU R. ZOLIANA:

Mr. Speaker Sir, this question was asked on the 27th Oct., 1972 the 1st November, '72 and also on the 29th March of this year and the answers were almost different. Whether that money of Rs 1 Lakh was lapsed or not which we passed in this Assembly last year, many villagers had come with a great expectation. Has the Government any proposal to sanction as early as possible?

PU CH. CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, Though we wished to give immediately, but the Central Government has to verify the rule which we prepared and that is expected very soon. We will also have to verify those who claimed as having been killed by the Security personnels.

SPEAKER:

Question hour is over and the next item will be an obituary reference. There are altogether 5 (five) and their life-sketches will be given by Leader of the House, the Hon'ble Chief Minister and we will now ask him to give their short life-sketches.

PU CH. CHHUNGA

CHIEF MINISTER: Mr. Speaker Sir, between the last Session and the present one, we lost great leaders of India and our own colleagues. To show our grievances and sympathy, I would like to suggest that the Resolution be passed in this House and to send our sympathies to the bereaved families. They are :-
(1) S.M. Kumaramangalam = Union Minister for Steel & Mines,
(2) D.R. Chavan = Union Minister of States for Law, Justices
(3) J.B. Hajjer = Minister for Tribal Areas, Assam. etc.
(4) D.B. Bandadkar = Chief Minister of Union Territory, Goa.
(5) Joisna Chanda = Senior Member of Parliament from Cachar.

1: Shri Kumaramangalam: Union Minister for Steel and Mines lost his life in an Indian Airlines air-crash on the night of Thursday, the 31st May, 1973. He was born on the 1st Nov., 1916 at London. He educated at Inner Temple and was called to the Bar-at-Law in 1939. Shri Kumaramangalam used to be an Advocate-General in Tamil Nadu. He resigned from the post in 1957 and held the post of Chairman of Indian Airlines from 1969 till 1971. During this period of his Chairmanship, his works were note-worthy.

Shri Kumaramangalam was a good sport-man and also was a teetotaler and a non-smoker. He was secular and cosmopolitan in his outlook and was devoted to the creation of an equalitarian society.

He joined the Communist Party while he was in England and was arrested and jailed for several times.

Shri Kumaramangalam was elected to Lok Sabha from Pondicherry constituency in 1971 and later became Union Minister for Steel and Mines, the post he held till his death.

2: Shri Rajji Saheb Ramlal Chavan: was born on 22nd August, 1916 at Kumbargan in Maharashtra. After he took his M.A. Degree he took the degree of Master of Law and then became Advocate at Bombay High Court. He became Member of Lok Sabha in 1957 and joined the Congress in 1960.

From 1962, Shri Chavan became Deputy Minister for Defence (1962-64), for Food and Agriculture (1964-66), for Rehabilitation (1966-67), and for Law (1967-68). He was promoted to the Union Minister of State for Petroleum and Chemical (1969-71), and then for Supply (1971-73), then holds the portfolio of Law, Justice and Company Affairs in 1973 till he died of heart failure in New Delhi on the 8th July, 1973. It is really a great loss to us all.

3: Shri Dayanand B. Bandadkar: was born on the 12th March, 1911. He actively associated with the Freedom struggle for Goa and was arrested and imprisoned in 1956 for three months. Shri Bandadkar also took part in the Quit India Movement in 1942. He then became the first Chief Minister of Goa in 1963 till he resigned in 1966 when the Government of India decided to hold an opinion poll to decide future of Goa. Shri Bandadkar became Chief Minister again after the General Election which followed the opinion poll. He died on the 12th August, 1973 and thus we lost a great man.

4: Shri Joybadra Hagjer:

was born on 2nd April, 1914 in North Cachar Hill District. He took his B.A. Degree from Calcutta University in 1938. Shri Hagjer was in Government Service as an Assistant Jailer and later on became Mauzadar in place of his father, but he lost the job when he was arrested in 1942 under the Defence of India Rules.

Shri Hagjer joined the I.A.F. in 1944 and served in an administrative capacity till Nov., 1947.

