

ENGLISH RENDITION OF PROCEEDING OF THE 6TH SESSION OF 7TH  
SITTING OF THE MIZORAM LEGISLATIVE ASSEMBLY HELD AT THE  
ASSEMBLY HALL FROM 19.3.1974 TO 2.5.1974.

.....

8th. Sitting on 1st October, 1974 at 11. A.M.

P R E S E N T.

Mr. H. Thansanga, M.A.B.T, Speaker, in the Chair, Chief Minister,  
Five Minister and twenty five Members.

B U S I N E S S.

1. Questions.
2. (a) Pu Vaivenga, Minister for Revenue to move that the Lushai Hills District (Revenue Assessment) (Amendment) Regulation, 1974 be taken to consideration.  
(b) Consideration of the Lushai Hills District (Revenue Assessment) (Amendment) Regulation, 1974 clause by clause.  
(c) Pu Vaivenga to move that the Lushai Hills District (Revenue Assessment) (Amendment) ~~Bill~~ Regulation, 1974 be passed.
3. Any other Government Business.

SPEAKER: "Who is a wise man and endued with knowledge among you? Let him show out of a good conversation his works with meekness of wisdom. But if ye have bitter envying and strife in your hearts, glory not, and lie not, against the truth. This wisdom descendeth not from above, but is earthly, sensual, divillish. For where envying and strife is, there is confusion and every evil work. But the wisdom that is from above is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy".

We will go straight to our next question No. 86 by Pu R. Dotinaia.

ORAL ANSWERS TO STARRED QUESTIONS.

SUPPLY & TRANSPORT DEPARTMENT.

SUPPLY & TRANSPORT DEPARTMENT.

Reason for filling the post machanic in the transport Department, for a long time.

\* 86: PU R.DOTINAIA: Will the Hon'ble Minister i/c of the Supply & Transport Department be pleased to state -

(a) Whether a post of Mechanic in the Transport Department is lying vacant since April, 1974.

(b) If so, what steps have been taken by Government to fill-up the post?.

SPEAKER: These are to be answered by Pu Lalsangzuala. But, during his absence, he authorised the Development Minister and so, he may give reply.

PU R.THANGLIANA: Mr.Speaker Sir, (a) Yes, there is one MINISTER. post, (b) A meeting of D.P.C. is being convened to consider and recommended the name of suitable dandidate for filling up this vacancy.

PU R.DOTINAIA: Mr.Speaker Sir, one more supplementary question: Whether the post is 1st grade was it advertised formally? or If so, is there any applicant? To me, it seems that there was an one applicant. Was he incompetent for the post?.

PU R.THANGLIANA: MR.Speaker Sir, the post is 1st grade MINISTER. level and no advertisement was made in the post. Despite of the fact, that there were some applicants for it such disqualified them all. At present, there has been a new proposal for : advertising the post in the near future.

PU R.ZOLIANA: Mr.Speaker Sir, the Minister had said that the post is 1st grade for which a search for a suitable person was made without being advertise. How can this be possible to look for a suitable person for the post of machanic 1st grade without advertising to the public?.

PU R.THANGLIANA:  
MINISTER.

Mr. Speaker Sir, there was neither a search for a suitable person nor an advertisement in the past. But, applications were received among them are found no qualified person so far.

PU C.LALRUATA:

Mr. Speaker Sir, What is the required qualification for post of Mechanic 1st Grade?

PU R.THANGLIANA:  
MINISTER.

Mr. Speaker Sir, the qualification required for at least, a certificate holder in any recognized I.T.I. Industrial training Institute for example, our Training Centre of Silchar.

PU C.LALRUATA:

Mr. Speaker Sir, There were 3/4 Mizos who passed the required Training from our Silchar Guest Institute, as it is called, in the Session. Did not they apply for this post?

PU R.THANGLIANA:  
MINISTER.

Mr. Speaker Sir, any person who passed out from Silchar Institute are regarded as qualified. Perhaps, they did not apply for this post till now.

PU R.ZOLIANA:

Mr. Speaker Sir, Our hon'ble Member Pu C.Lalruata said that there were 3/4 graduates from our Silchar Institution. I am sure that these were 10 persons not 3/4, and among them were the applicants for the said post. Does the Government of Mizoram know that they applied for that post?

PU R.THANGLIANA:  
MINISTER.

Mr. Speaker Sir, the matter will be considered later on if anyone had applied. So far I know, there has been no such applicants previously.

PU R.DOTINAIA:

Mr. Speaker Sir, Is it a fact that something is to be done in order to favour those applicants who have passed from Silchar holding the post of Grade II?

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PU R.THANGLIANA:  
MINISTER

Mr.Speaker Sir, there is no intention for the appointment of grade II. But, the post will be advertised to the ~~public~~ public and thereby, final selection will be made among the applicants, in order of merit and performance.

PU KALKUNGA:

Mr.Speaker Sir, how did they apply without been advertised?.

PU R.THANGLIANA:  
MINISTER.

Mr.Speaker Sir, that is upto them and it depends on them.

SPEAKER:

Now Question No.87 <sup>by</sup> Pu Dotinaia.

Purchase of Weighing Machine.

\* 87: PU R.DOTINAIA: Will the Hon'ble Minister i/c of the Supply & Transport Department be pleased to state -

(a) Whether it is a fact that a weighing Machine has been purchased by Government?.

(b) If so, whether the machine is used by Government?.

PU LALSANGZUALA:  
MINISTER.

Mr.Speaker Sir, yes, three weighing machine were purchased.

PU R.DOTINAIA:

Mr.Speaker Sir, another supplementary question: What is the reason why it remained unused till now or was there any defect in the machine?. Whether it is given for private use?. It always became untolarable problem for the passengers to have sit in an overloaded Bus, for it always picked up extra luggage somewhere from Zarkawt or some other places. Afterall the government had purchased weighting machines for use in the Bus Station or the other, incurring a large sum of rupees. Is there any defective parts or the machine should be unaimed unused?

PU R.THANGLIANA:  
MINISTER.

