

PROCEEDINGS OF THE 6TH SESSION OF THE MIZORAM LEGISLATIVE ASSEMBLY
HELD AT THE ASSEMBLY HALL FROM
17.9.1974 TO 14.10.1974

11th Sitting of 6th Session on 14th October, 1974 at 11 A.M.

P R E S E N T

Shri H.Thansanga, M.A., B.T., Speaker in the Chair, Chief Minister,
Four Ministers

B U S I N E S S

- 1: Questions, if any.
- 2: (a) Further discussion on the Motion moved by Pu Vaivenga, Minister Revenue on the 11th October, 1974 that the Mizoram Trading by non-Tribals Regulation Bill, 1974 be taken into consideration.
(b) Consideration of the Mizoram Trading by non-Tribals Regulation Bill, 1974 clause by clause.
(c) Pu Vaivenga to move that the Mizoram Trading by non-Tribals Regulation Bill, 1974 be passed.
- 3: (a) Pu Lalsangzuala, Minister for Parliamentary Affairs to move that the Mizoram Legislative Assembly Proceedings (Protection of Publication) Bill, 1974 be taken into consideration.
(b) Consideration of the Mizoram Legislative Assembly Proceedings (Protection of Publication) Bill, 1974 clause by clause.
(c) Pu Lalsangzuala to move that the Mizoram Legislative Assembly Proceedings (Protection of Publication) Bill, 1974 be passed.
- 4: Pu Saitlawma to raise Half-an-hour discussion on a matter arising out of answer to Starred Question No.10 of the current Session.

P R I V A T E M E M B E R S B U S I N E S S

- 5: Resolution to be moved by Pu Saitlawma.

SPEAKER:

" A man shall not be established by
wickedness;
shall not be moved".

Since there is no business for Item No.1 we shall move on to Item No. 2 for the discussion on the motion moved by the Revenue Minister regarding "Trading by Non-Tribals (Regulation) Bill, 1974". In the Bill, some Members have let us try to explain thus - In clause 15, sub-clause 3 at page 9 - "Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in Session for a one session or in two successive session". There is a slight mistake when we referred "30 days total period" for a maximum period. Whenever the word "Total" is written been specified, then the period so specified should be completed. For example - if the government placed such rule on the Table for four days only, then that rule will have to be placed for another 26 days in the next session, if 30 days is written.

.....2/-

If such be the case and it is said that the period shall be comprised in two successive sessions, it cannot be practised here in our Assembly because the durations of our Sessions were usually short. Therefore, the practice of Lok Sabha is not applicable to us. As requested by our Member Pu Lalruata we have to make it clear about this amendment before going to another topic. Now let me call upon Pu Lalruata.

PU C. LALRUATA: Mr. Speaker Sir, though I moved an amendment to this Bill on last Friday, it appears that certain difficulties responsibility lies not upon us, but upon the Govt. itself. According to the interpretation of Law Department it is said that the Govt. must place the rule on the table of the House for a period of 30 days, counting the date from the first sitting of the Session. I, therefore think it unnecessary to amend the Bill and I ask your permission, Mr. Speaker Sir, to withdraw my demand for amendment.

SPEAKER: I will now call (Government) to explain the matter.

**PU CH. CHHUNGA
CHIEF MINISTER:** Mr. Speaker Sir, what our Hon'ble Member demands for an amendment is quite easy to misunderstand. But when I inquired legal experts about the case we are now discussing, I have learnt that from the provisions contained in this Act we shall have to make rules, and such rules which we have prepared will have to be placed on the table for a period of 30 days. The legal experts explained that the Members can wait thirty days or so for their consideration of Bills,

SPEAKER: There are different types of Acts provisions to be placed and rules to be laid on the table. The first one will be such type of Act which is to be placed on the table and it is not referred here about the modification or amendment or annulling. That one also can be considered by the House, but the resolution can be passed on to the Government in the form of recommendation. Let me read out the practice and procedure of Lok Sabha which may be referred to the one we are practising here. - "Laying of orders on the table where any order framed in pursuance of the constitution or of the legislative functions delegated by an Act of Parliament to a subordinate required to be laid on the table for a period specified in this behalf in the Constitution or the relevant statute. This specified period has to be completed before Lok Sabha is adjourned Sine Die and later prorogued. Unless otherwise provided in the Constitution or the relevant statute if the specified period is not so completed, the order is required to be relaid in the succeeding session or sessions until the said period is completed. According to the Rule passed by the House of Commons in 1946, the practice is "40 days", while that of the Lok Sabha is 30 days. Therefore, the material placed by the Government on the table must remain for a period of 30 days. If it is not, we will not be able to follow this rule for we cannot still cover the required period in two successive sessions.

**PU R. THANGLIANA
MINISTER:** Mr. Speaker Sir, as our Hon'ble Chief Minister said, does it mean that the Bill cannot be enforced unless and until it is placed on the table for a total period of 30 days ?

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(Speaker: - If it is promulgated, the If we are going to interpret in that way, I think this House can not make an amendment untill the Bill is laid on the table for a period of 30 days. It appears that without referring to the Central Government we cannot make an amendment here. Therefore, if this Bill cannot be passed as it is, will it be better to discuss about the amendment in the next Session ?

SPEAKER: In the case of an amendment, the problem is about the fixation of the period. It will not change the Bill itself. In sections 22, 23 and 26 of the Union Territories Act, there is the definition about the needs of sanction for making an amendment. Let me read out Section 22: "No Bill or Amendment shall be introduced into, or moved in the Legislative sanction of the Administrator, if such Bill or Amendment makes provision with respect

- (a) Constitution
Commis
- (b) Jurisdiction and powers of the Court of the Judicial Commissioner with respect to any of the matters in the State list or the concurrent list in the Seventh Schedule to the Constitution.

Section 23 - Special provisions as to financial Bills

(1) A Bill or amendment shall not be introduced into, or moved in the Legislative Assembly of the Union Territory except on the recommendation of the Administrator, if such Bill provision

- (a) the imposition, abolition, remission, alteration or regulation of any tax;
- (b) the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of the Union Territory;
- (c) the appropriation of money out of the Consolidated Fund of the Union Territory;
- (d) the declaring of any expenditure charged on the consolidated fund of amount of any such expenditure;
- (e) the receipt of money on account of the Consolidated Fund of the Union Territory or the custody or issue of such money.

Provided that no recommendation shall be required under this Sub-Section for the moving of an amendment making provision for the reduction or abolition of any Tax". That is the Financial

Section 26 - "Requirements as to sanction and recommendation to be regarded as matters of procedure only :- No Act of the Legislative Assembly of the Union Territory, and a provision in any such Act shall be invalid by reason only that some previous sanction or recommendation required by this Act was not given, if assent to that Act was given by the President". This means that if the amendment made here was assented by the President after his consideration, it will be a binding one. is what I want to point out.

PU CALILIRA:

Mr. Speaker Sir, I think there will be nothing wrong to pass the Bill as it is. Regarding the period of 30 days, I think the period is quite suitable for us who are far away from the Headquarter so that we can have enough time to study the Bill. I therefore support this Bill as it is.

PU SAITLAWMA:

Mr. Speaker Sir, we had enough discussion on that particular sub-clause. That can not be a problem for the people as a whole, whether it is for a period of 30 or 60 days.