He then became M.L.A. (Assam) in 1952. He was nominated member in North Cachar Hills Autonomous District Council and became Executive Member of the Council till 1955 when he became Parliamentary Secretary of Assam Government. He was appointed a Deputy Minister in 1956. Sri Hagjer was a Member of Rajya Sabha from 1956 till 1962. He again became M.L.A. (Assam) since 1962 and was a Minister of State for Education from 1966, and then Minister of Education from 1967 upto 1970. Sri Hagjer then became Minister for Tribal Areas etc., since 1970 till his death on the 18th July, 1973.

5: Smti Joisna Chanda:

was born at Silchar in 1904. She became M.L.A. (Assam) from 1957. She became Member of Lok Sabha from 1962 till her death with a constituency of which Mizo District was a part.

Smti. Chanda was popularly known in Mizoram as Pi Chanda-i. She was associated with many trade unions, educational institution and social welfare organisations. She represented Assam in different conferences and organisations, including All India Conference On Community Development.

Smti Chanda died of sudden heart attack while she was offering Puja at Ramkrishna Mission in New Delhi on 16th September, 1973. We are greatly shocked to learn her sad demise.

SPEAKER:

We will call now the Members who may have anything to say.

PU NGURDAWLA:

Mr. Speaker Sir, they are all great losses to me, but I would like to say something particularly on Pu Kumaramangalam. He was really a source of victory for Pi Indira Gandhi in the last election from the southern part of the country. He was also a great fighter for the Socialism and a great Economist. The people praised his efficiency and the production of Steel and Mines during his time and had grown up greatly.

... 14.

I also had a great sorrow at the death of Shri Bandadkar, the former Chief Minister of Goa. I deeply appreciated for the way he received us while we were on tour.

PU C.LALRUATA: Mr. Speaker Sir, as one of the Members said just now, I would also like to say some words regarding the Chief Minister of Goa, Pu Bandadkar. As we know, I personally saw him while we were on tour. I praised his sacrifice for Goa and even for India and regarded him for a good example. During all those period as a Chief Minister, Shri Bandadkar did not draw any pay or money for the post he was holding and did not even occupy the bungalow. He was also said to have distributed Rs. 2 lakhs to the poor people and all the Goanese people loved him.

SPEAKER: Now, we will all stand one minute in silence to show our sympathies and sorrows for those five great people who passed away. (One minute silence was observed by standing).

I will now announce the names for the Panel of Chairman for the present session :-

- (1) Pu Saitlawma. (2) Pu C.Lalruata.
- (3) Pu Lalsangzuala. (4) Pu R.Zoliana.

The Business Advisory Committee met to frame the programme, Calendar, etc., for the present Session on the 14th September. They discussed the Government Business, but since there were not much Business, you can see from the Calendar that our Session will take place from 25th till 28th, as the Business Advisory Committee recommended. The House has to accept that, so a member of the Committee, Pu Hrangajaia may move for its acceptance.

PU HRANGAIA: Mr. Speaker Sir, the Calendar has been placed before each of us. As decided on the 14th September along with our Ministers, I move the Calendar to be approved by the House.

SPEAKER: Just now, the Member has moved it and is there any objection? (Members were silent). We have accept it. Our next item does not appear in the List of Business. The Notice of Adjournment Motion was received from the Hon'ble Member Pu Zalawma. Now, we will call him to move the Motion and also to explain the reasons of his Motion.

PU ZALAWMA: Mr. Speaker Sir, I thank you for allowing me to speak. (Speaker:- Rather than moving the Motion, you please read it out). The Motion is this and let me read it out. (He reads out).

SPEAKER: That is the Motion and it is not yet moved, but the Member read out what he submitted. But whether this Motion will be admitted or not is to be discussed later on. We will call the Chief Minister to speak on the ^{subject} first. This motion was received on the 5th September, and 20 days had gone since the Motion's was submitted. Anyhow, we will now ask the Chief Minister to speak.

PU CH. CHHUNGA: Mr. Speaker Sir, as the Member who brought **CHIEF MINISTER.** in the Adjournment Motion said, it can be a public interest in all ways regarding the eviction of Mizo farmers by the Assam Government. But we will have to consider whether it is an urgent matter or not. We did not have any information about the eviction since the 6th or 7th September.