Mr.Speaker Sir, each of the machines was purchased from different Companies one from Auvy India Ltd and another one from The George Satter India Ltd. To instal the machines, the concerned company machine has arrievd Aizawl recently and the installation at Aizawl was finished for public use. Similarly, installation at Lunglei will be done as soon as possible. But, I cannot say about the Weighting Machine of Silchar which was purchased from another company and the installation is to be done from their end. As soon as we have fixed all these machines there can be appropriation for Weighting luggages coming from Silchar to Aizawl, Aizawl to Lunglei. Hence we were probably attain the ideal means of weight. However, it is impossible to implement a fair means of booking etc., for the government before it could be used properly.

PU C. LAIRUATA:

Mr. Speaker Sir, what is the total price of these three machines? What the word instal means according to our Hon'ble Minister on the other day, I was visiting the Aizawl Bus Station and found the machine to be perfectly servicable and scaled myself to be as 63 Kgs. Have not the machine been installed here Aizawl? Should the company machanic reinstalled this machnifics for it is already done. Who installed this machines?.

PU R. THANGLIANA:  
MINISTER.

Mr. Speaker Sir, yes the Weighting machine was installed at Aizawl Bus Station by the company machanic. Though this only machine can be used for the purpose, it is felt unfair enough to use at only one Station. Therefore, this has been kept unused till the others are installed to other places. And, regarding, The cost price, I am afraid, I could not give the correct figure now.

SPEAKER:

Now question No.88 by Pu R. Dotinaia.

APPOINTMENT DEPARTMENT.

Appoinment of only 4(four) B.D.Os. while there are 10 vacant post.

\* 88: PU R. DOTINAIA:

Will the Hon'ble Minister i/c of the Appointment Department be pleased to state -

(a) Whether it is a fact that Govt. of Mizoram appointed 4(four) B.D.Os. although there is a budget provision of 10 (ten) B.D.Os?.

(b) If so, why?.

PU KHAWTINKHUMA:  
MINISTER.

Mr. Speaker Sir, (a) No, there is a budget provision for 1974-75 for 10(ten) posts of B.D.Os previously created and retained upto 28.2.75 under non-plan. These four B.D.Os are appointed by the Govt. of Assam and retained by the Govt. of Mizoram and their appoinment were made by Govt. of ~~Mizoram~~ Assam and not by Govt. of Mizoram.

(b) Only the 10 posts of B.D.Os under Non-Plan have been retained upto 28.2.75. Though there is Budget provision for 20 B.D.Os only 10 B.D.Os are retained under Non-Plan till 28.2.75. The rest of 10 nos under plan are not created nor retained.

The budget provision booked in the Cyclostyled Book was prior to final financial outlay received from Planning Commission, Govt. of India and does not give correct upto date picture.

<sup>Budget</sup> Even the 10 nos of B.D.Os could not be borne from C.D. from in view of the Shortfall from proposed Planning outlay. Hence only 4 posts of B.D.O could be filled up out of the 10(ten) sanctioned posts.

PU R. DOTINAIA: Mr. Speaker Sir, supplementary question: five B.D.Os as Minister said, were appointed so far. What are their names and in which places they are posted? What is the no. of M.C.S. Officers included in this appointment? Creation of 10 posts of B.D.O. and the financial concurrence have been given to this Mizoram Govt. as remarked by the Minister. Why not another appointment for 5 or 6 posts been delayed whereas the present strength is too inadequate in compare to their duties? It is learned that some of the M.C.S. Officers are unemployed. What is the matter?

PU KHAWTINKHUMA. MINISTER. MR. Speaker Sir, appointment, as said, was not made because, of the unadequacy of financial position in the Block Development. We have, at present, 4 BDOs which were retained from the time of Assam and these are the names: (1) Pi Zodinpuii, SDPO & BDO; (2) Pu Thanhawla (3) PU Ronghinglova, BDO, Thingdawl; by mistake I have mentioned that Pu Ehanhawla was posted at Thingdawl. (4) Pu Malsawmdawngliana BDO, Tlangnuam and (5) Pu Lalhema BDO Hnahthial Pu Hlychho, ABDO. Lawngtlai was appointed by the Education Department in Assam, but his pay etc. is paid out of Development Budget. There was a proposal to upgrade him as Assam Civil Service Class II. The above 5 BDOs are paid out of Community Development Budget. The rest could not be appointed as there is no adequate fund which will be budgetted separately. We have pointed out yesterday that among the Mizoram Civil Service examinees, 20 persons were appointed, out of which 3 persons were designated as A.O. some of them still performed the duties of B.D.O. and paid out of G.A.D. Budget as there is no budget provision in the Community Block Development. 3 persons out of 20, could not join their posts, one of them is Pi Lalkungi Haante who is disqualified by the Medical Board, the other two, Pu C. Ropianga who due to illness and Pu L.T. Tluanga A.O. Ex-Officio BDO Chawngte, who faced a departmental misappropriation, could not joined their posts till now.

PU LALKUNGA: Mr. Speaker Sir, we have always heard of the reply from the Govt. that the created posts could not be filled-up due to shortage in budget. How these posts were created before getting Financial concurrence?

PU R. ZODINPUII: Mr. Speaker Sir, the Minister had said that the total number of B.D.O. at present is 4 and what he actually named is as many as 6 persons. May we get more clarification on this? Moreover, we were told that the rest could not be done as there was no budget provision for the creation or appointment of the others. Why was this occurred? Did the Government proposed without having no budget provision beforehand? If not, how this budget was utilised and for what purpose was it spent?

PU R.DOTINAIA: Mr. Speaker Sir, one supplementary question, it appears that there was a sanction, vide Development no 13/73/122/ of 8.5.74 for S.D.P.O & B.D.O I-II under Non- Plan which is with me. If that is correct, has the Govt. withdraw the money and for what reason?.

Pu Khawtinkhuma: Mr. Speaker Sir, the reason why the created posts could not be filled-up is, besides the retained 10 posts, we have additional 10 posts and then there is an opinion that in each Block, there should be one B.D.O as a result, it was keenly felt that these posts should be created and the old pattern have to be changed totally. This proposal, was accepted by the Government of India without increasing the Budget Provision for it. Therefore, the created posts could not be filled up for the financial involvement would be too large thereby resulting a complex situation. Regarding the creation of 10 posts under Non-Plan which generally normalised, were, as proposed by the G.A.D filled up with civil Service II or I as practiced in other State. The works should be vested in A.A.O. as Ex-officio B.D.O. So that the existing budget can be economised for useful purposes. Our hon'ble Member said that there are 6 (six) BDO including one A.BDO. I think you misunderstood my point because one BDO Thanhawl was given a training and in his place Pu Hinghlova who posted, It sounded odd because I have mentioned two persons as one post, There will be easily confusion in this regard. So, there are altogether 5 B.D.Os including are ABDO namely Pu Hlychho.