It seems that the duration of placing the Bill (Trading by Non-Tribal) on the table will not give us much trouble and it will not even become an obstacle for us. Therefore let us not bother on this case any longer.

SPEAKER:

Since we are to make Rules, we must be very careful because there can be a mistake. Let us try to put the following portion in this way - "Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in Session" - and instead of inserting "Coma", let us put in the form of "While it is in Session for a total period of 30 days". Thus it will be read - "These Rules shall be laid before the Legislative Assembly while it is in Session for a total period of 30 days". That is also the practice of House of Commons and the Lok Sabha. Due to the fear of passing Rules or Bills which will not be applicable, I made such clarification. We cannot have consideration if it is not during the Session, and it was written "and if before the expiry of the Session". We cannot depend upon the duration of the period and the fixed 30 days period is given for your consideration. According to Section 26 of the Union Territories Act, it is said that if the President give his assent, that recommendation will be a binding one.

Let us call the Chief Minister.

PU CH. CHUNGA

CHIEF MINISTER:

Mr. Speaker Sir, this case appears to me that the placing of the Bill on the table should be 30 days, whether it is in one session or two successive sessions. If we cannot cover the period of 30 days in the first session, the remaining days will be covered in the next session. Anyhow, it is upto the Speaker and the Hon'ble Speaker will decide.

As our

be better to pass the Bill without making any alteration. I am further requesting not to bother ourselves with this Bill for we can enforce it as soon as it is approved by the Central Government and even before having Assembly Session.

I hope we will not worry about covering 30 days in two Sessions and I think it will not be too difficult.

PU LALILIRA:

Mr. Speaker Sir, Will it be better to fix the period for 20 days instead of 30 days because we may not be able to cover the fixed period? None of us can say that 30 days will be covered within two Sessions.

SPEAKER: As our Hon'ble we will have to cover 18 days if the last session lasted for 12 days. Regarding the be excluded and there will be a great financial implication.

Budget Session generally takes about 14 days and the other sessions used to be around seven or eight days. There is some difficulty in covering 30 whether the Bill is placed from the beginning of the Session or in the middle from 14 days to 7 days since 1969. Therefore last we make any mistake, I want to point out this matter.

The Hon'ble Member Pu Luata has requested to withdraw his demand for an amendment. Is there anyone who opposes the withdrawal?

(Members kept silent).

Since there is none who is against the withdrawal, I will now call upon the Members who did not yet express their ideas regarding this Bill.

Regarding the power of District Council which was pointed out by Pu Sangchum and Pu Sapliano, I think we have already explained it last time and I hope they are satisfied with it.

PU J. TELANGHUMA: Mr. Speaker Sir, we have already discussed and made the power of District Council and I think that it may be passed without taking any long time.

SPEAKER: I did not make it known about t last time. Now let us call upon the Treasury Bench.

PU CH. CHEBUNGA
CHIEF MINISTER: Mr. Speaker Sir, Our Hon'ble Members and leaders had a long discussion on this subject some days back and I think that this need not be repeated. But

Our status now has been changed from e of Assam and during administration of Assam Government such special protection can not be attained for they are an advanced state. Since Mizoram became Union Territory we have three District Councils and if there are different rules that have the same definition or meaning, we may have trouble in the future. The Government of Mizoram as a whole has acquired protection against the exploitation from outsiders since the Central Government have learnt well about the matter. Therefore it is decided that those three District Councils be included in this rule and this is also the opinion of the Central Government.

In this case it is pointed out that the rule which is made is not reasonable enough and they further said that you did not make the way for making an appeal. It may also be said that the rule used by the District Councils in the Southern Mizoram like that of the one used by the erstwhile Misc District Council all be happy if we use this rule.

We may also delay the enforcement of this rule if they (the District Council area) have difficulties in accepting it and we can make an agreement together. It appears that we can have deliberation and come to a clear conclusion together with them too.

SPEAKER: If there is no other member who wants to speak on this Bill, we will call upon the Minister-in-charge to move the Bill for passing.

**PU VAIVENGA
MINISTER:** Mr. Speaker Sir, I move that the "Mizoram Trading by non-Tribals (Regulation) Bill 1974" be passed.

SPEAKER: "The Mizoram Trading by non-Tribals (Regulation) Bill, 1974" has been moved for passing.

Those members who are in favour of the motion may say "Aye" (Members - Aye). Is there anyone who opposes the motion

We will move on to our next item. The Minister for Parliamentary Affairs will now move the "Mizoram Legislative Assembly Proceedings (Protection of Publication) Bill, 1974".

**PU LALSANGZUALA
MINISTER:** Mr. Speaker Sir, I move the "Mizoram Legislative Assembly Proceedings Protection of Publication Bill, 1974" for consideration.

SPEAKER: Is there any objection and there is no amendment and there is none who wants to speak on this Bill, I will now call upon the Minister-in-charge to move the Bill for passing.

**PU LALSANGZUALA
MINISTER:** Mr. Speaker Sir, I move that the "Mizoram Legislative Assembly Proceedings (Protection of Publication) Bill, 1974" be passed.

SPEAKER: Members who are in favour of the motion may say "Aye" (Members said "Aye") Alright, the Bill is passed.

Since the Hon'ble Member Pu Saitlewma who submitted the notice that arises from starred question No. 10 is absent, we shall move on to Item No. 4(a). Pu Sapliana gave notice of a motion and let Pu Sapliana move his motion now.

SPECIAL MOTION UNDER RULES 135 - FOR RAISING DISCUSSION ON A MATTER RELATING TO STATEMENT MADE BY THE MINISTER-IN-CHARGE PARLIAMENTARY AFFAIRS ON A CALLING ATTENTION.

PU SAPLIANA: Mr. Speaker Sir, I am thankful to you for giving me permission to move this special motion arising from the statement given by the Minister-in-charge of Parliamentary Affairs regarding the checking of a flag Car of our Hon'ble Deputy Minister by one Military Officer

Mr. Speaker Sir, as we all know, our territory was declared as disturbed area by the Government of Assam under the Assam Disturbed Areas Act, 1955. Since then, the Government of Assam sent in the security forces in aid of the civil authorities in maintenance of civil administration. The public as a whole can grasp the situation prevailing in our territory to a large extent. Since the Administrator of Mizoram considered the use of Armed Forces in aid of civil power necessary in the whole of the Union Territory of Mizoram for Mizoram is still in a disturbed and dangerous condition as the official Press Release stated, armed forces are still to be seen here in Mizoram and Mizoram as a disturbed area has been extended for six months again and again. We are happy when we learnt that the security forces are helping the public in some places. But I felt quite sorry for what had happened to our Hon'ble Deputy Minister on the 11th September, 1974 while performing an official duty. On that day when an Army Officer stopped and checked our Deputy Minister thoroughly, the Indian National Flag was flown on his Car. That Army Officer has no respect even for the National Flag which shows that it was a great insult. The activity of that one Army Officer was quite contradictory to the duty of Armed Forces who came here in aid of Civil power.