I knew well that it will really shock the people and it took even myself by surprise. Before we reached Silchar, our Aizawl Deputy Commissioner had a meeting with the Deputy Commissioner of Silchar. The Silchar Deputy Commissioner also said that he did this since he got order from his superiors. Just before I reached Silchar, our Education Minister saw them cutting down the crops, etc., and he went to the spot asking them to stop their operation since then they ceased cutting down crops etc.

As soon as we arrived at Aizawl, we had a meeting with our Officers and we decided to go to Shillong immediately to discuss the matter with the Chief minister of Assam, Shri Sinha. Then, our Development Minister, Pu Thangliana and Aizawl Deputy Commissioner went to Shillong and met the Chief Minister there. The Chief Minister Sinha told our representatives that they will not continue the eviction operation till they completed reaping their crops. Therefore, this is not a very urgent matter and I think we may cause more harm if we have a discussion now.

SPEAKER: We have learnt what the Government have done and our Hon'ble Chief Minister also said that the matter is not so urgent, besides it can be done as a general resolution. An adjournment motion is very important, because such a motion can dislocate our normal transaction of business, so this Adjournment Motion cannot be admitted.

PU ZALAWM: Mr. Speaker Sir, I think making a statement at least will be allowed if it cannot be considered now.

SPEAKER: The Statement is here and if you are moving it. I did not allow the Adjournment Motion as such it will not be permissible for you to speak.

We will now proceed to our next item No. 5. The Chairman of the Privilege Committee will now lay the Committee's report on the table of the House.

PU HIPHEI: Mr. Speaker Sir, I am laying the report of the Privilege Committee on the table of the House.

SPEAKER: All Members are given the copy and you will study it. Later on, we may have a discussion. Now, the Chairman of the Committee on Government Assurances, Pu Lalrinliana will lay the reports on the table of the House.

PU LALRINLIANA: Mr. Speaker Sir, I beg to lay the first report of the Committee on the Government Assurances.

SPEAKER: We will now proceed to No. 6. The Bill which we are going to discuss is a Money Bill, and there is the recommendation of the Administrator for its introduction (Read out).

PU KHAWTINKHUMA
MINISTER: Mr. Speaker Sir, I beg leave to introduce the Salaries and Allowances of Minister, Mizoram Bill 1973.

SPEAKER: This is the Salaries and Allowances of Ministers Bill 1973. The Minister i/c had just begged leave to introduce the Bill.

PU ZALAWMA: Mr. Speaker Sir, this violates the proviso to Section 77 of the "Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly". According to this Section, any Member may object to any such motion being made unless copies of the Bill have been so available four days before the motion is made.

SPEAKER: I will explain this. This Section provides that four days be made available for the Member. It is with this idea that the Business Advisory Committee had prepared our Calendar. It was expected that four days will be available for the Members before the Bill is introduced. But this Bill had to be first approved by the Central Govt. whose approval we received only yesterday. There will be time for study

of the Bill after it is introduced and before it is considered. Therefore, a careful study of the rule will show that mere introduction at this stage is not irregular.

PU R. ZOLLANA: Mr. Speaker Sir, I think it is page 39, Para 3 of the "Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly" Provided further that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any Member may object to any such motion being made unless copies of the Bill have been so available for four days before the motion is made and such objection shall prevail unless the Speaker, in his discretion, allows a motion to be made.

SPEAKER: The Minister i/c has simply begged leave for introduction of the Bill in the House. Is there anyone who opposes introduction of this Bill? (Members kept silence). There are no Members who oppose introduction of the Bill. Now, the Minister i/c will introduce the Bill.

PU KHAWTINKHUMA:
MINISTER: Mr. Speaker Sir, I beg to introduce the Salaries and Allowances of Ministers, Mizoram Bill, 1973.

SPEAKER: The Salaries and Allowances of Ministers, Mizoram Bill, 1973 has now been introduced in the House. The next item is "Salaries and Allowances of Speaker and Deputy Speaker of Legislative Assembly, Mizoram Bill, 1973". We have here the Administrator's recommendation on this Bill. Now, the Minister i/c will beg leave to introduce the Bill in the House.

PU KHAWTINKHUMA:
MINISTER: Mr. Speaker Sir, I beg leave to introduce the "Salaries and Allowances of Speaker and Deputy Speaker of Legislative Assembly Mizoram Bill, 1973".