PU SAILLAWMA: Mr. Speaker Sir, in this hands, the Government is said to be having employed some of our Mizo Civil Service Officers. At present, how many Mizo Service Officer are employed?.

PU SAPLIANA: Mr. Speaker Sir, the minister had announced that BDOs posts could not be filled up due to want of money for which the central Government is responsible. It is believed that if the Central government is intending to introduce a Central pattern of Stage I for the active purpose. If so, how much account of money ~~direct~~ will be require for the direct functioning and the appointment of other and how much amount is demagded for sanctioning? And how much was sanctioned to us already and what will be the deficit amount if these Blocks are run in order?.

PU VANLALHEUAIA: Mr. Speaker Sir, our hon'ble minister said that there are at present, as many as 4 BDOs in Mizoram. It is known to me that altogether 20 Blocks were newly created and to each of the Blocks, one Officer was posted to run the administration. What power is vested to them if they are not regularised BDO or should they act as BDO in their own area?.

PU ZALAWMA: Mr. Speaker Sir, let me try to explain the matter. Firstly considering to that point of Pu Saillawma, the hon'ble Member, that they are not Mizo Civil Service Officers but Class II Officers if I am not mistaken.

Regarding the demand for BBO, are demanded Rs 240 lakhs, for the 5th Five Year Plan. Out of which the amount Rs 106 lakhs is asked for sanctioning to the Central Government. We are intending to utilize, the amount what are the already possess as best we could and besides this, there is wide range of scheme drafted for Rs 240 lakhs. At present, the sanction is Rs 134 lakhs and the proposal for 5th Five Year Plan is Rs 240 lakhs, ~~and the proposal is~~ I am not sure whether this relevant or not, because, it is a developmental programme. There is a proposal in the case of B O though there is a budget provision for 10 BDOs it is felt, that instead of having cadre post for BDO, there should be Civil Service Post so, that the money might be fully utilised by the people. Thus, Class II Officers were appointed as A.O. as substantive post, at the same time, they are the in charge of BDO; so long as their pays are borne by the other Department. This is made in the consultation with G.A.D. and other Department so that the provision for 10 BDOs will be utilized for Developmental programme. This is designed for useful purposes and to benefit the general people whereas on the other hand, the creation of posts and employment should be bound by the Department. The Question of deficit on the budget asked by Pu Sapliana, as I pointed out can be answered with the whole sanction which amounted to Rs 763 lakhs out of our demand Rs 240/- lakhs. The Scheme was drawn for the whole of Rs 240/- lakhs for 5th Five Year Plan and asked for the sanction of Rs 104 lakhs to the central government. When we were in Delhi, we meet the Minister of Agriculture for State and he promised us that it would not be difficult to resanction if we can utilize the first sanction as received, therefore we began to function as having a budget provision for Rs 240/- lakhs which can be spent during 5 years.

SPEAKER: That is more than enough. We have discussed a lot, and let's stop here, other more pointly will be left behind untouched. Now, next question No.89. by Pu Ngurdawla.

#### PUBLIC WORKS DEPARTMENT.

Condonation of 2nd class contractors disqualified under the new rules of Registration.

Pu  
\* 89: PU NGURDAWLA: Mr. Speaker, Sir, will the Hon'ble Minister i/c of the Public Works Department be pleased to state -

How many existing 2nd class public Works Department Contractors have been disqualified in the screening made recently under the new rule of Registration?.

PU KHAWTINKHUMA: Mr. Speaker Sir, there are 120 (one hundred twenty).  
MINISTER.

PU NGURDAWLA: Mr. Speaker Sir, in explaining the above quotation, I would like to say that the minister earlier said that there were as many as 120 Contractors. According to source I heard that there were 121 Contractors, of which some were disqualified. Is it practicable The main reason of disqualification was based on the involvement of money below 2 lakhs of rupees. Most of them were not allotted



works for that much of money by the Department, This practice of partiality for some one else is disagreeable and it means to open a new gate for these people who get enough of works for themselves. In some other Department like Education, the person ~~who~~ was unqualified, has been condoned and whereas, in the case of contractors they were disqualified according to newly made rule. Will it be agreeable. Does not this practice contradict to the socialism policy of Congress? Will it be possible to review the matter by the Government? If not will the consultative P.W.D. look the matter again?. It would be very grateful if the minister be passed to State it.

PU R.DOTINAIA: Mr.Speaker Sir, I would like to ask one more supplementary question, I think it would be relevant, to say that there was one, contractor among the office bearers who worked under Aizawl East Division. Accordingly he submitted his bill to the S.D.O. who passed the bill unfavourably for him. So, he in town, reported using office letter Head to the authority. (Speaker: that is not relevant) suppose that is a fact, whether the bill should be prepared according to the will ~~the~~ of the contractor or its should be prepared on the basis of P.W.D. Schedule rate. With compare to the work done?. Why, bill the member of the ruling party interferred in the personal bill?. (Speaker: It is not relevant).

PU LALKUNGA: Mr.Speaker Sir, one supplementary question: Whether the Registration is copies from Assam registration or central registration. If so, will the minister i/c be pleased to place it before the House.

PU F.HRANGVELA: Mr.Speaker Sir, a short time ago, the minister Stated that altogether 120 2nd class Contractors were disqualified, may I know who in the beginning registered them? And what was the main reason for what they were disqualified? How many 3rd class contractors were disqualified excepting 2nd class. Did not this contradict Congress party? Do we forgot drive the poverty away policy and tried to enrich the richer class and a make poor people to become poorer?. These 120 Contractors, I believed, were registered by them. Anyway, how many 1st class contractors we have in Mizoram, it is true that they are only 2 in number? If so, do the Government proposed to promote these 2nd class contractor to the 1st class?. What is the remaining number of contractors including both of the class i.e. 2nd and 3rd class. Is the Government is intending to allot works to them only?. I would be very grateful if the can explain and tell me those points.

