

PROCEEDINGS OF 8TH SESSION (ENGLISH) OF THE MIZORAM
LEGISLATIVE ASSEMBLY HELD AT THE ASSEMBLY HALL
FROM 2.9.1975 TO 3.10.1975.

2ND SITTING ON 24.9.1975 AT 11 A.M.

BUSINESS

1: Questions.

2: Presentation of Petition:

Fu J.Thanghuama to present a petition submitted by Jomadar Darthuama (rtd) regarding extension to certain pensioners in Mizoram of the benefit of temporary increment enjoyed by all pensioners in India.

3: Consideration of Government Bills:

Fu Vaivenga, Minister i/c Education to move that -

(a) The Mizoram Board of School Education, Bill, 1975 be taken into consideration.

(b) The Bill be passed.

PRESENT

Fu H.Thansanga, M.A., B.T., in the Chair, Chief Minister and 32 members present.

SPEAKER:

"Pay everyone whatever he ought to have: pay your taxes and import duties gladly, obey those over you, and give honour and respect to all those to whom it is due". Romans 13:7.

Question No.11, Fu Lalhmingthanga.

HOME DEPARTMENT

Extension for repayment of Rehabilitation Loan.

*11. FU LALEMINGTHANGA: Will the Hon'ble Minister i/c of the Home Department be pleased to state -

(a) Whether the Government of Mizoram can extend, the period for repayment of Rehabilitation Loan granted to the fire victims at Dara Bazaar and Khatla Bazaar?

(b) If so, whether the Government intend to extend the period?

SPEAKER:

The Chief Minister, who is to reply is absent.

Question No.12, Tu Sapliana.

GENERAL ADMINISTRATION DEPARTMENT

Mizoram House at New Delhi.

*12 PU SAPLIANA:

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

(a) Is it a fact that the Government of Mizoram has purchased a plot of land for Mizoram House in New Delhi ?

(b) If so, whether the Construction of the building has started now ?

(c) What arrangement is made to provide sufficient accommodation for Officers and Staff on Official duty?

SPEAKER:

It is the Chief Minister's Department and he is absent.

Question No.13, Tu Sapliana.

Question No.14, Tu C.Lalruata.

Question No.15, Tu Sapliana.

INDUSTRIES DEPARTMENT

Amount allotted for each District under Industrial Grant-in-aid Scheme in 1974-75 and the reason for not distributing the materials.

*15 PU SAPLIANA:

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

(a) Whether District-wise allotment of fund under Grant-in-aid Scheme was made during 1974-75. If so, on what basis was the allotment made and what was the amount for each District ?

(b) Is it a fact that the Grants-in-aid in kind have not been distributed? If so, the reason therefor.

SPEAKER:

Industries Minister to reply.

PU K.T. KHUMA:
MINISTER.

Mr. Speaker Sir, there is District-wise Grant-in-aid for 1974-75 under Industries Department and allotment

basis is on the application of artisans, local entrepreneurs demands and population is another basis. The following are the amount given -

- (1) Aizawl District - Rs. 67,490/-
- (2) Lunglei District - Rs. 34,131/-
- (3) Chhaintuipui District - Rs. 32,992/-

The majority are given in kind.

FU JAPLIANA: Mr. Speaker Sir, Supplementary Ques. Referring to the Minister's reply I want to know the number of applicants from Aizawl, Lunglei and Chhaintuipui Districts? Some are paid in cash and some in kind, may I know the number of recipients given in cash? What is the value given out in kind?

FU K.T. KHUMA: Mr. Speaker Sir, I can't say the number of applications now. The District Officers forward whatever applications they commented on and I can't know the number of applications kept by them. I can tell the Hon'ble Member that Rs. 10,300/- is given in Cash and the rest is given in kind, i.e. materials.

FU NGURDAWLA: Mr. Speaker Sir, any priority or favouritism shown to villagers?

FU K.T. KHUMA: Mr. Speaker Sir, though there is no such compulsion verification of their needs and what ever our leaders recommended are usually favoured.

FU K.L. ROCHAMA: Mr. Speaker Sir, it is found that great care should be taken on the matter. In the last year's Budget provision the Director of Industries is authorised to disburse Rs. 11,00,000/- for the purpose and another Rs. 1,40,000/- for the whole of Mizoram. Request has been made for equal distribution throughout Mizoram on population basis and the number of workable persons, but that has been neglected and the Assistant Director gave out Rs. 1,00,000/- to the clever applicants by his own power. As Hon'ble Minister said, Rs. 1,40,000/- was given, not on population basis. The recommended list submitted from Lunglei and Chhaintuipui Districts were not properly entertained and kept pending somewhere.

(Speaker: You miss the point)

Any decision made to stop the A.D.F. from disbursing Funds on his own and amalgamation of separate provisions and disbursed on demand of the concerned M.L.A. and Village Leaders ? Any favouritism and priority given to Villagers regarding Grants-in-aid, as they cannot apply for loan ?

PU K.T. KHUMA:
MINISTER

Mr. Speaker Sir, at the time of Budget preparation the District Officers accidentally did not include Grants-in-aid in the Budget and the Districts of Lunglei and Chhimitupui did not have while Aizawl District only prepared. If it is excluded in this year's Budget it should be included in the Revised Budget. The matter has been discussed. The Officers and Departments face difficulty in disbursing the Grants-in-aid as the recommended ones, whether they be Villagers or not have to be considered, especially the organised associations etc, and I accept the suggestions put forward by the Hon'ble Member.

PU NGURDAWLA:

Mr. Speaker Sir, the reason I ask is within Aizawl District itself, the people of Aizawl town alone enjoy the facilities and other areas are neglected who are the needy and deserving ones. If separate loan provisions are not made for Villagers, they cannot apply for it. As it is meant to encourage any type of industry and clear cut policy followed, if it is really meant to uplift the poor Villagers should not any recommendation be taken as genuine ? May I be furnished the list of recipients, within Aizawl District mainly Aizawl town and Villagers ?

PU J. THANGHUAMA:

Mr. Speaker Sir, I heard that Industrial loans sanctioned did not meet the demands and large amount of Agriculture Loans had to be diverted for the purpose. I would like to know the exact figure of Agriculture Loans diverted to meet Industrial Loans ? Whether the diverted funds were in the form of loan or Grants ?

SPEAKER:

You mix up Loans with Grants-in-aid. The question deals with Grants-in-aid Loans, not ordinary Loans.

PU J. THANGHUAMA:

Mr. Speaker Sir, I think it is relevant as it concerns with Industry.

SPEAKER:

There is no harm if he can reply.

PU SANGKHUMA: Mr. Speaker Sir, though the Ministry wants to deal matters with fairness, the Congress Office made separate list and submitted to the concerned Department with reminders. Such interferences should stop and things will go better.

PU K.T. KHUMA: Mr. Speaker Sir, we know that our Villagers are in bad need and they deserve consideration. Generally, eastern or southern areas of Mizoram are more densely populated and we can furnish the list containing information to Hon'ble Member if he so desires.