SPEAKER: Is there any member who opposes introduction of the Bill? (Members kept silence). I will call upon the Minister i/c to introduce the Bill.

PU KHAWTINKHUMA:
MINISTER: Mr. Speaker Sir, being granted to introduce the Bill, the Bill is now introduced.

.....18.....

SPEAKER: Now, we will take up item No. 8. I will call upon the Minister i/c to beg leave for introduction of the "Salaries and Allowances of Members of Legislative Assembly, Mizoram Bill, 1973". He needs not read out recommendation of the Administrator.

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, I beg leave to introduce the "Salaries and Allowances of Members of Legislative Assembly, Mizoram Bill, 1973".

SPEAKER: Is there any Member who opposes introduction of this Bill? (Members kept silence). Now, the Minister i/c will introduce the Bill.

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, being granted to introduce the Bill, the Bill is now introduced.

SPEAKER: The Bill has now been introduced in the House. We will take up item No. 9 - the Mizoram Excise Bill, 1973 and we have also the required recommendation from the Administrator. The Minister i/c will beg leave to introduce the Bill.

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, I beg leave to introduce the Mizoram Excise Bill, 1973.

SPEAKER: Is there any Member who opposes introduction of the Bill? (Members kept silence). The Minister i/c will now introduce the Bill.

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, having been granted to introduce the Bill, the Bill is introduced now.

SPEAKER: The next item is the "Mizoram Sales of Petroleum ^{and Petroleum} Products (including Motor Spirits and lubricants) Taxation Bill, 1973. We have here the Administrator's recommendation on this Bill. The Finance Minister will now beg leave to introduce the Bill.

PU KHAWTINKHUMA

MINISTER: Mr. Speaker Sir, I beg leave to introduce the Mizoram Sales of Petroleum and Petroleum Products (including Motor Spirits and lubricants) Taxation Bill, 1973.

...../1. /-

SPEAKER: Is there any Member who opposes introduction of the Bill ?

PU SAITLAWMA: Mr. Speaker Sir, as the Members are all aware, the state of Nagaland and Tripura have no such Act, I am opposed to the introduction of the Bill.

PU LALHMINGTHANGA: Mr. Speaker Sir, I am not opposed to introduction of the Bill but opposed to its motion. We have not yet gone through even one page of the Bill. How can we pass a Bill may be possible to pass Salaries and Allowances of Ministers of Legislative Assembly, 1973 etc. without going through it. But this is not the case with this particular Bill.

SPEAKER: The Minister has simply begged leave to introduce the Bill. If we are opposed to leave for introduction of the Bill, it means that we are opposed to introduction of the Bill with its whole Contents. We have a right to vote down the Bill after consideration. We can also allot time for scrutiny and study of the Bill before consideration of the Bill.

PU LALHMINGTHANGA: Mr. Speaker Sir, there is no time for consideration of the Bill because we have no time for studying it earlier (Speaker: You will be given time for studying the Bill. The Minister i/c simply beg leave to introduce the Bill. If you are opposed to the introduction of the Bill, the Bill cannot be considered.) I mean the limited time we have.

PU ZALAWA: Mr. Speaker Sir, the Central Government created this land under administration area as we are still backward in economic and political spheres. It is not proper to introduce such a Bill requiring us to pay taxes while the Central Government can give us exemption. I would also like to request the Mizo Union Members to remember this. If you grant introduction of the Bill, you will have to vote for it whether you like it or not. It is now time to speak against introduction of the Bill. So if we grant introduction of the Bill, after begging leave for introduction, it is not fair.

PU LALHMINGTHANGA: Mr. Speaker Sir, we should admit the introduction of the Bill, if we had not admitted the leave for introduction it is necessary to regularise; it is improper to enforce the Assam Regulation Act in Mizoram. We cannot be exempted of this Tax unless the Bill is introduced. If we want to be exempted of this Bill or tax we should grant the leave for introduction and we shall be for exemption afterward.

x without studying it? 24 - - -

....R /-

SPEAKER: We could not have to study the Bill in detail because we have the Bill just now, you shall see it first and then make a decision and idea. Whether you think better to oppose or leave for introduction of the Bill or can you withdraw your Opposition? You shall have enough time to speak your idea and raise your points of objection. Two honourable Members opposed the introduction of the Bill, if so we shall have to take vote on it.