\* the existing policy of our

SPEAKER: Will before it, is too long let him answer those.

PU KHAWTINKHUMA: Mr.Speaker Sir, to carry out the screening for MINISTER. this, a Committee was made under the Chairmanship of Principal Engineer having two Executive Engineers, one from Building & one from Planning Division as members. These 3 officers, while selecting for renewal of registration of 2nd class Contractors, have thoroughly checked and disqualified 120 2nd class Contractors out of 217 on the basis that they

were unable to fulfill the criteria on the Central Code. The rule adopted by them is from Central rules and not of the Assam rules. These 120 contractors who were registered by various P.W.D. could not fulfill the criteria condition which could not be modified and as such they were disqualified. Mr. Speaker sir, I could not give what criteria is followed at present. Which can be had from the Committee. The question whether there were any Class III Contractors among them, could not be replied as it does not concern the original question. The second are, whether class II Contractors should be promoted to class I as it does not concern the original question, and could neither explain nor give effect to it.

PU C. LALRUATA: Mr. Speaker Sir, let me ask once more, is it a fact that the registration of class II or class III was renewed for once and this has been changed, as it appeared, by applying a new registration. Did not they?

Secondly, the government tried to distributed works to be performed in rotation-wise to the contractor on the basis of equal distribution of work, even during the ministry of Mizoram and at present Congress government. This matter was for several time in the Parliamentary meeting and it is still the wish of the Congress to distribute money to the people and the Contractors as a whole. Such was the case in the past. Here the official, especially PWD made a scheme to do so. That one contractor should not be given 4/5 items of works at a time? Otherwise, the Department who distributed works, have compelled them to be in a disqualified position for it was based on the criteria of works done below 2 lakhs of rupees was to like to know whether the govt. has any proposal for equal distribution of works among the contractors.

\* Contractors is renewed yearly? In the former time, the registration for class II

PU R. ZOLLANA: Mr. Speaker Sir, another supplementary question for his prompt reply, that the Hon'ble Minister, a few moment ago, said that the registration rules is adopted from the Central Government but, as appeared, the Government of Mizoram is copying, sometime, the Assam rules alternatively the Central rules, and Draft rules and sometime the Tripura pattern and so on and so forth, according to situational conveniences. Why was the Govt. made affective the Central rules in this particular case? Secondly, why the Govt., for it concerns the interest of the public, did not consult the Consultative Committee in doing this? Will it be possible to ask their advice afresh?

\* be directly disqualified, I would

PU LAHMINGTHANGA: Mr. Speaker Sir, we now knew that 120 PWD registered contractor ~~were~~ were disqualified and disposed with their works. Did they inform them before and when the dispensation was made effective according to the Central rules? If not, in the second place, how could this be justified? In the third place, I would point out that although they adopted an important criteria with which the volume of work done less than 2 lakhs of rupees, was disqualified while they were not render any chance of work of such amount. Did not they decided incomprehensively? I, also, would ask that whether the govt. is hearing their appeals provided that they submit for reconsideration and review of the matter in connection with the disqualification?

Has Pu Saittauma

SPEAKER:

... got any doubt, as he had not work before?

PU SAIITIA WMA:

Mr. Speaker sir, as we are hearing, the Minister i/c had said that he could not give the most important factor of disqualification of class II contractors. Till he be pleased to produce before us all members during this session? In regard to this registration, as said earlier, the central rules is adopted. I would like to ascertain what code is followed in P.W.D.?

SPEAKER:

Let him answer first to that much.

PU CHAWNGKUNGA:

Mr. Speaker Sir, the promotion of other occupations like service etc. was made without restriction. Why not excuse if Class II contractors were not qualified? Moreover, this Consultative Committee was not informed nor it was not brought to the House, as such the disqualification made was groundless and let this matter be brought to the consultative Committee again, so that those 120 Class II Contractors, who were disqualified, might be pardoned and put to their former position: Will the Minister can do this?

PU KHAWTINKHUMA:  
MINISTER.

Mr. Speaker Sir, what they asked were much forgettable on my post as they were too much to get them. Regarding rules, as pointed out by our hon'ble Minister, sometime the Central rule and for some other time the Assam rule are used alternately as the case filtered for excarting as we have no our own made rules for Mizoram. The government adopted either of these rules for such cases that had necessitated, and as such when central rule is appropriated, the central rule is used. The adaptation of rules (Assam) was also finalised as you all members knew.

( Pu Lalkunga: in which \_\_\_\_\_ was the contractors whose works amounted less than 2 lakhs should be disqualified? If that is another in the rule or book the committee will know it, and it must be included in rules for the criteria was based by the committee. But, it can not be stated whether works done less than 2 lakhs should be disposed is found or not.

I would not say whether any explanation or intimation in connection with their dispensation from registration was given to them before the matter was finalised, the question, will be acceptable if appeal to the government asked earlier, as it death with the committee, can be submitted to the committee consists of principal engineer and the other two executive engineers and they will reconsider the matter,

(Pu J.Thaghuama: which either the committee or the consultative Committee, is more powerful in this regard?) Mr. Speaker, in this connection, the consultative committee should deal diferent case, as the registration is up to the committee body in \_\_\_\_\_ the contractors.

Screening

.....12/-

(Pu C.Lalruata: The Consultative Committee was founded to tackle any matters relating to PWD would not be this a policy matter which required the advise of Consultative Committee?). In this connection if the Consultative disagree with the screening policy, it can be reviewed if they please to do so. But, to me beamed as a ~~mark~~ special matters of department, so themselves would be responsible on it. If the government insists them to consult the consultative Committee, as suggested by the Member, there is no fast and hard rule that the consultative Committee should be consulted. Somehow, this is being done. One member asked whether the criteria would be possible to produce during this Session, as the wanted, could be furnished as desired. What code, central or any other is being followed? asked earlier, is likely to go along with the Central Code. Earlier some of our members asked that the consultative Committee has to be interfered in this connection, I think there is no bar for interfering in this matters if they think proper. Therefore, as they are more powerful, the Consultative has the ~~right~~ right to reject what was already completed.