Fu J.Thanghuama's Question regarding Industrial Loan (Grants-in-aid) has been once mentioned that Agriculture Loans had been diverted to cover the shortage of Industrial Loans. But Agriculture Loan was short term Loan and not properly utilised for the purpose and serious harm is not done.

PU SAITLAWMA: Mr. Speaker Sir, Grants-in-aid had been included in the Budget for Lunglei and Chhimituipui Districts, but the authorities here dropped later. Hence, Budget provision has been made for Aizawl District only and I want to make that clear in the House, Have the Grants-in-aid given in kind for 1974-75 been actually disbursed in Lunglei and Chhimituipui Districts and the exact figure be furnished? Aizawl District actually disbursed, but had it been actually done too in Lunglei and Chhimituipui Districts?

PU K.T. KHUMA: Mr. Speaker Sir, if the Hon'ble Member so desires the list is here and that should prove in-kind Grants-in-aid had been actually given.

SPEAKER: Question No.16, Pu Sangchhum.

INDUSTRIES DEPARTMENT

Award of stipend to Knitting Trainees.

*16 PU K.SANGCHHUM: Mr. Speaker Sir, Will the Hon'ble Minister i/c of the Industries Department be pleased to state -

(a) Whether the Government of Mizoram awarded stipends of Knitting Trainees (R.I.F.) ?

(b) If yes, how many persons were trained already and the amount of stipend given to each trainee per month ?

PU K.T. KHUMA:
MINISTER

Mr. Speaker Sir,
(a) Yes, (b) As per record maintained till today 222 persons are already trained and the stipend given to each trainee during 1973-74 was Rs.75/- per month, under Half-a Million Job Programme. But 1974-75 being a normal Programme Rs.40/- per month to each trainee. But in the new financial year Rs.75/- is intended to be given.

PU K. SANGCHHUM:

Mr. Speaker Sir, Supplementary Ques.
Are there new trainees in the current year and stipend received

by them ?

PU K.T. KHUMA:
MINISTER

Mr. Speaker Sir, new trainees are being selected and they shall get Rs.75/- per month. I dare not say if they are actually paid the said amount.

PU SAITLAWMA:

Mr. Speaker Sir, where is/are such Training Schools located ?

PU K.T. KHUMA:
MINISTER

Mr. Speaker Sir, Training Centre is in the Office of the R.I.P. Officer (Workshop) of Ramhlum Veng.

PU SAPLIANA:

Mr. Speaker Sir, Supplementary Ques.
How many trainees are generally admitted within/for one year and whether the trainees supervisors draw the stipends from the Office or the Government gave it through some agency?

PU K.T. KHUMA:
MINISTER

Mr. Speaker Sir, I cannot tell the number of trainees within one session. RIP Officers, Instructresses should give stipends from Office, and the Hon'ble Member may see the list. If no other person is authorised, the trainee should draw by herself.

PU SAITLAWMA:

Mr. Speaker Sir, has the training under R.I.P. been conducted in other parts of Mizoram ?

PU K.T. KHUMA:
MINISTER

Mr. Speaker, beside Training Centre at Ramhlum Veng, the Government has no other such centre.

SPEAKER:

Question No.17, Pu R.Dotinaia.

AGRICULTURE DEPARTMENT

Promotion of Gram Sevaks

*17 **PU R. DOPINAIA:** Mr. Speaker Sir,
Will the Hon'ble Minister i/c of
the Agriculture Department be pleased
to state -

(a) Had any Gram Sevaks been promoted to A.A.I./A.I. and
A.E.O. posts respectively since "Amalgamation"?

(b) If so, why?

(c) If promoted, how many had been given promotion
(Category-wise)?

PU R. THANGLIANA:
MINISTER

Mr. Speaker Sir,
(a) No. (b) It is not yet ready for
enactment.

(c) As promotion is not yet made, the number cannot be
said.

PU R. DOPINAIA:

Mr. Speaker Sir, how many posts of
A.A.I./A.I., Agriculture Extension
Officers are lying vacant and since
when vacant? After amalgamation has been done during
the last year, promotion cases are not yet processed till
today. Amalgamation is meant to promote Government
servants and encourage their enthusiasm and interests
and to make their services regular. I can't understand
why promotion is still pending and I demand the reasons?
Any technical difficulties involved?

PU R. THANGLIANA:
MINISTER

Mr. Speaker Sir, the Cabinet has
made decision long ago to amalga-
mate Gram Sevaks, Senior Gram Sevaks
into Agriculture Department, but its implementation is
only recently. There are 100 Gram Sevaks out of which
90 posts are already filled up and 10 posts are still
vacant. There are 11 posts of Senior Gram Sevaks out
of which 9 posts are filled up, 2 posts still vacant.
The Agriculture Demonstrator are Field Assistant are of
the same pay scale and there are 41 posts, all filled
up. There are 17 Assistant Agriculture Inspectors, all
filled up. There are 36 Agriculture Inspectors and
A.E.Os., 29 posts filled up and 7 posts vacant. Promo-
tion is not held up with a view to delay the matter,
rather technical difficulties are the causes. As Gram
Sevaks and Agriculture Demonstrator are on the same
(Basic) pay scale there is no difficulty; but Senior
Gram Sevaks and Agriculture Inspectors are not on the
same pay scale. If we abolish Senior Gram Sevaks and
amalgamate them with Agriculture Inspectors there are
not enough vacant posts, to fill them up, even after

promotion. We should consider enough posts to post them and abolish the post at the same time to solve the problem. It is still pending and I hope it will soon be settled and solved.

PU NGURDAWIA: Mr. Speaker, Gram Sevaks and Agriculture Demonstrators are amalgamated under the Agriculture Department with a view to make promotion chances and I think there is something undesirable in the process. Even if Gram Sevaks and Agriculture Demonstrators are on the same pay scale, but if they should come under the Agriculture Department, I think the Agriculture Demonstrators will be more experienced in the line. If they are on the same pay scale what will be the criteria for determining chance of promotion? Either of the two will surely be experienced in the line!.

PU R. THANGLIANA: Mr. Speaker, formerly, those persons who are matriculate are appointed as Agriculture Demonstrators without training, but Gram Sevaks are appointed only after duly trained for 2 years. Regarding efficiency Gram Sevaks having had Extension training courses will surely be more useful than Matriculate Agriculture Demonstrators since amalgamated, among the existing Agriculture Demonstrators and Agriculture Inspectors some are junior in services. In case, of counting seniority of Gram Sevaks, only 2/3 of the total services should be counted. In case of counting efficiency, untrained Agriculture Demonstrators are surely less efficient.

PU R. DCTINAILA: MR. Speaker, is amalgamation successful? The Minister said there is no difficulty in the case there is no difficulty in the case of Agriculture Demonstrators and Gram sevaks as they are on the same pay scale, does it mean the amalgamation is successful between the two? How do and where from the Gram Sevaks draw their salaries? From the concerned Block or the Agriculture Department? Who is the Controlling Officer?

PU C. CLAWNGKUNGA: Mr Speaker if amalgamation should be done, why count only 2/3 (of the total services) instead of the total services rendered? We say they being trained are services rendered? We say they being trained are more efficient and experienced?