PU SAITLAWMA: Mr. Speaker Sir, I would like to quote Rule 77, (a), (b) and (c) of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly. Only if the Minister i/c give Assurance to the House by any of the said Rules. I shall withdraw.

PU KHAWTINKHUMA: Mr. Speaker Sir, it is wrong to say that we are exempted Petroleum tax, the Assam Act include us and we pay the Petroleum tax at very high cost. The Assam Act included Mizoram while we were one of the Districts of Assam Govt. after becoming Union Territory we are to use/enforce the said Act by order of the N.E.A. Organisation Act, which we enforce. We pay the Assam Tax on Petroleum and Lubricant hence we pay a very high tax. At present we pay the Assam Tax at 13p. per litre, but we mean to have our own Bill and make the rate lower than Assam. If we do not pass this Bill we shall have to still pay the Assam Tax at 13p. per litre. This Bill is introduced to reduce the rate of the Tax.

This is the condition how they say the U.Ts are exempted this tax. Tripura was never under any State Govt. before coming to U.T. stages, it was a Native State, it was exempted Petroleum tax. Even after coming to U.T. Stage, the Petroleum tax which they were exempted was never paid. Manipur also was a Native State, if they were exempted the tax while under U.T. Government. Even after they became U.T. they did not pay the tax before they make their own new Act.

But since we were under Assam Govt. we paid the tax even till today. Our condition is different from other Union Territories like Manipur and Tripura while they were under Union Territory Government.

The Central Government cannot exempt us any tax which we already paid, they can accept the proposal to pay the tax at lower rate; the Central Govt. cannot understand the proposal to be exempted all the taxes we already paid while we were under Assam Govt. because the financial position of Central India is not strong. Such is the condition.

PU SALAWMA: Mr. Speaker Sir, it is difficult to understand why we paid the Assam Tax? If we make Act, we shall have to pay, we are going to make Act to make ourselves pay the tax. Who is responsible for our paying and still enforcing the Assam Act till today due to our not having Act of our own? that is my question. If we make Act of our own, we say the Central Government understands it as there was influence already. Why should the Central Government impose tax on us, is it not that she is going to develop our land?

The Central Government was already to lift taxes for development of our land. We did not expect to be expected to pay tax. It is not fair that we made rules to bind ourselves to pay tax when they put us in Union Territory Stage. Why do we still belong to Assam Government and pay Assam Tax, we are now in dependent from Assam Government to become Union Territory. We should try to find out the wrong point and the person responsible. Some of us is responsible for it. After becoming independent to exempt the people from taxes, we object that we still have to pay tax, it cannot be. I believe there is a certain responsible person for making Act to bind ourselves to pay tax till today.

SPEAKER:

Any other Member who oppose to it?
You may say your point. We shall call the Minister to reply.

PU KHAWTI KHUMA

MINISTER: Mr. Speaker Sir, the Parliament is the responsible authority, because in the Union Territory Act it is said that the Assam Act shall be in force.

SPEAKER:

Other Members who oppose shall have to clearly say your point of opposition.

PU SAITLAWMA:

Mr. Speaker Sir, this Bill should not be passed without reading through the contents as it may be the burden for our people. (Speaker: We are not going to pass that right now), I wanted to oppose it right from the beginning, but if the Minister i/c by Rule 77 (b) or (c) of the Rules of Procedure and Conduct Business in the Mizoram Legislative Assembly refer to the Select Committee or circulate the Bill for taking public opinion and enable us to interpret the Bill to the public, I shall withdraw my point.

SPEAKER:

That should be taken as Motion after introduction we have not yet come to the 3rd Stage. We cannot say how he is going to do.

.....22 . /-

PU ZALAWMA: Mr. Speaker Sir, I demand the point in the North Eastern Area Reorganisation Bill where such compromising points are written.

We had much facilities while under Assam Government than we have here. Hence in this matter we should tell me the exact point.

Are all the District Council Rules made by the Assam Governor, meant for the dropping of Mizo people enforced? I do not see such kind of Rules.