**SPEAKER:**

Let that be enough otherwise we will not have enough time to finish our next question No.90 by Pu Saitlawma. It is not right, however, to say that is the duty of the consultative committee as because this body is to give advise only to the government if require. You are to inform to the Govt. first, then you can do with this.

#### PUBLIC WORKS DEPARTMENT.

PWDs annual average consumption of Explosives for road construction.

\* 90:PU SAITLAWMA: Will the Hon'ble Minister i/c of the PWD be pleased to state -

(a) The annual average consumption of Explosives for road construction by the Mizoram PWD since 1972-73 up till now? (the quantity may pleased be states in quintals.

(b) What is the capacity of the present Magazines of Mizoram PWD?.

(c) Where are the location of such magazine?.

(d) Is there any proposal for extending the present Magazines?.

PU KHAWTINKHUMA: MR.Speaker Sir, (a) 50 quintals(worked on the basis of issued of 75.50 quintal during period march,1973 to August,1974.

(b) Special Gelatine - 22.68 Quintals.  
Detonators - 40,000 nos.  
Safety Fuses - 4,000 coils.

(c) At Zemabawk.

(d) No, instead, there is a proposal to construct new magazines at a different sites at Zemabawk.

PU R. ZOLIANA: Pu Speaker, supplementary question, I would like to ask not concerning the whole of Mizoram but the construction of particular road. What quantity of explosive was consumed for the construction of Thenzawl road since 1972-73 till this date as it always happened that the construction have been almost impossible due to non-issue of explosive. And what company or firm is approved by the Government. Have the government faced any difficulty in supply?

PU KHAWTINKHUMA: Pu Speaker, I could not say how many quantity MINISTER. was expended for Aizawl - Thenzawl road construction. And could not even name the company from which these explosives are purchased. The worked out figure spent for said road and the name of the company will be kept in the office.

SPEAKER: Question hour is over. This is our responsibility that we could not even finish 6 questions.

PU SAITLAWMA: Mr. Speaker Sir, I was, from the beginning, unfortunat as I think, this one supplementary, besides, question no 91 may please be taken up. How much quantity of explosive was distributed to each of the Divisions?

SPEAKER: If so let him reply that how explosives is distributed to different Divisions.

PU KHAWTINKHUMA. Mr. Speaker Sir, the mode of distribution is MINISTER. based on the demand as such it is very difficult to say if this was actually distributed.

SPEAKER: During to the absence of the Minister i/c perhaps it might be unobtainable information that caused difficult to give adequate reply. Let us stop here and proceed our next item The Lushai Hills District Revenue (Assess-ment) Bill 1974, in which the word Bill should be inserted instead of Regulation now, let the Minister i/c begin to move for the introductory to Bill had already discussed earlier to this.

PU VAIVENGA:  
MINISTER.  
detation.

Mr. Speaker Sir, I beg to move that the Lushai Hills District Revenue Assessment (Amendment) Bill, 1974 be taken into consi-

SPEAKER:

Well, now the Minister i/c had moved the Lushai Hills District Revenue Assessment (Amendment) Bill, 1974 for consideration.

Any objection with the contest? Well, anyone who to say something absorb it, not of criticism? But, in discussing the subject, it would not be relevant to point out the principal regulation or principal act as we are to deal only with the aim of the amendment.

PU CH. SAPRAWNGA:

Mr. Speaker Sir, the present amendment bill was somehow discussed in the last session and now, here we have it again, as it appears, for approval. Perhaps, we may say that it would be unconditional to have it approve by us. Because of the existing rule that Rs 2/- as pass fee whether duplicate or original, will be imposed on such passes like, wet dry cultivation, garden, shop, Stall and any kinds of buildings, The intention of amendment which tries to increase the existing fee of Rs 2/- in considering that the cost of paper etc. have become much higher and it is too little to fix at Rs 2/-. In such ground I don't see no reason for it can be well conceived. To a great extent, amendment does not simply refers to the decrease or increase of the rate but at the same time, it can also mean that shop and stall and other buildings in settlement an payment may be fixed by the Government from time to time. Literally, it means that the government may, at anytime, at any place on any situation, fixed the rate of pass fee. So, in the object and reason, we find that to enable, the government, here the government may also means the official who take charge of the department, to fix a rate of fee as the circumstances may deemed but you may think that what the world circumstances indicates or does it included all those situation and environment. As time goes, Officers themselves charged and one officer after another came into office. On what ground, whether time or place, will the officer be empowered to fix the rate? As we do not have here in this amendment have here in this amendment any clear object or reason which makes the meaning complecate, so that the reason furnished and explained so as to enable us more alert an this subject. We know that it is as pass fee and it should not raby on any circumstances, the location of a land, it size, as it could not be worked out and it is hard to determine, will have no meaning as to whether the fee should be variase or decrease. Moreover, it may also mean the time of issue?. Anyhow, circumstances as it various from place to place is too vague and it should be carefully decided. Suppose, this Rs 2/- as pass fee is imposed as tax, in that case, value of land, the distance of location, will determine the rate or it can be deferentrated as the circumstance deem fit. But, it is, in fact imposed as pass fee, so what kind of circumstances will determine the rate which could be fixed?. In that case, the word, as it can be interprete to mean what the officers would like to impose as fee, is too vague for it places us in a hopeless position because, it can be fixed at Rs 10/- on some persons, while one rupee, and to other, only fifty paise can be charged. Therefore, pass fee for any plot of land, whether it is in Kan- hman or near Aizawl town, must be regarded as equal value and the pass fee should be same, othe dis. There will not be any difference between the pass fee of Kan- hman and near Aizawl town. The

pass fee should be same, otherwise, there will automatically arise jealousy among the people for the pass being same and the paper use for it, has no different words and quality, there will be no extra or more charge for the location of the Side. There will no discrimination in this regard. If consider necessary to increase the pass fee, on the ground that increase in prices of paper, and due to devaluation of money, let us simply increase the amount from Rs 2/-. Otherwise, do you think that it would be the way to enhance the rate or decrease it, as circumstances necessitate? will it not be no arose the quirances of the people? will it not be fixed the same rate on any types of passes? If not, it will also mean the higher fee for house, wet dry cultivation. Therefore, if we place on the change of circumstance, the consequences that will come out of it, will be disagreeable. That is, why I though in deciding the matter, we have to keep a wise viewed othersiwe thasé will be impracticable.