When the Army authorities report on this matter to our leaders, it is stated that an investigation had been done thoroughly. It is further mentioned that on that day when the Hon'ble Deputy Minister met this incident, one MNP personnel was believed to be moving between Lunglei and Hnahthial and for this reason order was issued for checking all the vehicles plying within this area. However, it is further stated, that an order was again issued that on this day one Minister would be going on special duty and he must not be harassed. Unfortunately that order was not received by this Army Officer, it is said.

The Army authorities in their enquiry report given to the Civil authorities also pointed out that the Officer behaved properly and saluted the Indian National Flag. The Army authorities made an excuse by saying that in a disturbed area, the Indian National Flag can not be treated sometimes as it should be for the underground ties. I was quite disappointed when I learnt that all the report submitted and the information we have received here are all baseless and untrue. On that very day I was travelling by Bus from Hnahthial towards Lunglei and I found that all the vehicles were not checked by the security forces. If our administration is going to believe the report given by that Army Officer, we will have more trouble in the future. Our Minister himself is the one who suffered and Officer before the public!!

I am surprised to know Minister is not provided with any information regarding the investigation. On that day the Minister was accompanied by some Legislator and the Officer and Staff. Why Pu Saitlawma, M.L.A., who was with the Minister at that time also was not inquired while making an enquiry? So also the Officer and staff who accompanied the Minister? That "thoroughly investigated" report is quite untrue and baseless. In that report it is said that the Army Officer behaved properly and gave salute to the flag also. If such false statement is given why not punish that captain? I think that Captain will not be employed anymore if the Central Government learns his behaviour and activities.

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That report does not even reach the Defence Ministry. It clearly appears that our administration will not be able to safe-guard our own people. If our Government could not prevent such particular miscreants, I don't think it will be able to safe-guard the public against an external aggression. I would therefore like to mention that such person (the Army Officer) who goes against the Democracy and the elected representatives of the people should not be spared and appropriate action must be taken against him.

We have seen that the security forces in Mizoram use the "Armed Forces (Assam & Manipur) Special Power Act, 1968" as their base. When we look at the Act we see that Mizoram is not under martial Law.

We regret to learn that the Security Forces had given trouble and harassed our Legislators and Ministers for many a time while they (MLA's and Ministers) were performing an official duty. But our Government is keeping quiet uptil now. The Security Forces are acting beyond the words of this special Armed Forces Act. These forces or Army personnel who come here to aid the civil administration become trouble makers and create much anxiety and confusion.

I have seen service in the Armed Forces and I knew all the standing orders of the Army and strong discipline involved in it. I could not understand why action is not taken against that Captain. At the same time I blame those people who gave this House a wrong information, about the investigation. Are we all going to accept the statement given by that Captain only? Was there any spot verification? I cannot believe that the M.N.F. personnel may use the Indian National Flag for their unlawful activities and we should not even think in that way.

If appropriate action is not taken within one month against that Captain, 'Breach of Privilege' motion for misleading the House may be submitted. I therefore request the authorities to look into the matter once again and take serious action. Thank You.

PU LALKUNGA:

Mr. Speaker Sir, I could grasp the situation that prevailed in Mizoram before having our own popular Government, but I am surprised to learn that uptil now the whole population of Mizoram and one Captain is still equal and one Captain is still capable of creating trouble and confusion in Mizoram. Whenever there is an incident, the quarrelsome is always "One Captain". If "One Captain" is not driven out now, another "One Captain" will appear and next time it will be a "Lieutenant", next to "Lieutenant", ~~will~~ it will be 2nd Lieutenant., Havildar, Naik and "One Sepoy" will become the chief problem in Mizoram if things goes on like this.

Secondly, the information about an enquiry which was

There is no necessity of asking the Army about the way an investigation has been done. Such incident that happened to our Hon'ble Minister should be ^{reported} directly to the Defence Ministry. If things go like this, Lieutenant will be beating us, the public leaders next time.

There was an incident at Ngopa some time back and it was said that joint enquiry Committee had been set up to look into this matter. But where is the report of that so-called joint enquiry Committee? There is nothing to be seen uptil now! The incident that happened at Ngopa was quite horrible while the

miscreants have escaped punishment. I got fed up with this kind of torture and harassments. For such is the way our administration is running. The security forces are becoming more and more aggressive and arrogant. It is a clear belief that tomorrow the Security Forces will keep on beating the public who are innocent citizens of India.

Though the Security Forces have come here in aid of Civil power, we rarely find that they are helping the civil administration. If we look at the incident of Borapansuri, we will be able to find out that the armed forces were giving much trouble to the public. Some days back, the MZP had a procession and how heart-breaking that was if you look into the cause of their protest!! All the grievances shown by the public due to the mis-

behaviour of the security forces will be in vain until the public leaders and administration look into the matter seriously. If our administration is going to be run in this way continuously, it will be a hopeless one. The security forces after all have come here to safe-guard the loyal citizens and if they behave in such a bad time "Remember what had happened at Ngopa Village sometime back and think about what was the outcome as a result of that merciless torture suffered by two persons. There is no report to be seen until now. Not only that our hon'ble Legislators (M.L.A) were humiliated before at Seling and our authorities have no word even for that incident. How shameful it is. The time will come when the Sepoy beats our people and ourselves. Why did you produce the statement given by the Army personnel rather

hon'ble Deputy Minister? Though it does not mean that we are despising our fellow Legislators, but the time will come when all of us will be looked down. I therefore withdraw the statement they have given.

** bad manner, why do we spare them for a long*

PU SANGKHUMA:

Mr. Speaker Sir, though I was absent on the day you were discussing this motion, I was quite surprised and shocked when I learned the matter. When the investigation had been made our Hon'ble Dy. Minister who suffered was not enquired. I cannot understand the way an enquiry was made and I don't know the necessity of enquiring other persons who not suffer. If we are not going to believe the statements of our hon'ble Minister, why we still keep him as our leader. I am extremely shocked. While making an enquiry we must enquire from him and we must believe him and have faith in him. I do not like the way the investigation had been done.

PU C. LALEUATA:

Mr. Speaker Sir, I think it is a very shameful and humiliating deed about what we are discussing here in this House. If our leaders are not able to speak for the public, it is time to think over once again about how the administration is run. This kind of incident happened not only upon our Minister, but upon the other Ministers and M.L.As as well.

The Chief Secretary is the one who makes the enquiry and he is also the head of the machinery in the Administration of Mizoram. The incident is not only between the Security Forces and the Hon'ble Deputy Minister alone, but between the Security Forces and the Government of Mizoram as a whole. If the Chief Secretary regards the popular Government of Mizoram and the M.L.As as not of any account, why don't you remove him? I cannot regard that investigation as a real investigation.

I am surprised to learn that the Hon'ble Member who was with the Hon'ble Dy. Minister at that time was not enquired while taking the so-called "Investigation". The other thing that surprised me is that the Hon'ble Deputy Minister is said to be satisfied with that investigation. But, I don't think he has any words and it is not even his business to say whether he is satisfied or not.