PU CH. CHHUNGA;
CHIEF MINISTER;

Mr. Speaker Sir, we have discussed this matter long enough, quoting Acts, Rules etc., very clearly, as they have said there was no order regarding compulsory enforcement of Petroleum Taxation in Mizoram, but there was general order that before Mizoram Union Territory Government make her own Act the Assam Act enforced in Mizoram while it was under Assam Government shall be in force. If we want to enforce Act made by Assam Government which we had not earlier enforced. We can enforce it, as such seems the right procedure. As our Hon'ble Members who spoke before said, it is compulsory to do it, otherwise we shall pay Petroleum Tax at a very high rate, even now the Central Government is going to impose a certain tax at about 10 paise per litre about which I am not sure. It seems they are going to impose tax on land if so if we do not pass this Act/Bill we shall go on paying Assam Tax, it means we cannot reduce or increase the rate of the tax other than Assam Government rate, though it does not mean the tax shall go to Assam Government. If we do not make new Act of our own or modify the Act, we are sure to enforce the existing Act.

Even though the Act is still existing and in force the already exempted areas are still exempted. But we are not exempted of Petroleum Tax, we should pass this Bill/Act. However, as our Hon'ble Speaker said, we are going to discuss together in what way we shall pass the Act, but if there is objection and opposition to the introduction of it, it cannot be discussed, however.

SPEAKER: It seems we all want reduction of Tax, and they are say it shall be so, but there is a bit misunderstanding. It shall be clear when we shall come to consideration stage at present he is begging leave to introduce it. Hon'ble Member Pu Saitlawma's point was Rule 77 of the Rules of Procedure and Conduct of Business, but as he is to move the motion after introduction of the Bill, how is not the present stage. Another objectional point is that it should not be done within few hours, you shall have two(2) or 3(three) days to study the Bill. Within that allotted(period) time you shall

thoroughly study and there we shall discuss afterward.

Then, any other Member who object the leave for introduction ? (Members - Silent). Are Pu Saitlawma and Pu Zalawma still standing in their points of opposition. It shall be necessary to take vote.

PU ZALAWMA: Mr. Speaker Sir, my point of confusion is I wonder why ~~we~~ still pay Tax for Assam.

**PU R. THANGLIANA
MINISTER:**

Mr. Speaker Sir, Pu Zalawma cannot easily understand things and we should understand him, I think he is still thinking that we are under Assam Government influence and I pity him. As there is Order No. Act of the North Eastern Area Reorganisation which imposed or ordered us to pay the same rate as we have paid to the Assam Government, the Government is still collecting the tax. That's all about it, the money did not go to Assam Government rather it goes to the Mizoram Government.

Our Finance Minister think the rate is too high and introduce the Bill to make it a bit lower, what is there that cannot be understood ?

SPEAKER: It is not necessary to explain is the Minister concerned has already explained.

Are there any other Member who still oppose the introduction ? Can you (meaning Pu Saitlawma) withdraw ?

PU SAITLAWMA: Mr. Speaker Sir, I shall withdraw if he shall refer to the Select Committee.

SPEAKER: As we have not come to the stage yet, we shall say about his reference or not, we are discussing only the leave for introduction. Then, is it that you still object to the leave for introduction ?

PU ZALAWMA: Mr. Speaker Sir, if this Bill has been drafted by the Government to exempt us tax I shall withdraw right away.

SPEAKER: Then it is clear - The Mizoram Sales of Petroleum Product (including Motor Spirit and Lubricant) Taxation Bill, 1973. Those of you who agree to give leave for introduction of it begged by Finance Minister say 'Aye' (Majority of Members agreed) Majority wins. Leaves to the introduction is granted. Now let him introduce the Bill.

PU KHAWTINKHUMA
MINISTER:

Mr. Speaker Sir, having been granted
to introduce the Bill, the Bill is
now introduced.

SPEAKER: The Bill is now introduced, we all
shall take home a copy and thoroughly study it and you
shall have enough time to speak in this House.

We shall adjourn the meeting, we shall
start tomorrow at 11.00 A.M.

Meeting adjourned at
12.55 P.M.

(N.C. HANSHINE)
Secretary,

Mizoram Legislative Assembly,
AIZAWL.

R. zht/-

...