PU C. LAIRUATA: Mr. Speaker Sir, once during the year session or this year budget, I am sure of it, we have had a discussed it in this House. It was by no means, could not be passed by the House as to the meaning of its comprehensiveness of the words this requeation shall be made on payment of as may be fixed by the government from time to time, for which it was withdrawn by the Minister incharge. It was improper to endorse the officer to fix the rate. There is no dissimilarity between the present will and what was already withdraw by the Minister last time. What different we find it is a word change in the administrator from time to time, by the government from time to time which is seems to be of same meaning that say the government. We may also think that will this be rested on the Department, not the administrator.

Member, it can be too comprehensive to the extend of its meaning that it provides an advantage to the administrator. that he could change descriminately-fifty paise to one person, one rupee to another person. I am afraid of bringing heavy burden to the people who elected us for their representative. This can very quietly happen if we do not consider, ~~aprotidly~~ I was thought of the opinion of the government that the rate which was Rs 2/- in the old rule, if felt necessary to increase in the present amendment. If it is so, Mr. Speaker sir, though you warned us not to go in detail about the regulation, I would rather like to touch very few of them will it be unnecessary to make little or some alteration on the same rules of clauses 3 and 4, by having a time comparison between the time of making this rule and the present time, not only increasing the rate? *\* and even one hundred rupees to another person.*

It would be highly appreciated to know why and for what reason made this amendment on ~~tax of 10th section 3~~ ~~tax of 10th section 3~~ 3rd of Sub-section ten of section 3 by the govt. ~~What is the urgency of amending the 10th sub-section of section 3~~ Tax for stall was Rs 22/- and House Tax was 2/- and in the same third section, the village registrar, though it has been abolished, are contained. Let the village registrar be substituted by the village secretary. In this whole regulation, I found, so many uncertainties which are required to amend. I see no reason why this 10th sub-section of 3rd section should be necessarily amended.

*\* to what would be resulted.*

We are still continuing to pay other taxes as imposed since a long time back. If the government is in a opinion that in comparison with the rise in prices and devaluation of money, to amend the section, it should, be, it appears to me, amend the whole of the section. Which is what I would to refer here. \* a vast power to the authority who can charge fees as he thinks unreasonable, let us fix at Rs 5/- as pass fee for such passes like garden, wet rice cultivation, shop and stall as recommended by our Hon'ble Member a few moment ago; In case, if we think it too, heavy for the people, we will then again fix it at Re 1/- otherwise, the flexible rule made by us, will hamper and result a great hardship to the people, for which I got frightened very much. \* Instead of giving here

PU LALHMINGTHANGA:

Mr. Speaker Sir, I would like to say more about this clause two. The rate of pass fee be same at any place and on any item because, we deal only with the pass-fee itself. And the preminum and the tax for a particular plot of land should be determined by the value of land. Separately. If we are going to consider the pass-fee itself for an ~~origin~~ original or duplicate copy, ~~here~~ it is written payment of fee as may be fixed by the government from time to time may be substituted, fixing the rate, by the words "payment may be fixed"; If the rate Rs 2/- is considered for little at present, it would be convenience to fix here at Rs 5/-. The fee fixed should be, I believed, same amount in Mizoram, though the passé issued from Champhai, Lunglei or Aizawl. I believed it would be reasonable mean.

PU SANGKHUMA:

Mr. Speaker, few points about it, as it is not allow to go in detail. Last year, the same was moved by the Minister i/c and was withdrawn on the ground that it was improper and invalid. The same point ~~what was~~ condemned was, again here, brought to our notice with little alteration, administrator by government which was the main point of our objection in that session. It can, somehow, be regarded as a procreation of the Minister i/c who again brings here with the same contents, with no modification in it.

Therefore, it is very much disgracing and provocative, to have the same Bill here ~~reintroduced~~ reintroduced with little alteration by the Minister i/c, to the House ~~where~~ where we have rejected on the point of invalid and unconditional by the Members. I believed it would be better to let him withdraw this bill or even in the first time, it was very much questionable to empower the government to authorise a vast power as to whether the rate of fixation, the Bill is received here without much modification in the bill.



The General Council, ... approves such application.

institute the Branch ...

PU SAPLIANA:

Mr. Speaker Sir, I also thought of the importance of the Dushai Hills District Revenue Assessment Amendment Bill, 1974,

as is to be decided painstakingly. I think, this para is important enough for we have it in the last year session whence it was withdrawn for necessary alteration and modification in it, but here the same bill reentered the House with the same content which, as we anxiously insisted them, to change it. It is our hope that every official bills which are to be passed in the House should be intimated all members, so as to prepare themselves for further discussion, long before the session. But, to our amazement something happen to us, because the same bill was resubmitted to the House, for the approval which derives more complicated situation to have a voice on this. On the otherhand, we do not condemn our officers, Department or our Ministry saying that they have no clear view to their bill, but we want to contribute our ideas and experiences of our daily life. But, without having such group discussion on the subject and in absence of prior intimation to the Members, we faced here in law which makes me very much distress, Because of this, I can hardly have any opinion about this. But, in passing these rule, I also afraid that we will miss the goal which is the main intention of this rule. What we tried to bring about is as pointed out by Hon'ble member Pu Lalruata, to do away with the words 'the government', found in 10th sub-section of 3 section, 1953, and 'house pass fee' at this paragraph, it was agreed that the words be changed in viewing the present condition with that of the past. But, the word changed in this amendment is 'administrator' into 'government' and no other words are seen here. As we have here, a pass fee for motor is to some extent, very much similar. Therefore, if we fail to fix the rate, as said by our senior member, Pu Ch. Saprawnga, I also feel that the main object and reason will also proof to be a ~~frailness~~. To enable the government to fix rate of fee as circumstances may demand concerns and it will be effective to all the other categories of pass.