From the statement given by our Hon'ble Minister, it appears that the officer who checked our Deputy Minister did not receive the second instruction in which it is stated that the Minister was about to travel and he must not be checked. I think that it is a shameful thing to blame that Captain only for not receiving the instruction. It is my opinion that we should spare a man whether he is from Brigade or Eastern Command or even Army Headquarter. I therefore demand to make the investigation once again. The responsibility is lying upon each of us since we are all having collective responsibility. If one of your colleagues is having difficulties or some problem, you must know that it is your difficulty as well. I could not understand the matter, Mr. Speaker Sir, and my fellow Members have said further investigation is demanded and appropriate action must be taken against anyone who did wrong. We should not spare anyone. Besides, it can be clearly seen that the information furnished by the Army side misled the House. In the case of misleading this House, the Education Department intentionally misled the House some days back. Regarding the appointment of Mr. Palit, it is stated that the D.P.C. (Departmental Promotion Committee) had consideration. But there was so such thing.

Few days back our Hon'ble Minister gave us information that the Indian National Flag can be misused by the M.N.F. or anyone else. Mr. Speaker Sir, I am now asking the Army authorities and our leaders whether there had been any incident where the INF personnel or any body else misused the Indian National Flag since the outbreak of disturbance in Mizoram till date? If there is none to be mentioned, how could they make such an excuse? Can they furnish a single example? As our Hon'ble Member Pu K.L. Rochama said, I am happy to have such a good-tempered Minister. It is clearly known that the Minister was having an escorts party on that September 11 incident and he is praise worthy for he did not instruct his guard party to reply those Army personnel who checked him, and fortunately the escort party did not arrest the Captain and his men or shoot them.

If the investigation is to be done thoroughly it must be taken from both parties. When there was a severe torture of some civilian by the C.R.P. personnel at Hnahthia some time back, the investigation was done thoroughly. The concerned CRP personnel and the persons they tortured were enquired accordingly and took the statements of each of them. But in the case of this September 11 incident, no statement was taken from the Minister nor from the Member who witnessed that incident. I cannot regard that "Thoroughly investigated" one as "Investigation". For this matter, Mr. Speaker Sir, this House is misled intentionally. The Government, therefore must make further investigation. If our Ministers are used to be humiliated as such, there will be no security and tranquility for us, the MLAs, Officers and the general public as a whole. The Security Forces have come here in Mizoram to aid the civil power in maintenance of law and

order situation in this Territory. But if they go against the order and create trouble and anxiety, we shall not spare them.

Sometime back, a check gate had been established at Kawlkulh which gives much trouble to many travellers. I also met difficulty at Seling. Even after I made known to them (the Security Forces) that I am an M.L.A., I was harassed and thoroughly checked intentionally by them. Before I was checked, I told them clearly that I was on duty and touring my constituency, but in vain. I can not understand that incident. The other hon'ble members also met similar difficulties.

Our leaders also must know that it is their task or duty to take action accordingly and look into the matter seriously. I am afraid that the time may come when no one will feel like being the representatives of the public if things go on like this in future.

PU HRANGAIA: Mr. Speaker Sir, I would like to thank you by Pu Sapliana for discussion.

As we all know, the Security Forces have come here since the outbreak of disturbances in Mizoram to aid the civil power in maintenance of law & order situation. Certain orders and Rules are laid down for their activities and movement and today we are discussing about the case of such persons who went beyond those Rules and regulations. Regarding the incident of September 11, it is untrustworthy that the officer who checked and gave trouble to our Minister did not receive the message in which, as it is claimed, the information about the travelling of the Minister was mentioned. Not only that, it is also said that the Military Officer behaved properly and saluted the **Flag** which was flown on the Minister's Car. But that statement was false and baseless. It is also made clear that the Captain appeared to be under the influence of alcoholic drinks and he did not wear belt and Cap. When the investigation was made did our MLA who was with the Minister at that time and the Hon'ble Minister himself enquire about the incident? Did the persons who made an investigation go to the spot? If our Chief Secretary and the Law Secretary are not on the side of the popular Government of Mizoram, let them serve elsewhere in India. It can be clearly seen that they are despising Mizoram as a whole. We do not need such persons! I put in this way that such persons are trying to humiliate, humiliate Mizoram. We are not demanding false report. Our Ministers themselves, as the other Members also knows, should report such matter and incident to the Finance Ministry and the Central Government. It is a shameful act to give such baseless statement or report in this House. Our leaders are degrading themselves. They should know how to dignify and make respectful of themselves !! If there are certain staff who did not respect and honour our leaders, why should we employ them for any longer period. They should leave their posts at once and serve in some other parts of India.

PU NGURDAWLA: Mr. Speaker Sir, this motion has arisen once again because we the Members did not have satisfaction on the statement the Government has given. That "Investigation" rather appears to have been a "Decision" and giving such statement is quite a humiliation for this popular Government as a whole.

The suggestion to have an on-the-spot verification will be in vain and it will not even have the way for a better clue since that place/spot where our hon'ble Minister was checked is vacated - by those persons who were there at that time. We should not treat that Captain as he is a Captain, but as he is a miscreant and trouble maker. We should take action against him on the point he did wrong. We the Members used to say a loud many different things, but our leaders seldom accomplish and carry out what we demand and suggest. This is one of the reasons why we used to meet trouble and many difficulties. The other Members also met similar humiliation and difficulties. Why should not we take up this case and refer to the Central authorities? It seems that we are regarding the security forces to be able to do whatever they like and behave how so ever they wish to be. We should not look after them as such for they have come here to help the civil authorities in maintenance of law and order. In the case of our Minister, it can be seen that the Captain was mistrusting our Minister and so he checked him. If our Minister and ourselves are not trusted by the Central leaders, we will not be sitting here today. Mr. Speaker Sir, will it be our duty to check that Captain too and behave towards him as he behaved upon our Minister. If our leaders are not going to change their attitude and their way of administration, we will meet many other difficulties and even similar humiliation in the time to come.

It was stated that the Hon'ble Minister is satisfied with the statement the Army authorities has provided. But the Minister must not be satisfied with the outcome of this investigation. It will be a shameful thing if he is satisfied. That Officer who reached the rank of Captain must understand that whenever the Indian National Flag was flown on anybody's Car and have escort party, it must be saluted. Such sensible person must have known that he must salute the flag at least. Therefore it is our duty to remove that Captain and the Government must have enough power to do so.

Thank you.

PU L.F. THANGZIKI: Mr. Speaker Sir, I also went through this special motion regarding the September 11 incident which Pu Saitlawma submitted before he submit it and I agreed with this motion.

As soon as I learnt what had happen^d to our Hon'ble Deputy Minister, I informed Pu K.L. Rochada, M.L.A and we approached the Brigade Headquarter, we met Brigade Major and C.O. of the Brigade and we had a long discussion with them. The Brigade Commanding Officer told us that the Captain who checked our Minister did not act as he was instructed. He further explained that the information has been sent to him (the Captain) not to discuss any difficulty to the Minister. He also asked us to explain the matter to the Minister and to convey his apologies and to express his regret. The Brigade Commanding Officer also made clear that he will take appropriate action against that Captain.

It can be clearly seen that the statement which was given here in this House is completely baseless and untrue. I firmly believe that an instruction and information was given to that Captain by the Brigade Headquarter. Therefore I cannot get satisfaction with this incident and also with the statement which we have listened.