PU R. TEANGLIANA: Mr. Speaker, amalgamation is found successful automatically. The Director of Agriculture Department is the Controller at present, including posting and transfer etc.

Regarding their salaries, they got from wherever Budget they are provided for, like Block Funds etc. and I think that does not help in the fulfillment and success. When Agriculture Inspectors are deputed to Blocks, designated as 'Agriculture Extension Officers' they are paid there and they are still Agriculture Department staff.

In reply to Pu Chawngkunga's question - there is great difficulty in the case. The Assam Government too, in normalising the services of Block Staff, Officers' 2 years services are counted as one year and that procedure is followed as far as practicable here.

SPEAKER:

Question No.18, Pu C. Lalruata.

REVENUE DEPARTMENT

Issue of Drug Licence for selling Foreign Liquors.

*18 PU C. LALRUATA: Will the Hon'ble Minister i/c of the Revenue Department be pleased to state -

(a) Is it a fact that the Mizoram Government issued Licences for sale of Foreign Liquors to some individuals ?

PU VAIVENGA:
MINISTER

Mr. Speaker Sir, licences had been issued for sale of foreign liquors to (1) Pu R. Zuala, (2) Pu Lianzama (3) Pu Lalhluna, and (4) Pu Lianzuala Sailo. Vendor licences had been issued to them but since August, 1975, such licences had been cancelled.

The Assam Excise Act, named 'The Eastern Bengal and Assam Excise Act, 1910' is not actually enforced here. After becoming Union Territory in 1972, the D.C. enquired information and instruction regarding the terms and conditions of enforcement of the said Act and the Assam Government sent brief instruction. On the basis of that instruction furnished, the above persons were issued licences, and such issue is questionable. We are following the practices of the Assam Government in enforcement of Acts.

According to the Assam Urban Areas Rent Control Act, 1961, as instructions received by the D.C. on the provisions, rent is fixed here at Aizawl, that is, before having our own Act enforced. Now we shall have our own Excise Act as rules are being framed on it. Such licences are purely temporary in effectiveness.

PU K. SANGCHHUM: Mr. Speaker Sir, Supplementary Ques.
When were those licences given/
cancelled again? issued to them and why they were

PU J. TWANGHUMA: Mr. Speaker Sir, one of the licensed
dealers is Pu Lalhluna, If I re-
member it right, he is a Govern-
ment employee working as X-Ray Operator ?

PU SANGKHUMA: Mr. Speaker Sir, some are opening
shops near Cinema Hall, Are they
licenced to sale with permits ?

PU VAIVENGA:
MINISTER Mr. Speaker Sir, at present I cannot
tell the exact dates on which such
licences were issued and cancelled.
Anyhow, it is after the month of August, 1972 after
Union Territory Government was formed. For answer to
why they are cancelled, our own rule is being framed
and will be effective soon. It is considered improper
to adopt Assam rules where no specific provision is made
to suit our cases.

PU C. LAIRUATA: Mr. Speaker Sir, the Hon'ble Minister
said Rules are being framed. . . .
We have passed the Mizoram Excise
Act in 1973, and President assented to it on 17th April,
1974. On 22nd May, 1974, it was published in the Mizo-
ram Gazette. But the Act could not yet be enforced and
made effective till today. According to the provision
of the Act, in order that it may be effective and enforced,
the Administrator must notify it in the Gazette. Has
that been done ? Are the Rules simply prepared before
notification in the Gazette ?

The Minister said that some licences
were issued and cancelled again. Afterward, has any kind
of import licences been issued? For instance, Beer is
available in some Hotels at Aizawl and even hard drinks. Have
licences been issued to such persons?.

PU VAIVENGA:
MINISTER Mr. Speaker, due to non-preparation
of rules, the Act, is not yet declared
effective and in force. Only after
the necessary rules are prepared/framed the Act will be
declared effective. It is true that some persons are secretly
selling wines and as the Act is not yet ready, we issued
some important licences as a form of permit for beer, not for
hard drinks.

PU SANCKHUMA: Mr. Speaker, we are progressing too fast regarding wine and licences; permits were automatically issued and automatically cancelled again before introduction of the Bill. The bill was passed in October and President's assent obtained in April, 1974 and published in the Gazette on 22nd May 1974. It was stated that "after it is notified in the Gazette the rule will be declared effective". It is not yet notified but permits are already issued, but on what criteria or basis? Is it drinkers' thirst?

PU SAPLIANA: Mr. Speaker, the Minister said import licence has been issued for Rum? To whom such licences were issued? While licences for importing Rum are issued there are many local-made wines and have licences been issued for their manufacture? If not issued, are not local made considered as wine and controlled?

PU VAIVENGA MINISTER. Mr. Speaker, permits not licences were issued for short terms and it was done without basing on Act. Local made is taken as wine and controlled and after the Act shall be enforced it will be treated as foreign liquors.

SPEAKER: Question NO.19, Pu Ngurdawla.

Grant of stipends to students undergoing pre-examination Training at Allahabad.

PU NGURDAWLA: Will the Hon'ble Minister i/c of the Education Department be pleased to state -

(a) Is there any intention to give stipends to those students undergoing the Pre-Examination Training for the I.P.S., I.F.S. and Allied Services at Allahabad?

(b) If not, why not?

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PU VAIVENGA MINISTER. Mr. Speaker, such stipend is not given by Mizoram Government. The Training Centre and our Government have no official correspondence on any matter and as such no stipend given to trainees.

PU NGURDAWLA : Mr. Speaker, at present there are 6 Mizo trainees there, among the many students from all states, and they are in hardship. By stipends, I mean even in the form of Book grants which the students from Nagaland are getting. Does the Minister think that such arrangement could be made?

PU SAPLIANA : Mr. Speaker, supplementary question: As the question is "Allahabad etc. . . ." I think any point will be relevant. At present, there is I.A.S. Pre-Examination Training Centre and there are some Mizo students. If we have no connection with Allahabad Training Centre, do we have connection with Shillong Training Centre? If so, does the Govt. consider giving stipends and all to those Mizo students at Shillong Centre?

HU VALIVIGA :
MINISTER. Mr. Speaker, Allahabad Centre is a Central Institution. If the students apply from their respective States, we may consider. In reply to

Pu Sapliana's question, though Shillong Centre also is a Central undertaking, the Central Govt. grant Rs. 100/- as stipends. The Vice-Chancellor requested and enquired whether the respective State Govts. could sanction Rs. 75/- in addition to the Central Govt. stipends as that is insufficient. The Mizoram Govt. is considering the request of the V.C. to sanction the required stipends amount.

SPEAKER : Question No. 20, Pu F. Hrangvela.

REVENUE DEPARTMENT

Distribution of Mizawl Station Reserve for jhums without proper permission from the Govt.

PU F. HRANGVELA :

*20. Will the Hon'ble Minister i/c of the Revenue Department be pleased to state -

- (a) Whether it is a fact that some areas within Mizawl Station Reserve are distributed for jhums without the permission of the Govt?
- (b) If so, what action have been taken against the persons responsible for it?