Anyway, the government tries to introduce a flat rate for garden, house, stall etc, passes. It is not reasonable to have a policy that the rate should be revised and increased from Rs 2/- in viewing the present cost of paper, ink, and the cost of services of workers, and in fact, the words 'under any circumstances may demand' do not concern at all. Because, the following House, garden, shop passes are under separate categories. To denote different types of circumstances which happened in any case are for example, there is a garden with pass duly issued, and another garden is rich in soil another garden of less fertile, still another one located near Aizawl town and the other one is in a remoted village, say in N. Vanlaiphai where the valuation will be less, as such, we may think that the rate should be fixed into categories. Even if it is decided, I found no reason, that the circumstances will ~~yield~~ yield more or less profit by taxing ~~indirectly~~ indirectly to the government. As such I could well imagine that will be burdensome if we endorse the government to fix the rate as circumstances may demand. I was also thought of as pointed out by our Hon'ble Member Pu C. Lalruata, the probable objection as to why the very paragraph is considered and paid urgency for amendment and it spelled out a clear point that it will by no means cover. The total expenditure by amending this bill and levying other taxes. I can not see any reason of amending this bill. Although the Speaker had warned not to touch detailly, I would

like to point out some thing which are of great importance for the present situation on this sub-section - 10th. Therefore, if we are intending to amend this very clause. I will say that there are more clauses which are also required to amend. In the last part of clause 4, we find "provided further that the first three years in the initial period of cultivation no tax shall be assessed for that period which provides that the exemption of tax for the initial period to the pass holder. In the last part of clause 2, it is written that "those particular persons who have got exemption from the superintendent or Deputy Commissioner since before the commencement of the regulation. In this connection, there are many persons who are exempted from any taxes for which it has become different. And we find here in page No.5, that it referred to only Aizawl-Silchar roadside, besides these, at present, there are places on the roadside between Aizawl-Lunglei, Tlabung, Lawngtlai, Champhai which are of equal value as that of Aizawl-Silchar road. If we take all these things into accounts, we feel that it is quite dissimilar. In viewing these changes of circumstances, all the others also are to be amended. If it is a high time for the Mizoram govt. to chalk-out new rules and I myself also feel doubtful as the precedent members, above the aims and objects which leave a wide loop-hole of circumstances to the executor. On the contrary, I do not say that the government will carry out in a detrimental way, but by having a sense of merits and demerits, I dare not regulate this kind of rules.

When carefully examining, I hope it would be better for us all members to have enough time so that everyone of us will see the pros and cons of the rule before it could become the rule. I could not agree with the plain clause given to a particular area. Although you may say that it apparently means the Mizoram govt. it is quite vague to rule out as to enable the govt. to fix the rate. Which govt. central or Mizoram is to mean here. It is quite questionable. Moreover, it is written in sub-section 10, that by which government from time to time, which govt. is referred here in this sentence?. Therefore, to pass this amendment, I believe it would be impracticable for us.

PU. HRANGAIA: Mr. Speaker Sir, I would like to add more about it as it goes on our discussion, critically. I would express my opinion about it. But, I also however, admit it for it has some legal ground for which the Govt. resubmitted the bill here. It is necessary to adjust things on the change of time. Reviewing the time of British, there was no pass fee, moreover, people were called together to do marketing, but, at present, it is no longer practiced and moreover, markets are overcrowded. Then slowly and steadily time has been changed and at last pass fee was introduced by the District Council which rate was known to everyone of us. As time goes on, human law has to be changed and revised from time to time. Therefore, to a great extent, I am also of the opinion that their views and opinions are shared by me.

Before, the pass fee was Rs. 2/-. When there was no pass fee, no one willing to apply for it as they were quite ignorant about the value of land. Later on, pass fee has been increased and the people have become keen to know the usefulness of land. In the same manner, we were not interested in fishery for there were plenty of fish available in every stream. But, now, we are trying to obtain a pass for fishery to dam up at every

possible site knowing it is permissible by the government. As such things <sup>changing</sup> according to time demand. But, large number of difficult problems have been cropped up whenever, changes are to be introduced into old use.

And, we found no difficulties in the time of District Council when the pass fee was only Rs 2/-. But, at present days, we all are intending to obtain passes. The Government is trying to itself sufficient by means of implementing pass fee etc, charging the cost of two or 3 copies of paper and cost of services for Surveyor. This policy is followed even in Postal Department.

The Pass fee has become little though poor is our country in comparison with the present condition and the increase of our imperial instinct. But, I very much disapproved of the appearance of this rule which vested powers to the authority to fix as they like. It can not be finally paid to the government, i.e Rs 2/- <sup>even</sup> it will bring about corruption, though it is not the main intention of this rule, if we empower to fix the rate by the officials <sup>the</sup> according to the valuation of land at their own will. Therefore, I do believe, it will be proper the rate at whatever level we like. I also think, it will be good for us to fix at any rate in this House for the circumstances have revealed the exact situation so that the object and reason will not be misapprehended. The fixation should be a flat rate anyhow. Otherwise, all these verdicts will perhaps, leak out to the public and thus resulting the annoyance of the people as a whole. Different kinds of pass fees - stall, shop, House, Wet rice cultivation, Garden fishery, firms etc, should be, so far as my opinion is concerned, same to all, the kinds and it must, also to some extent, be based on the valuation of land, business purposes be varied as it may deemed necessary. Each of the different kind should be assessed different pass - like house, shop, wet rice cultivation, fishery but, same rate flat rate should be assessed for all the fisheries. I found it would befitting if assessment is made on the demand of the people and on the involvement of services etc. Therefore, time and again I would appreciate if care and scrutiny is taken in examining the last word the administrator with other interlation in this content. Nevertheless, as it seems it is necessary to amend.

<sup>In</sup> In the present time, I found it extremely important in viewing the position of our growing nation. There are now, Directors, and other big officers in the Revenue Department Therefore, Rs 2/- as pass fee is insufficient to recommend by us. The people is the govt. taking as a whole classes, as such to adjust the requirement we should increase as it deemed necessary. But, on the other hand if we go on like this, we degraded ourself in this way. In the past, there was no pass fee and we were permitted to have garden on the range of mountain by the govt. without paying any fees for it. If it continues to last up to date, no one will try to make progress. As such I believe it is good to have a distinct sense of adjustment on it. I do not think it necessary to pass it today for it has to be examined carefully. And what I like to suggest is that this bill be given a careful examination for the time being.