I also would like to add that on the day our Minister was checked, the V/C Secretary of Thingsai village was arrested for baseless reason by 18 A.K. We informed the Brigade that the whereabouts of the V/C Secretary is not known. Then the Brigade Major enquired the 18 A.K. and the C.O. of the 18 A.K. informed the Brigade more clearly that such person was not arrested. We told the Brigade Major clearly that on the day he was arrested, the V/C Secretary was carrying Rs. 1,000/- with him and so he was arrested for carrying that amount of money. The Brigade Major then asked the 18 A.K. once again and the C.O. of 18 A.K. hesitated to conceal the fact and he confessed that such person was arrested and he is going to be released at once. The Security Forces are behaving and acting in this way in Mizoram. They are going in a wrong way and our people are facing difficulties and countless trouble every now and then. It is learnt that our fellow Legislators were meeting difficulties and harassment in different parts. I am therefore demanding that an investigation be made once again to probe this incident.

Thank you.

PU VANLALHUAIA : Mr. Speaker, I would like to say a few words on this motion. When the disturbance broke out in Mizoram in the year 1966, we were under the Assam Government. But since the inception of the Union Territory of Mizoram, the people are having much hope upon the Government and the Government leaders also must have known the people's reaction. It is rather a shameful thing to be humiliated by one Captain after having a popular Government and the way investigation was made. Before the inception of Union Territory, the people of Mizoram were suppressed and ruled by the Security Forces. Since the inception of Mizoram into Union Territory, the situation became a bit better. But for the leaders of the Village Councils, the conditions remain unchanged and they are facing trouble and difficulties all the time. The harassing and giving difficulties to the innocent public should be stopped at once. The Security Forces must clearly know the reason for their coming here in Mizoram.

As we have listened, many villagers are tortured and some of them were left almost dead! Two persons who were tortured mercilessly from my constituency of Ngapa village are still lying in Hospital now and they are unconscious. It seems that the Security Forces are looking the whole people of Mizoram to be hostile. If we spare such persons who treated the Mizo people in such manner, the Security Forces will become more and more arrogant. We must therefore do something at least.

Whenever there was Civil Police along with the Security Forces while checking the public, the condition used to turn better, Chocking of the public and the residential places can be done by our Civil Police. If so, why do we use the Army personnel every now and then?

Since Mizoram became Union Territory what important task our Government has done? The problem and the grievances cannot be solved by our leaders till now. There is no result to be seen!

Besides, this is not a place for discussion about the satisfaction or dissatisfaction of our Hon'ble Deputy Minister. It is the matter between the Civil authorities or Government and the Security Forces as a whole. Therefore, the case must be examined carefully once again.

PU B.DOTINAIA: Mr. Speaker Sir, regarding the investigation, the Army authorities are not to be asked whether to make an investigation.

When our Minister met this incident, I was at Sefchhip and when I received them at the Bungalow in Serchhip, Pu Saitlawma who was with the Minister told me all about that incident and the Minister himself also told me about it. It was learnt that the the Captain who made trouble was under the influence of alcoholic drinks. Is it permissible for the Security Forces to take wine while in uniform? Action must be taken even for that reason alone. That Captain must not be utilised till today. He should have somewhere also already. That is my opinion. We all know that the Security Forces have to behave and act in the disturb areas as it is said in the Armed Forces Special Act. The Army personnel and other forces like C.R.P. etc. came here in Mizoram to help the Civil administration in maintenance of law and order situation. The Army Headquarter too cannot issue any order in whatever way it wishes to do. I strongly condemn those Army personnel who acted and behaved like an outlaw. Our Civil Police also can check Cars etc., if it is necessary. Since that Captain did not show respect to the Indian National Flag and our popular Government, action must be taken at once accordingly. The Hon'ble Member Pu Thangzika explained clearly about the discussion he had with the C.O. of Brigade at Lunglei and the remarks of that C.O. of Brigade who promised to take appropriate action. It is time now to get rid of this thing now.

I have learnt from reliable source that the Chief Secretary is asking for forgiveness on behalf of that Captain. If such happened, it will be very shameful for our Government if that Captain is spared. I do not know which way Mizoram is following. We must have a careful consideration for the improvement of Mizoram. As it appears in the local newspapers like "MIZO AW", etc we have seen that the Central Home Minister has informed the House about the good conduct of the Security Forces in Mizoram and our M.Ps were keeping quiet. Is this the reason why the Security Forces are making more and more trouble and difficulties in Mizoram?

During the time of District Council, those Army personnel who created trouble and behaved in properly were punished and necessary action was taken against them. But since we have our own elected representatives and popular Government, the situation turns worse and there are more and more incidents. It can be said that the situation cannot be improved even after the ruling party merged with the Central Congress. Where are we going to take our people? I do not think we will be able to protect and safeguard them. As Pu Ngurdawla, our Hon'ble Member said before me, that Captain being a sensible Officer should have known that when he saw the vehicle with National Flag flying on it, the high ranking Official or the Minister is about to come. That appearance is clearer than instruction. While we were in the District Council, the Deputy Commissioner was the highest ranking Official. He used to tour villages flying the National Flag on his vehicle. We never knew that the Deputy Commissioner was checked and humiliated as it happened to our Hon'ble Minister. We are attaining a higher status having Council of Ministers, etc. But the Security Forces are giving us more and more trouble. I am afraid that our people numbering a little over three lakhs will be nowhere, and their future fate cannot be predicted. We have to dignify ourselves before the eyes of the Security Forces. We do not even know where we are. We must therefore think about the future of Mizoram.

Thank you.

PU SAITLAWMA:

Mr. Speaker Sir, this is the second time we have discussion on this motion. I first of all want to say that only shouting here will be in vain if action does not follow.

Last year one old man was arrested by the 18th A.R. at Chandmary Veng, Lunglei on suspicion. The 18th A.R. then tortured him mercilessly and he has lost even his manhood. The one who bears the responsibility is Captain Nagi, the Adjutant of the 18th A.R. Mr. Speaker Sir, I explained clearly about this incident too a long time back. But where is the action taken to be seen today? There is no action!! Similar incident happened at Ngopa where one Captain tortured two persons who were innocent and he inflicted their private parts even. Where is that Captain today? Let us call the Security Forces who have come here as "Insecurity Forces" or "Disturbing Forces" from now on. The public do not find shelter from them and they are full of fear. Mr. Speaker Sir, it is horrible to learn that publishing the activities, good or bad, of the Security Forces in Mizoram in the newspaper is prohibited now!! It is miserable. The future of the people of Mizoram is so dark. The grouping of Villages is quite horrible. On what basis that grouping is done? Now the PPV Centres are called "Grouping Centres" and I am afraid those Grouping Centres will be named and called as "Concentration Camps" in the time to come. It is time now to act and to do necessary things. If we do not have consideration for the betterment of Mizoram and for the people, it will be too late. Please take the matters seriously and pay attention to those incidents; if not, the people will suffer more and more from the hands of the Security Forces. Without the good co-operation from the public, the Security Forces will never solve the problem of this disturbance in Mizoram. Let them (the Security Forces) be careful. The Government also have to see whether such persons will be utilised for a longer period. If the Security Forces are going to create trouble and create difficulties, the political situation of Mizoram will become worse and worse. Even in that incident, the Security Forces were showing their dishonour to our Minister. If they do not respect and honour even our leaders, no one can say what will the Security Forces do to the general public. There cannot be a peaceful condition and tranquility if the Security Forces are dealing with us in such a manner.