PU VALIVIGA :
MINISTER.

Mr. Speaker, no Reserve area is given for jhums without Govt. permission. I suppose the question means to point the distribution of Bungkawn - Khatla cemetery area for growing vegetables by the people living nearby and that was without Govt. acknowledgement.

In their opinion, to utilise the cemetery area for growing vegetables will not be viewed gravely on the part of the Govt. But their doing that within the Reserve area was considered improper and enquiries made on them to clarify personally their actions. In what manner actions shall be taken against the concerned persons is under consideration.

SPEAKER : Question No. 11, Pu Lalhmimgthanga.

HOME DEPARTMENT

Extension for repayment of Rehabilitation Loan.

PU LALHMINGTHANGA :

*11. Will the Hon'ble Minister in/c of the Home Department be pleased to state -

- (a) Whether the Govt. of Mizoram can extend the period of Rehabilitation Loan granted to the fire victims at Bara Bazar and Khatla Bazar?
- (b) If so, whether the Govt. of Mizoram intend to extend the period?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, the period can be extended and the matter is under consideration of the Govt.

PU LALHMINGTHANGA :

Mr. Speaker, supplementary question: Loan Rule 21, a(1) reads - "Authority granting the Loan has the power to increase the instalment" and I want this provision to be taken into account while the matter is under consideration. As it is a Rehabilitation Loan, Rule has been thoughtfully framed to allow 4 Instalments for repayment. As the Loan is for short period, and due to non-availability of cement and iron-rods, many of us could not complete the construction. Only recently free sale cement is available. (SPEAKER : Does not instalment and period mean the same thing?) No, Mr. Speaker. If it is on instalment, the period may mean different. Could it be repayed in 20 Instalments?

PU C. CHHUNGKUNGA :

Mr. Speaker, is there any provision in the Loan Rules that Mizoram Govt. may pass?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, we have not been informed that we may suspend the Loan Rules. The period and method of repayment is in question now. At present the

loanees have to repay after two years have passed since drawal and that two years term can be extended. Repayment can be made in 5 instalments and they shall commence payment from the third year since drawal and quit payment in the seventh year. The period of instalment repayment can be extended and the Member's question is under consideration of the Government.

SPEAKER : Question No. 12, Pu Sapliana.

GENERAL ADMINISTRATION
DEPARTMENT

Mizoram House at New Delhi.

PU SAPLIANA :

*12. Will the Hon'ble Minister i/c General Administration Administration Department be pleased to state -

(a) Is it a fact that the Govt. of Mizoram has purchased a plot of land for Mizoram House in New Delhi?

(b) If so, whether construction of the building has started now?

(c) What arrangement is made to provide sufficient accommodation for Officers and staff on official duties?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, (a) Yes; (b) Construction work not yet started; (c) in spite of our ceaseless search for more rooms

we could get only two (2) rooms in Curzon Road Hostel as the present occupants/tenants refused to vacate their rooms. We have demanded/requested the Central Govt. to allot us Bungalow before we have our own House or authorise us to hire any available and suitable building for the purpose.

PU K. SANGCHHUM :

Mr. Speaker, supplementary question:

Last year in the month of October, we were told that land was already purchased in New Delhi. And after lapse of one (1) year, that the same is renewed now, and what is the difficulty for construction of building?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, that is true and cash payment (Rs. 4,01,427.50) already made in May, 1974. When we tried to acquire

possession, they said 'they are not ready' and even after repeated attempts 'documents were not ready'. After some time they told us to pay Rs. 3,292/- for the ground and that was paid recently; now we have acquired only the possession certificate.

Works and Housing Ministry have to approve the plan and their delay is the ——— cause of our taking necessary action rather late.

SPEAKER :

Question No.13, Pu Sapliana.

Mizoram House at Shillong.

PU SAPLIA-NA :

*13. Will the Hon'ble Minister i/c General Administration Department be pleased to state -

(a) Whether there is any proposal to purchase a land for Mizoram House in Shillong?

(b) If so, why?

**PU CH. CHHUNGA
CHIEF MINISTER :**

Mr. Speaker, (a) No such proposal; (b) the Mizoram Govt. does not feel the need of having Mizoram House at Shillong.

PU CH. SAPRAWNGA :

Mr. Speaker, is Nagaland Government's having 'Nagaland House' at Shillong so badly needed and pressing?

**PU CH. CHHUNGA
CHIEF MINISTER :**

Mr. Speaker, Nagaland had its House there since long time back and was not specifically named 'Nagaland House' as it is named now. It was located near Nongthymmai Field and we don't know how they acquired the land. However, we don't feel necessary to have 'Mizoram House' there but our Houses at Silchar and Delhi are found very pressing and needed.

PU CH. SEPRAWNGA :

Mr. Speaker, I suppose there are many buildings in Shillong that may be inherited from the Assam Govt. Does it mean that we don't try to acquire one for ourself?

**PU CH. CHHUNGA
CHIEF MINISTER :**

Mr. Speaker, we are not aware of distribution of buildings of the Assam Govt. at Shillong. When it was about to vacate leave Shillong some buildings were vacated/left while others were still occupied. We heard that whatever building in our territory is what we shall inherit from the Assam Govt.

SPEAKER :

As Pu C. Lalruata's question, No. 14 is still not taken up, I shall give time now for it.

H O M E D E P A R T M E N T

Purchase of Jeep for use of Identity Card Cell of the Home Department.

PU C.LALRUATA :

*14. Will the Hon'ble Minister i/c Home Department be pleased to state -

(a) Is it a fact that the Mizoram Govt. purchased one (1) Jeep (with Trailer) for use by the Special (Identity Cards) Cell of the Home Department in 1975?

(b) Is there any Budget provision for it?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, (a) Yes, the Jeep was purchased; (b) Yes, there is Budget provision for it.

PU C.LALRUATA :

Mr. Speaker, supplementary question: Whenever vehicle is to be purchased there is usually Budget provision including its maintenance etc. But there is no Budget provision for purchase of vehicle for Special Cell of the Home Deptt. Rs. 5,00,000/- is provided in the Budget for making Identity Cards, but is there Budget provision for purchase of vehicle for Home Deptt. (Special Cell)?

PU CH. CHHUNGA
CHIEF MINISTER :

Mr. Speaker, Motor vehicle is considered essential for Identity Cards Cell as interiors have to be visited in making Identity Cards and hence provision is made available for the purpose.

PU C.LALRUATA :

Mr. Speaker, we know the importance and they should use vehicles in visiting interiors. However, if that important formality should be observed and Budget provision made available accordingly. It is not objectionable if the vehicle has been purchased from the Funds available for making of Identity Cards, but the general procedure itself is not proper. If my information is correct, this vehicle is often seen in the Bawngkawn Cinema Hall. The vehicle should be used for making of Identity Cards in the interior villages, but whether the Special Officer of the Special Cell of the Home Deptt. should use it as he will?

PU K. SANGCHEUM :

Mr. Speaker, supplementary question: After preparation of these Identity Cards, for what will that vehicle be used?