PU LALKANGA: Mr. Speaker Sir, here we are dealing only with the pass recommendation. The member who said just before this moment missed the exact point as said earlier by other members, He mind

for the Directors in this pass fee. It is not necessary to the pass fee, in fact, it will yield no benefit to us. If we take the cost into consideration, it will come up to 40/- only as the cost of 2 or 3 copies of paper, ribbon and the service rendered for type. Therefore this 2/- is quite reasonable still. It can be learnt that there was person who spoke well of T.A. for C.A;S.A.. It will not, at any rate cover the expenditure even if the pass fee increase to Rs 5/- or Rs 10/- for the spot verification of land located at Tuipubari or, Marpara.

Despite of the opinion that there are abundant money supply and fall in prices, we, the people hailing from villages, could hardly possess any money with us. Obviously are becoming poorer day by day whereas money supply is abundant and the things are becoming cheaper at our available. Therefore, the amount of Rs 2/-, Rs 5/- or Rs 10/- may mean very little to most the member present here, whereas we faced a great difficulty in remote areas in collecting as little as .25p/- each.

And we based our assumption circumstances demands, I felt that the rate should be decreased, or it the same rate should be assessed, e.g. at Sihphir a person is compelled to take up gardening for his livelihood by the circumstances but he is in no way in a position to pay a fee for it. That is also one of the Circumstances which compelled him to pay a pass fee. Suppose, we fixed at Rs 10/- to be able to pay that amount, he is to surrender himself for two days in earning that required fee. Therefore there is no harm of fixing the rate at Rs 2/- The rate can be raised later on according to productivity and by reassessing of the well to do people provided that the case is taken up earnestly. It will be a total failure on the part of the Revenue Department if they are simply trying to support themselves by raising higher tax. And, besides, this pass fee has a very little meaning. I do believe that it will still be proper to fix at Rs 2/- and the rate be raised after 3 years by seeing the productivity of land. It is, impracticable and aim to have fix it at high rate. Therefore, I found to be more reasonable to fix later on as circumstances compelled.

Apart from all other considerations, it is neither practicable nor reasonable to increase the rate at Rs 5/- from Rs 2/- without assessing the valuation. The valuation is resulted by the change of time. It is meaningless at Vaseitlang Dung even if we increased the rate, the location is for more important. Therefore, I can not approve of it at any rate if we are going to increase it. And still I would consider meaningful if we try to increase the rate. It is hard to comprehend to increase the pass fee itself. I think that the government is misunderstood the real term and it would be more comprehensible if the government review the matter. It rather arose arguments amongst us for, as said by the Honble Member, it is resubmitted to this House with no change and alteration of the ~~pass~~ <sup>fact</sup> which caused

withdrawal of the bill in the <sup>last</sup> session, So, here also we have enough of fertile discussion today. I, therefore, believe it will be good and more profitable to have enough time for going this bill through thoroughly, and the Govt. will then, where necessary, introduce more convenient alterations in it.

**SPEAKER:** Another amendment is received here from Pu Rochama and let him move it straight away.

**PU K.L.ROCHAMA:** Mr.Speaker Sir, amendment proposed by me, is, as criticised by some of members, the word govt. as seen in new - sub-section 10th of section 3 of the Lushai Hills District Revenue Amendment Bill 1974, be changed into the words "Govt. of Mizoram".

**SPEAKER:** A few moments ago, some of the members have clarified it and as such now onward, it should be known as may be fixed by the Govt. of Mizoram in addition to as may be fixed from time to time. So this amendment has been moved with the expectation that it will clarify the matter. Do you agree?. Anyone object this amendment?.

**PU SANGKHUMA:** Mr.Speaker, will it more appropriate to use the word 'the Govt. of Mizoram' with the absence of other definition in this bill? I do hope that it is more appropriate.

**PU K.L.ROCHAMA:** Mr.Speaker, it is really necessary to amend the whole bill. But here we are not concerned with the amendment. What we are now concerned about is the sub-section 10 of the bill and, further, the next two section - 11 & 12 were amended sometime ago. I do hereby moved the part of amendment on that very section without touching other sections by changing the word government with the words the govt. of Mizoram which has a clear out definition deriving comprehensible meaning to everybody and it is no longer questionable on point argument.

**SPEAKER:** Is it right?.

PU VAIVENGA:  
MINISTER.

Mr. Speaker Sir, the bill itself is a short one. But, it was withdrawn in last budget session, as said earlier, for it was indigestible in its phrascolozy. It is, now, again submitted for the second time. It is the interest of the govt. to see any possible change of time.  
*that time.*

At *that time*, the flat rate of Rs 2/- imposed by the then District Council was reasonable. But, as time was changed, the mode of issue is also need to be thoroughly revised, it is hope that it will be revised the rule, not intending to recover the expenses with Rs 2/- but having in mind that it can be redressed the lost of expenditure to a large extent. As such, we moved the bill ~~here~~ to increase the existing rate at the highest possible rate.

The present rule, which is now out of model misfit the present time in comparison with the past because, the progress and development have changed the Society so much, therefore, we felt that it was necessary to form Trade System Committee to look the existing law in its assumption. The Committee was formed accordingly and had a meeting for thrice. It is the main intension that the other existing rules be amended as said earlier by the hon'ble member. But, for the time being it is hope that the present bill will, if agreed upon, yield more benefit. Therefore, it is the main aim of the present amendment that no strict and serve execution will be adopted as a result we have no fixed rate ~~here~~.

In addition to this, suggestion has been pur forth that flat rate, however, should be assessed on items of some categories. In this case, passed like garden wet rice, cultivation are grouped under same categories, on the other hand, assessment of Rs 2/- per pass, for profitable lands Sites, shops etc. was made by the government. This has been therefore, introduced in order to find a new way which will render a great convenience in this regard. It seems that no objection for this purpose is raise by the Hon'ble Member However, it appears from our discussion that detail and thorough examination is required.

Sir, I beg to move the adjournment of debate on the bill as permitted under Rule no 95, I would be grateful if you allow me to do so.

SPEAKER: Well, as the mover wanted to have further scrutiny on the bill. So he is permissible to adjourn the debate, if you please, as laid down under Rule 95 which states " At any stage of a bill which is under discussion in the House, motion that debate an the bill, be adjourned may be moved with the consent of the Speaker" Is there any one who disagree? Agreed? Yes, we will adjourn the meeting for today and will continue on 2rd October, i.e. tomorrow.

Meeting Adjourned at 1300 hrs.