Mr. Speaker Sir, I have many more points to say regarding this incident, and also about the activities of the Security Forces in Mizoram. I have said about the incident at Ngopa. Has action been taken on this matter? We do not know that action is taken. What about the torturing at Tuirial? We all knew that some persons were tortured mercilessly and unlawfully by the Security Forces. According to Law, it is said that if any person is arrested, he must be produced before the Magistrate within 24 hours and even according to the Maintenance of Internal Security Act, we find that the arrested person/persons must not be detained longer than three months without producing him before the Magistrate. But if we think about the happening at Tuirial Camp, it can be clearly seen that things were going in a wrong way. If the public leaders and authorities neglect these happenings and the condition, there will never be peace, tranquility and progress in Mizoram. Due to the absence of law and order, we are all facing various hardships, difficulties and sorrows.

.....16/-

Mr. Speaker Sir, regarding the receipt of information from the Headquarters, it is said that the Captain did not receive the second information. I can clearly say that on that day I was with the hon'ble Minister and that Army Officers did not salute the Indian National Flag and did not even behave properly as it is said in the information provided. There were also some officials who were with us and they also saw the incident. Before us, an escort party preceded us and they were stopped by that Captain. When that Captain was coming towards us, he did not give salute to the flag and behaved improperly. It can be clearly seen that this Captain has no respect for the Ministry and the administration as a whole.

Supposing, on that day, the Chief Secretary was travelling on that route. I don't think he would have been checked and harassed. I am afraid this Government is employing some person who are despising us, the Mizos!! I presumed that this information would be read carefully before giving to this House. This also clearly that the Army personnel have no respect for the House and the whole population of Mizoram. Mr. Speaker Sir, there are many persons who bear responsibility for this case, if the Govt. has no careful consideration, the situation may turn from bad to verse.

I would also like to say on some other topics too. The Ministry has to consider various assurances it gives to the House. Some days back, the Minister i/c of Community Development assured to give the House within this Session the list of various materials they purchased under Nutrition Programme. Where is that list or letter to be seen today? Regarding the distribution of Sewing Machine in the Department of Industry, it is said in the reply to unstarred question that 313 Sewing Machine were distributed. But when we look at the list it is only 308 numbers. If the Govt. is not respecting this House, it means that the Govt. is not respecting the people, nor as the M.L.As. If it does not respect the people and by pass them, the time may come when the people will have no regard and respect for the Government.

Regarding the appointment of L.P. Teachers, it is said that the appointment is made in order of merit at every examination Centre. But this is completely untrue. The Government therefore must have respect for this House and the general public.

Thank you.

PU F. HRANGVELA: Mr. Speaker Sir, if we look at the motion we are now discussing, it can be clearly seen that the behaviour and activities of the Security Forces in Mizoram are beyond the laws and orders. We have listened to what the other Members are saying about the incidents at various places like Iunglei and Ngopa Village. But still the Govt. is keeping silence as if it could not do anything.

I was extremely shocked when I learnt about this incident. We can clearly see that the Security Forces are regarding not only the Ministers for nothing, but also the Legislators and the public leaders. If the Ministers and public leaders meet such humiliation and difficulties, no one can say what miserable difficulties the general public will face. Since we merged with the ruling Congress Party, we expected to have a strong popular government but while we have such belief and expectation, we are reaching this stage. Where is Mizoram going??

Why did not we take any action after being humiliated ? Our leaders are having an important task to do. They must think and consider seriously.

From the explanation of the mover of this special motion, it can be found out that the information so provided is a false and baseless report. He (the mover) said that according to the information received by the Captain, one M.N.F. leader was about to travel on that route and hence all the vehicles were to be checked. He further said that the Bus which was plying on the same route was not even stopped. While the Bus was not stopped and checked, why did that Captain stop and check the Car of our Minister on which the Indian National Flag was flown ? It is a great humiliation! That Captain is looking down upon our land, our leaders and the general public. He is regarding our popular government for nothing. I cannot understand this.

The Hon'ble Member Pu Thangzika also pointed out about the words and promises of the Brigade Commander at Lunglei. The Brigade authorities also said that the Captain is deserving some punishment and they are said to have an intention to take appropriate action upon him. Why should our Government spare him ? I think such persons will not be required by India. Mizoram also does not require him. May we say that our future is dark even after we have our own popular Government. What does that "Thoroughly investigated" mean ? I therefore request our leaders to take the matter seriously and to consider once again.

Thank you.

PU P.B.NIKHUMA
DY. MINISTER:

Mr. Speaker Sir, I would like to give some sort of clarification regarding this incident, but not a statement.

I have informed the Chief Secretary on the night I arrived here from Lunglei and our Law Secretary as well. I told the Chief Secretary to make an enquiry and I also told him that I could not understand this incident. The Chief Secretary then told me how this kind of incident could happen and further said that he will take up the matter with the Brigade Headquarters. Our Law Secretary along with some authorities of the Assam Rifles came to me the next morning and they asked me what steps were taken. I told them that there is nothing to be done from their side.

The Chief Secretary met me on the first day since I arrived and informed me that he had contacted the Brigade authorities and they requested for apology. The Chief Secretary further assured me that appropriate action will be taken. The Brigade Commander also told me that they felt very sorry for this incident and necessary action will be taken. Since the Chief Secretary and even the Brigade authorities told me as such, I did not know the necessity of telling the Chief Minister and other Ministers. I was therefore keeping silent about it. But when the hon'ble Member Pu Saitlawma who was with me at that time submitted this special motion I enquired from the Chief Secretary about the position of the investigation. Unfortunately, our Chief Minister and some other leaders were engaged with other important matters and the file had gone to hon'ble Minister, Pu Lalsangzuala. Pu Lalsangzuala then produced this statement to the House without having any prior information.

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There is nothing to hide about this incident and all the words that Pu Thangzika said and how the Brigade Commanders contacted me are true. However the written information the Army authorities gave us is a bit untrue and I lately approached the Chief Minister and briefed him about this incident last Saturday. The Chief Minister also told me how to take up the matter and what things to do. For I know that this is my own responsibility, I did not have any intention to keep silent on this happening. I explained clearly to the Chief Secretary too. I want to let our hon'ble Members know that since our Chief Minister went to Delhi at once, this statement has been prepared urgently. This incident will not only rest upon our leaders, but we all have common responsibility.

I had a mind to take up the way our hon'ble Chief Minister advised me to do. However this incident should not be condemned as a whole. We have to see the situation that is prevailing in our territory. On that day we met this incident, those officers and men who were with me could not understand it, but I told them that it is the duty of the Security Forces and they have to carry out the order as instructed and they could be calmed down when I explained in that way. That opinion is in my mind all through my way back home. If they have suspicion upon us on whatever ground it might be, the Security Forces are to verify it.

(Pu R. Dotinaia : - Mr. Speaker Sir, is it the duty of the Security Forces to check the Ministers while travelling on duty ? Can this be clarified ?)

Mr. Speaker Sir, that will be clarified by our leaders, I am just trying to say the difficult duties of the Security Forces. But when I met that incident, it is my opinion that we are meeting what our people used to meet and I expected that something out of that incident can be gained.