PU C. CHAWNGKUNGA : Mr. Speaker, from the moment Identity Cards was mentioned the Security people demanded "Identity Card Dekhau" though that is untimely. Could not the Home Deptt. inform the Security people that is untimely?

PU CH. CHHUNGA
CHIEF MINISTER : Mr. Speaker, they have been repeatedly informed. It seems there is no separate Budget provision for purchase of Jeep for the Special Cell, but the Rs. 5 lakhs provided in the Budget for making of Identity Cards could be split up and spent for other relevant purposes.

PU C. LAIRUMTA : Mr. Speaker, could he kindly clarify how the provision for making of Identity Cards could be broken up, right from the moment Budget was initiated?

PU CH. CHHUNGA
CHIEF MINISTER : Mr. Speaker, this is the scheme of expenditure for Special Cell of the Home Deptt. - Printing of Identity Cards - Rs. 50,000/-; Purchase of Photographic Equipments & Materials - Rs. 2,50,000/-; Jeep with Trailer - Rs. 45,000/-; Maintenance of Vehicle - Rs. 30,000/- and Salaries and Allowances, T.A., D.A. of Assistants etc.

PU C. LAIRUMTA : Mr. Speaker, I want to know where from this reply is extracted? May I see the original or otherwise of the comment on the body of the Budget when it was placed for approval at Delhi? It could be forged any time.

PU CH. CHHUNGA
CHIEF MINISTER : Mr. Speaker, the Deptt. is responsible for breaking up the expenditure as necessary and what I have read out is how it has been done in this case.

PU C. LAIRUMTA : Mr. Speaker, is the vehicle for use of the Special Officer at will? Who is in-charge of it and should it not be used only for visiting interiors? I want to know the prescribed way of using it? Could it be often taken to Cinema Halls at will?

PU CH. CHHUNGA
CHIEF MINISTER : Mr. Speaker, we are not aware that the Special Officer is using it at will.

SPEAKER : Question hour is over. We shall take up Item No.2, 'Presentation of Petitions'. We have Committee on Petitions as provided in the rules but there has never been case to be considered and I believe that is because the public has never been informed of the possibility of making petitions. Perhaps the Members too are ignorant of the procedure. The Press too has not been informed of the procedure. Only the Members have the privilege to make speeches here, but non-Members too can notify and make known their desires through petitions, matters of public interests. But the petitioner himself cannot make speech. It should be done through a Member who will countersign and present it to the Assembly House. The Committee on Petitions shall consider and examine it.

Now we have one case, countersigned by Pu J. Thanghuama, Deputy Leader. Let him present it to the House.

PU J. THANGHUAMA : Mr. Speaker, I am really thankful to the Chair for giving information to present this petition submitted by Jemader Darthuama regarding extension to certain pensioners in Mizoram of the benefit of temporary increment enjoyed by all pensioners of India. This is a copy of the petition.

SPEAKER : That was Ex-Jemader Darthuama's petition, but the whole contents need not be read out. The Member-in-charge presented to the House and, any objection to reference to the Committee on Petitions?

PU R. THANGLIANA :
MINISTER
Mr. Speaker, I demand clarification. This petition seems to come under the provision of our Rules, viz. "matter of public interest. . ." but I am doubtful about that "public interest. . .". This petition concerns some private individuals and whether the number of concerned persons make it a "matter of public interest. . ." ? Otherwise, many petitions of minor matters will come up in future and deciding their respective importance could be doubted.

SPEAKER : The matter should be of 'public interest'. Individual case too could be directly submitted, but not treated as 'petition' as it is a kind of 'representation' and also not referred to the Committee on Petitions. This case is treated as a "matter of public interest. . ." because there are many Burma Regiment pensioners like Jemader Darthuama in Mizoram who opted Indian Army at the time of separation and independence of India. As this petition represents other pensioners it is treated as a 'group of persons, a group of employees' and such group representation is treated as a 'matter of public interest' as it is not an individual case. For example, a staff of the Secretariat, Industrial concern, as a group may submit petition, it shall be treated as a 'matter of public interest'.

PU R. THANGLIANA :
MINISTER

Mr. Speaker, how many persons shall a 'group of persons' consist? As such, how many pensioners this petition concerns? What is the criteria for treating it as a 'matter of public interest', the number of concerned persons? As a group, 3 or 5 persons could be treated as a group?

SPEAKER :

The number of persons is not specifically mentioned. If it is as a group, not an individual case, it is admissible.

PU C. CHAWNGKUNGA :

Mr. Speaker, is not the acceptance/rejection of the Committee on Petitions the deciding factor?

SPEAKER :

We are not going to consider this case now. I just give clarification to the Development Minister's questions. The Committee on Petitions shall consider and examine the case and report its findings to the House.

PU C. LALRUATA :

Mr. Speaker, I think the procedure of taking up this case is not proper. I suppose the Committee on Petitions should examine and consider it first of all? (SPEAKER : No) As expressed earlier, would it not be quite troublesome? Even now we have taken some time on the matter. It means minor matters too could be brought up. We could bring up the matter if one person submits the petition.

(SPEAKER : Its bringing up could be done in any form but it should not go first to the concerned Committee. Since the Committee is a branch of this House, it shall consider and scrutinise only what the House refers to it. The petition cannot be directly submitted to the Committee, only what the House refers and assigns to it shall be considered and taken up. That means there is nothing wrong in the submission, only the Committee should consider it.)

PU SAITLAWMA :

Mr. Speaker, it seems its becoming a 'matter of public interest' lies with your discretionary decisions? There is no provision in our Rules to argue about it?

SPEAKER :

In stead of arguing about it, I just give clarification as demanded. As I said, 'a group of employees' or 'a group of public servants', whether they be 4 or 5 persons, if as a group, not as an individual case, could be treated as a 'matter of public interest'.

PU SAPLIANA :

Mr. Speaker, the petitioner may do it as a group. Those who had services at the time of separation of India and Burma. . . (SPEAKER : Let us not take up that point again)

No, I demand clarification on the matter. I suppose the Govt. has framed Rules concerning the case; instead of taking up petition in the House, could not the Govt. directly take up and process the matter if referred to the concerned Deptt? I am afraid we won't be able to cope with all the petitions submitted to the Assembly for its consideration?

SPEAKER : The petition is referred to the Committee concerned. We shall take up Item No. 3, Consideration of Govt. Bill. Let the Education Minister, in-charge of the Bill move for its consideration.

PU VAIVENGA MINISTER : Mr. Speaker, I beg to move that 'The Mizoram Board of School Education Bill, 1975' be taken into consideration.

SPEAKER : This Bill has been introduced yesterday and moved for consideration now. Since notice for amendment is not received, clause by clause consideration is not necessary; we shall discuss the principle in general, and make final conclusion. However, the Minister-in-charge of the Bill may have to clarify Rule 71 regarding 'Financial Memorandum and Money Clause' as that portion is not clearly defined though one clause reads: 'A Bill involving expenditure shall be accompanied by financial memorandum which shall invite particular attention to the clauses involving expenditure'. However, which clause involves expenditure is not clearly defined, as financial memorandum and Rule 71 demands, he may tick out which clause defines financial involvement and inform us later. In accordance with the proviso to Rule 70 - "provided that where a clause in a Bill involving expenditure is not printed in thick type, or in italics, the Speaker may permit the Member-in-charge of the Bill to bring such clauses to the notice of the House", we shall be satisfied with the Member pointing out that this or that clause involves expenditure.

Theⁿ since there is no proposal for amendment, we shall discuss the principle in general.

PU SANGKHUMI : Mr. Speaker, though I am glad to have the opportunity to discuss the Bill, I have no praise for the Bill itself. At a glance, the Bill seems satisfactory, but on careful scrutiny it is very unsatisfactory. I feel the Bill seems to challenge the legislation and opinions of the Assembly House. It has been repeatedly pointed out that the Education Deptt. has exaggeratedly centralised powers and the Ruling Party Members even shouted "We want de-centralisation of powers" banging tables. And I feel this Bill has been prepared as a challenge to the above points.

At a glance of the powers vested in the Board, it appears to be an autonomous one, yet on careful scrutiny it seems to be a dictatorial one. After enforcement and practices, we shall find that many unexpected cases will arise. It may be useful for future reference to some extent. Yet in our present condition if this Act shall be enforced, it shall mean more centralisation of powers. I am confused about the formation of the Board itself; there is a President and Director and Joint Director of Education Deptt. as Ex-Officio Members is acceptable, but what is the reason for including Directors of Agriculture, Health Services, Industries and Principal Engineer as the Board Members which have no connection with Education Deptt? If Directors are to be included, why exclude Directors of L.A.D., C.D., Revenue etc. and I demand the reason how and why the included Directors are Members? For example, in the 'Town and Country Planning Bill', as important decisions and actions have to be made, the P.W.D. included many Directors and other important persons to assist in execution works. But why so many Directors are included as Members of the Board in this Bill? Instead of them, many eminent educationists should have been included. Yet the Bill provided that only 2 such persons as co-opt Members shall be included. I believe the Bill does not pointed out what it actually meant? I don't see the necessity of including only 1 M.L.A.; if included at all, why only 1, why not 4 or 5 at least? I don't see the necessity of including only 1 M.L.A. amongst 1 L.P. Headteacher, 1 M.E. School Headmaster, Govt. M.E. School Headmaster, 1 Non-Govt. M.E. School Headmaster; besides, I believe it will not serve the purpose. The President is the much criticised, blamed, unwanted and who misled and centralised all the powers of Education Deptt. The Director of Education is the President, who nominates the Board Members, and is Controlling Officer at the same time. The Director shall appoint the Board Members and decide the cases arising out of appointment matters. That means all important executive powers are in his hands. If you look at the clause mentioning the President, the Director or Joint Director shall be named as whole-time President and that is totally unsuitable. How could the Joint Director be the whole-time President at the same time? Let the President be the whole-time President. The Joint Director is totally unsuitable. The one who introduced undesirable educational method and brought about bad results in the H.S. L.C. Examination and blamed for it, is now going to centralise all the important executive functions of the Board in his hands. Even when only one (1) High School could not be properly inspected regularly, what will be the introduction of this new system? We have to be prepared and ready to start the downward swing. Instead of this voluminous Bill, why not openly declare the Board will function under the supervision of the Directorate of Education? That will be more acceptable.

Hence, I object to this Bill.

Chapter IV, section 3 reads: 'If the Board does not, within a reasonable time, take action to the satisfaction of the Controlling authority, it may after considering any explanation furnished or representation made by the Board, issue such directions consistent with this Act as it may think fit, and the Board shall comply with such directions', and if no amendment is proposed on it, it is meaningless as it revolves round the Board alone. Had it been put as: 'to the satisfaction of the Controlling authority, "it"....', this "it" revolves round and round the Board alone and such meaningless English sentence composition should never be overlooked.

This Bill has many defective points and yet should we go on meaninglessly? While we have been anxiously waiting for this Bill, we hoped and expected that we may delegate some of our powers. This kind of Board has been made quite autonomous in Assam Govt., but in our case it appears to be under the direct control of the Education Deptt.; the Director of the Deptt. is the Board Member, the President and the Controlling authority to decide cases and direct the proceedings. How will we be able to go on? It is provided that at the initial stage the whole-time President will be the Director, if so, this Bill will mean future promotion of some person(s). Whoever be the Director I don't personally criticise the present one, if his term has expired while holding the post of the President, it seems that this Bill has been prepared with a view to making the situation/circumstance coincide. You have repeatedly condemned 'Centralisation of powers', but today this Bill has challenged you proving whether you really stand true to your point. It is commanding you to raise your hands, pointing gun at you and I am sure you will raise your hands very high. Definition (o) of page 6 reads: "Inspector means the District Inspector of Schools and includes an Officer authorised by the Govt. of Mizoram to perform all or any of the duties. . ." and definition (g) reads: "'Director' means the Director of Education, Mizoram and includes any other Officer authorised by him. . .". I suppose it should have been put as-"by the Govt.". Does this mean he shall appoint Officers of his own rank? Why is the Director made so powerful in all, is not this meaningless? Hence, I conclude this Bill is unfit to be placed on the Table of the House, rather it should be thrown into the waste-paper basket, not to mention passing it.

(SPEAKER : It is Un-parliamentary expression to suggest throwing it to the dustbin.) I know, but it deserves just that.

(SPEAKER : It is a Bill after introduction in the House.)

I say it deserves that treatment and suits the one who has prepared it. I suggest that we should refer it to the Select Committee, instead of our passing, and get good result and clarification. This is going to play an important role in the development of our future education as it will serve as the foundation-stone. The poor villagers, inspite of their many hardships, manage to ~~prepare~~ ^{prepare} their children from heavy works to learn and educate ~~them~~ and in turn we all are chosen to represent them here; so ~~that~~ such students may concentrate on their studies, under our guidance and learn to manage their affairs and become good citizens. Hence, I suggest that, to serve the right purpose for which we are elected, we should carefully study, examine, consider and scrutinise this Bill.

Thank you.