Thank you.

PU CH. CHHUNGA
CHIEF MINISTER:

Mr. Speaker Sir, I felt extremely sorry for what had happened to our colleague, the hon'ble Deputy Minister, Pu Nihuma. But before I go into this topic, I like to point out whether we are going to beat back the Security Forces whenever they punish and beat some persons at different parts of our territory. We have to think about that. But if we think fit to form an enquiry commission, we can do it. From the side of the Security Forces, a Colonel or Lt. Colonel used to be included while D.C. (Deputy Commissioner) or some senior Officers were included and also some Police official. We had formed a joint Enquiry Commission when some incidents occurred like at Kawngui, Lungpuk, Hnahthial and Ngopa incidents. Reports were submitted after having an investigation and there used to be consideration how necessary actions were to be taken. The Government used to try its best as such to solve the problems. In other parts of the country, Security Forces are called in and it is my belief that some Security personnel used to be out of control in some other places too. I think that in recent period the general public rarely meet such kinds of difficulties and the situation prevailing in Mizoram is improving. However, I felt sorry when some incidents used to happen at some places. It is a good practice for the Hon'ble Members and other leaders to try their best in helping people who happen to meet various kinds of difficulties not only from the hands of the Security Forces, but also from others

Besides, some Members have pointed out about their fear that publishing the activities of the Security Forces in the newspapers is prohibited in Mizoram. I want to make it clear that the authorities are of opinion that there used to be too many commentaries in the newspapers about the activities of the Security Forces in Mizoram which can cause bad relationship between the public and the Security Forces. These newspapers seldom explain the real duties of the Security Forces and their difficulties. When the V/C President or some Party President or any other loyal citizen is shot at and killed by the Security Forces on ground of suspicion that he has some connection with the Underground M.N.F. I do not think it will be prohibited from publication

(Pu C.Lalruata :- Mr.Speaker Sir, for further clarification of our hon'ble Chief Minister, I would like to ask whether it is a fact that all the activities of the Security Forces to be published in the local newspapers must be sent to the Director of Information etc., for screening or censor ? If it is so, there are many difficulties).

Mr.Speaker Sir, the position is that before publishing in the papers, all the articles of the newspapers have to be censored whether the contents are about the activities of the Security Forces or not. The contents in the newspapers will not be rejected if it is found to be true and just one.

Regarding this special motion, I would like to let our hon'ble Members and my own colleagues know that I am taking this incident seriously and I found it difficult to understand the matter. Soon after I learnt this incident, I had a discussion with a Brigadier and he told me that action is being taken and he further said that the Captain will be transferred immediately and that his case will be taken up seriously. I asked Pu Nikhuma himself to come to my residence and there we had a long discussion about this incident. I did not know anything else since then and only today I learnt that action is not yet taken.

(Pu R.Dotinaia:- Mr.Speaker Sir, if action is not taken upto now against that Captain after the Brigadier informed our Hon'ble Chief Minister that action is being taken, does that Brigadier himself deserve punishment?)

Mr.Speaker Sir, I do not know whether we are going to take action against everyone who did something wrong and I do not know much to say about that.

(Pu Hrangaiia:- Mr.Speaker Sir, If action cannot be taken here, are you not going to refer this case to the Minister of Defence ?)

Anyhow, Mr.Speaker Sir, we have just learnt that action is not yet taken as the Army authorities promised us. But to have a good relationship we have to trust others.

trust
going to one non-Mizo rather than our own Minister ?)

(Pu Sapliana:- Mr.Speaker Sir, are

I did not say that we are not going to listen to the statement or words of our Minister and other Legislators. We have just learnt that the Captain is question is at his post till now, and that is what we are discussing about.

(Pu C.Lalruata :- Mr.Speaker Sir, this incident happened on the 11th September and the Chief Minister might not know officially about it, but it is well known to the general public. Anyway when did the Chief Secretary complete the investigation ? When was the completed investigation put up to the Chief Minister ?).

As I have said earlier, after we learnt about this incident that happened to our colleague, the hon'ble Deputy Minister Pu Nikhuma, we had a discussion with Brigadier Sharma and we were informed then that action is being taken. We do not know anything except that.

(Pu C.Lalruata :- Mr. Speaker Sir, I suppose that the connecting file will be on the table of our Hon'ble Chief Minister at present. When did the Chief Secretary take action, when did he complete it and when did he put it up ??).

That question will be answered later on. I felt very sorry for this incident because it involves our fellow Minister and Legislators. Pu Nikhuma said that he told the Chief Secretary to make an enquiry and it may be from that date that an investigation was started. On the 9th October, Major M.L.Verma who was Brigade Major sent a letter and it appears that the investigation taken so far is meant for the purpose of this question.

(Pu C.Lalruata :- Mr.Speaker Sir, there is notice for calling attention motion and for that purpose, a reply is made and if there is anything that does not appear in that reply about the investigation, how can we understand it. That is clearly misleading to the House !!!)

Just after our Deputy Minister arrived, he informed the Chief Secretary to make an enquiry and whether the Chief Secretary started an investigation from that time cannot be known. When we look at the statement Pu Lalsangzuala gave seriously. it appears to be one-sided as our Members said. Pu Lalsangzuala, Minister and even myself find it hard to accept that statement and it is difficult to regard it as satisfactory.

(Pu Sapliana :- Mr.Speaker Sir, As it appears from the statement given by our Minister-in-charge of Parliamentary Affairs, Pu Lalsangzuala, the Deputy Minister is said to be satisfied with that investigation. I am surprised to learn that our Chief Minister does not know until now whether the Government has taken action or not. Does it mean that the Chief Secretary is trusting one Captain rather than our Ministry ? Why he is employed here till now ??)

Mr.Speaker Sir, as we have already said, we are not satisfied with that investigation even and we are sharing a common opinion with you in this matter.

(Pu Vanlalhruaia :- Mr.Speaker Sir, the Hon'ble Chief Minister said that he is sharing common opinion with us. Anyway is action going to be taken ?)

Well, I accept that the information we have received so far is one-sided for it contains only the statements from the Army side, not from our Deputy Minister and his party.

(Pu C.Lalruata :- Mr.Speaker Sir, it is found out that the statement is one sided. I would like to know when this file was put up. Since I was absent at that time, the file in question was handed over to hon'ble Minister Pu Lalsangzuala. Anyway, the matter will be taken up by the Government seriously and all that the Members said will be considered. There is nothing to hide and we must try to locate where and upon whom actions should be taken. I am sorry that we did not pursue the case and the Government have to take responsibility for this investigation and others connected with this incident.

(Pu Vanlalhruaia:- Mr.Speaker Sir, I was asking the procedure regarding the incident at Ngopa Village. Is it a fact that the Army Captain in question regarding Ngopa incident was transferred to Kawkulh and even promoted to the rank of Major ?)

So far as the information I have received the report of the investigation had been submitted, but I cannot say what decision they have taken.