PU NGURDAWLA :

Mr. Speaker, the State of Meghalaya, Nagaland, Manipur etc. feeling the urgent need of having separate Education

Board independent of Assam Board constituted their own Boards, with the intention of amending and copying the parent Act to suit their respective conditions. It is gladdening to note that in the midst of such separation our Education Deptt. could introduce this Bill. We have repeatedly mentioned in the House

been

that it is the only means of preparing our own Text-books and other important matters and taking such points into consideration this Bill has evolved as a result. On hearing that our neighbouring States have separate Boards of their own, the necessity of having our own is felt and we could consider and discuss our own Bill concerning it. One Hon'ble Member's view and criticism of the inclusion of Directors of various Departments and the Principal Engineer as Board Members as an improper method is true to some extent. In the development of our education, we shall have to have Vocational Institutions, Polytechnique and Basic Agriculture Institution under the Deptt. which we are having gradually. As we are to develop and make progress out of these technical education, I support putting these various institutions under the Deptt. and only future will tell what we do now is so far sighted. Most of our students concentrate on ordinary arts line, but to lift up our economy and production these various Institutions like Vocational Institution, Polytechnique and Basic Agriculture Institution etc. are badly needed and have to be developed. I propose that technical education should be given special attention and concentration to solve un-employment problem one way or the other. On minute examination, I wonder if the formation of the Board Membership is rather heavy. One Lady-educationist shall be nominated as Board Member and this year being International Womens' Year, I take this for granted as a sign of civilisation and progress in development. If we criticise that some important executive functions are concentrated in the hands of one and same person it is true to some extent, but that could be made good by amendment or other method. As such, as viewed by majority Members and eminent educationists, having separate Mizoram Board of School Education appears to be favoured, independent of Assam Board. Nagaland, Meghalaya, Manipur etc. States have crossed the barrier and if we desire to follow them and accept this basic principle, our passing of the Bill will be a sign of our good deed for the land. It is presumable that some provisions will have to be amended; similarly, the Indian Constitution framed by learned men of the past has been amended 40 times. No Act/Rules framed so far is perfect, without defect. As such, even if we collected all the defective points in this Act, other points will have to be amended in future, according to passing of time and to suit the circumstances and way of living of future people. We should leave that to our duty as the people are eagerly and anxiously waiting to see development in every field. So, if we make this a success, it will be a sign that we fulfill people's hopes and dreams in the field of education. Hence, if we make this Bill a success we can be proud and at the same time take it as a good certificate awarded to the people who brought about it. Therefore, Hon'ble Members of this House should, if we all accept the basic principle as it is, vote for its unanimous passing now. Afterwards amendments shall be made in it after careful examination and consideration. Otherwise, if we criticise our proposed step in advance saying it will not be desirable, when will we ever take step? After having a Board of our own, if felt necessary, that, Nagaland, Meghalaya, Manipur etc. under the cover of Hill University, should come under one broader Board. I am still in favour of it. But in order to do that we should first of all be independent of Assam Board of Education. Under our present condition and situation and the students' position and as a matter of fact, we can't help voting for its passing, to lay the foundation-stone of our future educational method and for the good of students to come in future.

PU C.LALRUATA :

Mr. Speaker, as stated by other Members, this Bill is anxiously awaited for long time. Being presented to the House now

is gladdening and also a surprise. Even the public felt that our being under the Assam Board caused many troubles and the necessity of having our independent Board to solve the problem is greatly felt, and I am glad that the very badly needed Bill could be introduced in spite of many difficulties met here. The "Memorandum on Delegated Legislation" appearing on page 32 is confusing as it seems that most of the delegated powers of the Legislative Assembly have been eliminated and deprived of. Page 22 seems to contravene our Rules, regarding placing of rules or bye-laws framed under the Acts passed by the Legislative Assembly, as this Bill has not been placed in the House at the fixed or prescribed time as it should have been. But this Board of School Education seems to by-pass and deprive the Legislative Assembly of its powers, and that is undesirable. But I don't mean to say that the Bill should not be passed. Rules, Orders, Regulations etc. might have been framed under this Act, but it is a pity that the Legislative Assembly which passed the Act, is rendered incapable and deprived of the power of reviewing such rules, orders, regulations etc. The definition of "school" mentions that such and such is included, but the other part of the definition instead of frankly mentioning it as "school" missed the point beating about the bush exhausting ink and volume of papers, re-writing High School, Middle School, Primary School, Pre-Primary School, Vocational Institution, so on and so forth etc. If the definition of "School" includes all these, simply writing "school" in the other portion would have saved time and energy, ink and volume of papers.

From the moment it is enforced, it is presumable that some portion or chapter will have to be amended but as Hon'ble Member said, it is urgent that we should have a separate and independent Board of our own. This year's Matric result is very poor and its cause has been enquired/considered at Political Party level, and even the Govt. constituted a Committee to enquire into the root cause. The Assam Board of Secondary Education prescribes that female candidates need not sit/appear in the Pre-Test examinations to qualify for Matric Examination and there are many other practices that can't be altered to suit our condition/situation or circumstances and many of us thought this to be one of the root causes. Taking into consideration the above views and opinions as the root cause, it is greatly felt that we must have a separate and independent Board of our own. I suggest and propose that the Bill be passed and any errors detected and defects could be amended in the House to suit the situation/condition and circumstance of the future students and to develop our educational method in the future to come.

PU CH. SAPRAWNGA :

Mr. Speaker, I feel we should all be glad to the Govt. for introducing the long awaited Bill. It is impossible for us

to be under the Assam Board of Education for long time and we are badly in need of our own Board and implementation and making our hope successful is gladdening.

It may be due to our not having separate and independent Board and our finding the proposed Board formation un-suitable to us that this year's Matric result is so very poor. A Commission has been constituted to enquire into the root cause which had never been done before. If our future Matric students shall bring out bad result, we really have to make an enquiry into the cause. The Govt. too felt the necessity of the matter and constituted an Enquiry Commission, but I would criticise the composition of the Commission; only one (1) Mizo is included as the Member of it. It is not like auditing some matter as various information has to be collected from all corners, and rumour too have to be given consideration, whether true or false. If so, Mizo language is the only medium to deal with the subject. I am not satisfied with the formation or composition of the Commission. The standard of our education had gone down, though I can understand the low percentage. As Hon'ble Member said, our not having separate, independent Board and opening of many new and private Schools and other causes may be the one reason for bad/poor result. The low percentage is negligible still. However, only 3 students stood out in the 1st Div. out of the total candidates of about 2,000 and there must be big defect in the educational institutions. What must be wrong there, whether the teachers have not done their proper duties or becoming lazy? What is the teaching method? Whether inspection had not been done regularly? There are 2/3 private Schools that did well, but Govt. institutions totally failed. Why are the teachers becoming lazy in their works? Rumours have it that none of the teachers are satisfied, mostly Govt. School teachers. None of them will do their works properly. Why do they feel such deperation and not satisfied with their positions? The reasons of their grievances and irregular inspections had been mentioned many times, even in this Assembly House, yet inspection of Schools is still irregular till today. If inspection is irregular, the School managing authorities relax their supervision and control. If Inspecting staff is insufficient, let our Ministry include it in the Budget provision and we shall gladly pass it. There should be no excuse on the matter. One clear proof that inspection is irregular is that when reports were called for provincialising High Schools and put them under the Deficit system, prescribing the number of students, some Schools increased the number of their students and reported wrong numbers and got put under the Deficit system. That should have been verified before finalising the matter; those who reported correct and right numbers were rejected. Hence, the wrong-doers got the benefit and that encourages lies and untruth at the same time. Those false reports should be re-examined and if found, should be withdrawn. It seems there is great defect in the education Deptt. and this is one root cause of downfall of future generation. It has great thing to do to remake and recover the past deeds.