PU SANGKHUMA: Mr.Speaker Sir, I think what we are discussing about is regarding the statement which the Hon'ble Minister made in the House. Some of our Members are demanding the Minister to withdraw that statement. Besides this I would like to point out that the Home Minister said in the Parliament that the Security Forces are behaving properly and acting accordingly here in Mizoram. Are we afraid to give a just and true statement in this House ?? Why our Minister hesitates to withdraw that statement after learning that the statement is untrue and unsatisfactory ? I would like to know whether that statement is going to be withdrawn or not ?

(Speaker :- Rather than withdrawing the statement , the Minister said that he is going to correct it and since we are satisfied and regard it to be one sided, the matter will be reconsidered)-

Making some correction has not any meaning. The statement must be withdrawn. All the statements given by the Army side must be withdrawn. Why are we afraid for withdrawal ?

PU C.LALRUATA: Mr.Speaker Sir, the investigation was made by the Chief Secretary and he did it in the name of the Government. The information may be based from any point but it will be said as Chief Secretary's Information, etc. However, the Chief Secretary reported that the matter has been "Thoroughly investigated". The Government also had admitted that we are dissatisfied. How the Government is going to take action??

SPEAKER: There may be some mistake while giving statements in the House unintentionally. But if any Minister misleads intentionally, it can be treated as a question of Privilege. But in this case, it cannot be treated as a question of Privilege.

PU SAPLIANA: Mr. Speaker Sir, our Deputy Minister has been appointed in the name of the President on the advice of the Chief Minister. He took oath of allegiance under the Indian National Flag. Why are we treating this incident as such? Order must be issued to take necessary action, not to take investigation and so on. We are not supposed to ask the Chief Secretary, etc., to take investigation. It is rather a shameful thing.

PU CH. CHEUNGA
CHIEF MINISTER :- Mr. Speaker Sir, I misunderstood that thing. The position is that our Deputy Minister advised asked the Chief Secretary to make an enquiry.

PU SAPLIANA: Mr. Speaker Sir, just now it is said that making some correction in the statement is permitted. Our Minister-in-charge has admitted that the statement provided is wrong and he has an intention to make correction. Where can that corrected statement be made ?? How he is going to inform this House ?

PU C. LAIRATA: Mr. Speaker Sir, in a report given by the Chief Secretary, whether it is said "Thoroughly investigated" or "Thoroughly enquired" ?

PU SANGKHUMA: Mr. Speaker Sir, one of our Ministers met that incident and it is clearly found out that the information is baseless and wrong. How can a statement be made as such for misleading the House ? It cannot be my idea and opinion if that statement is withdrawn. Are we afraid of mis-appointing those leaders who said that the behaviour and activities of the Security Forces in Mizoram are satisfactory ? Where are you going to lead Mizoram and in which path ?? Did you not see and learn the sufferings of the Mizo people ??

PU P.B. NIKHUMA
DY. MINISTER: Mr. Speaker Sir, it is not my opinion to say that the Minister was making a statement intentionally knowing that it is a wrong information. I have already explained the circumstances. That connecting File was about to be handed over to the Chief Minister but since the Chief Minister was not available at that time, it was rather handed over to the Minister, Pu Lolmangzuala. The Minister then gave the statement in the House without having any chance to study it carefully. The Minister just gave the information as it was received by us. It is not his intention to give a wrong statement and to mislead the House.

PU CH. CHEUNGA
CHIEF MINISTER: Mr. Speaker Sir, we have already learnt what our Members like and dislike regarding this incident. The matter cannot be finalised here. We had admitted that the notes we have made are one sided and assured that the matter will be reconsidered seriously. Therefore I think we cannot have such

a long discussion and deliberation here and the matter will be taken up once again.

PU SANGKHUMA:

Mr. Speaker Sir, are they supposed to make another statement if it cannot be done at

present ??

**PU R. TRANGLIANA
MINISTER:**

Mr. Speaker Sir, the statement given by our hon'ble Minister-in-charge of Parliamentary Affairs last time is rather a true statement. However, the Government pointed out its dissatisfaction and so they wish to revise it. I therefore do not know the necessity for its withdrawal.

PU C. LALRUATA:

Mr. Speaker Sir, is it included in the statement that the Captain gave salute ?

That requires clarification.

SPEAKER:

In the beginning it was not asked to be admitted as a Privilege Motion and we are discussing about this incident as a special Motion. The Government also explained clearly about the procedure and it is also admitted that the statement provided is unsatisfactory and untrue. It is also assured that the matter will be reconsidered. I regret the Members to take note of that. I also would like to tell the Government that in future when there is a statement to be given in the House, let it be gone through carefully and it may be ensured that whatever statement is to be given is correct and satisfactory.

PU VANLALRUATA:

Mr. Speaker Sir, Mr. Speaker Sir, even our House is degraded. There are too many by passes. Let them say that the statement is correct if it is so and let them admit that it is wrong if it is wrong. What does it mean when some Minister said that the statement is correct while some other Minister said it to be wrong ?

SPEAKER:

We are now going to prorogue our present Session. We still have one more item to be taken up which is the resolution of Pu Saitlawma. But, since Pu Saitlawma is absent, the Resolution is dropped.

In this Sixth Session of ours, we received 134 Starred Questions out of which 116 were admitted. There were 9 Unstarred Questions out of which 8 were admitted. We received one Short Notice Question and it was admitted, but not replied. Out of 116 Starred Questions sent to various Departments, we received 115 replies. There were 8 Unstarred Questions sent to various Departments and all the Questions were replied.

The position of the questions Department-wise is like this :- 16 Questions were sent to Public Works Department and all the Questions were replied. In the Health & Family Planning Department 5 questions were sent and all were replied. 13 questions were sent to Education Department and all questions were replied. 22 questions were sent to Supply and Transport Department and all the Questions were replied. 7 Questions were sent to Agriculture & Vety. Department and all the 7 questions were replied. 5 questions were sent to General Administration Department and they replied all the questions. 12 questions were sent to Forest & Soil Conservation Department and all the questions were replied.

Out of 9 questions sent to the Home Department, 8 questions were replied. 6 questions were sent to Community Development Department and all questions were replied. 5 questions were sent to Local Administration Department and all the questions were replied. In the Industries Department, 2 questions were sent and both were replied. 8 questions were sent to Appointment Department and all the questions were replied. 2 questions were sent to Revenue Department and both the questions were replied. 9 questions were sent to the Secretariat Administration Department and all of them were replied. One question was sent to Political Department and it was also replied. Altogether 115 Starred Questions were replied out of 116 questions that were sent out to various Departments.

There were altogether 8 Unstarred Questions that were sent out and all of them were replied. It is gratifying to see that we are making improvement.

FU SAPLIANA: Mr. Speaker Sir, for some sort of Point of Order. That Short Notice Question was submitted by me after consulting the Department concerned. We the Members used to do such practice for we felt them to be of public importance. After the Assembly Session was extended for 7 days and even after the Speaker admitted that Notice, I am quite surprised to see that such question could not be replied. I wish that in future there will be no more practice like the one that came to my Notice.

SPEAKER: All right, altogether 5 Bills were received and all of them are passed. I would like to ask the Government to take steps so that we can avoid various difficulties in the future Sessions. I hope we will be able to have the next Session without having difficulty.

The House is adjourned Sine Die.

SESSION PROROGUED AT 2:52 P.M.

D.C. PANDE,
Secretary,
Mizoram Legislative Assembly,
A I L A W L.

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