As we all want to be educated, the educationists and the Deptt. should try its best for its fulfillment. And this is the one criteria to make the aim successful as it is the foundation-stone. The Hon'ble Speaker said that there is no proposal for amendment to the Bill as we dared not make it because the approval of the Central Govt. is essential and we thought that might cause the delay in our having the much needed Board. Last sentence of para 2 regarding Statement of Objects

and Reasons reads: "Besides the absence of any provision under the Board of Secondary Education, Assam, enabling Mizo students to have the benefit of school education through their mother-tongue as also of answering question papers of the Board Examination in Mizo Language places the Mizo students at a serious handicap". But the intention of the Bill makes me sad as it appears that in our High Schools Mizo language will be the medium of instruction and question papers will be answered in Mizo and I wonder whether we should introduce this. If that had been introduced, I wonder how we will proceed further and this makes me sad. Our Mizo language is not common, though we cannot avoid using it, but the students' interest in English and Hindi cannot be ignored. Under the Assam Board, students can answer question papers and get taught in their Assamese language, but they usually met difficulties in their College careers. If we could utilise the services of our products within Mizoram itself, it is well and good, but do we intend to do just that? Will we be able to do so? We can't do that even now. We have many Matriculates and B.As and we can't employ them all. If we don't prepare them well in their school stages, they won't be able to find their own ways outside Mizoram. It is useless to have too many un-employed Matriculates and B.As. In order that our Matriculates are useful, we should encourage the existing English medium of instruction, but that is not the intention of the Bill. If our mother-tongue is the medium of instruction and answer question papers I am afraid we will start the down-fall in education.

Under sub-para 2 of para 1 of Chapter 1, the Board appears to have no control over Autonomous District Councils as it will not be applicable in their case. However, it reads that: "But the Administrator may, by notification, and with the concurrence of the District Council of concerned Autonomous District, apply all such provision or any of them to that Autonomous District". If that is not necessary at all, I wonder why this provision? The District Council manages the Primary Schools and it is here proposed that the Board should not cover the Primary stage and that is acceptable in principle to some extent. However, from my view point, the powers of the District Council are not encroached or insisted upon, and if that happens to be, a separate provision could be made for it, like - "It shall apply to the Autonomous Districts subject to para 6 of the Sixth Schedule ." if we want to avoid infringement of the powers of the District Councils as provided for in paragraph 6 of the Sixth Schedule to the Constitution. Otherwise, I am afraid the Chhimitupui District will be placed at disadvantages if they don't come under the control of the Board. Anyhow, uniformity should be maintained as far as possible. It may not be favourable for them in time to come. Besides, separation from the main stream could mislead people's thoughts, and unity should be sought as far as possible.

This sub-paragraph 3 reads: "it shall come into force. . . by notification may appoint. . ." and it is quite satisfactory, but I don't know why "and different dates may be appointed. . ." should be inserted/added to it? If once passed and assented to by the President, could it not be notified as a whole? There may be something beyond my understanding, yet from my view point I don't see the necessity of this portion. Ever since I took part in law-making I have not yet come across this kind of rule. I have not come across a Bill/Act which is

effective or operative in part before it is fully operated, yet there may be somewhere of the kind. If we examine section by section, I don't see the necessity of this. This sub-section 4 also refers to the same subject. On the other hand, regarding constitution of the Board and its Membership, I cannot propose better idea. Though Hon'ble Members too criticised it, they can not propose better suggestion. If Legislature Members are included at all, why include only one (1)? If included at all, at least three (3) Members should be included because the Directors of Agriculture, Health Services, Industries etc. won't be able to concentrate on the matter, other than their respective lines. Those who may have spare time are mostly Officials and as such in Board meetings there won't be capable and competent leaders besides the President, to show us better idea. If we hold meetings with Govt. High School Headmasters, Primary School Headteachers etc. it will be somewhat like our meeting with the chairmanship of Pi Meli. If Members are to be included at all, only one (1) is not adequate to render services to the Board. But I don't know whether Assembly may interfere and take part in the matter; if that is permissible at least 3 Members should be included. I am confused with clause 6 regarding term of office of the office Members'. The term of nominated Members is 3 years and the confusing thing is that if one Member (M.L.A.) is nominated as Board Member and his term of M.L.A. expires before 3 years have passed, will he continue to be Board Member? His Membership of the Board is by virtue of his being a Member of Legislative Assembly, but will he inherit the status after his term of M.L.A. has expired? The intention of the Bill appears to be different and clarification is wanting here. The case of M.L.A. and Headmaster/Headteacher etc. is similar in the sense that the latter too become Board Members by virtue of their Offices. The disqualification for Headmaster/Headteacher etc. is lunacy, brain trouble etc., yet accidentally the Headmaster/Headteacher unfortunately may lose their jobs/offices and the question is whether he will continue to be Board Member until the term of 3 years has expired?

Clause 7(1) reads- "a person shall not be eligible" and that appears to be the disqualification, as the marginal note reads "Disqualification for Membership". However, this seems to mean only the nominated Members only, as "A person shall not be eligible for nomination or co-optation as a Member of the Board or of the Committees formed by it". It further reads - "if he has been adjudged by a law for an offence which is declared by the Govt.". If qualification for Membership is prescribed, why not include the whole of what is said above.

(SPEAKER : Is not nomination or co-optation included there?)

There are many Ex-officio Members and suppose they too become unsound in mind, will it mean they will continue to be Board Members? Anyhow, if such prescription is made, instead of discriminating some, whole-scale coverage should be preferred? And I suppose this is not so essential as it is presumable that such person will not be included here as the Govt. is supposed to have considered that in finalising the matter. Hence, my view is that if M.L.A. is to be included the whole House should be counted and if not, none should be nominated at all.

In clause 8(2), we read "the Govt. may, by notification, remove any nominated or co-opted Member who remains absent from three (3) consecutive meetings of the Board without the leave of the Board". This seems to mean that Ex-officio Members may remain absent as long as they will; I understand that Ex-officio Members may not be able to attend each and every meeting of the Board. However, is it not good manner that they should avail leave of the Board formally? I wonder whether discrimination of nominated and co-opted Members is justifiable?

SPEAKER : We shall take rest now and resume discussion at 2:00 P.M. Correction has to be made on page 20, clause 21:

(1) 'Examination Committee', (2) 'Finance Committee', (3) 'Syllabus Committee', (4) is omitted and 'Recognition Committee' should be inserted in your copies and it will come L. to (5) 'Appeal Committee'.

You may have many points to raise but we shall try to conclude it today. This, not being Money Bill, could be amended, as it belongs to Category 'B' of Financial Bill and recommendation is not necessary. Yet there is no proposal for amendment so far.

RECESS TILL 2:00 P.M.

2:00 P.M.

SPEAKER: Pu Saprawnga may resume his unfinished speech.

PU CH. SAPRAWNGA : Mr. Speaker, in clause 13 we find the provision that Govt. may suspend the Board; clause 13, sub-clause (3) reads - "In the event of such suspension of the Board, the Govt. shall, by an executive order, appoint the President or any other person as the Administrator, of the Board who shall exercise the power of the Board during the period of suspension". If the duration of "during the period of suspension" is not fixed, it is undesirable as the Govt. appears to have the power to suspend the Board as long as it will. Time-limit should be fixed/prescribed for the re-constitution of the Board. Otherwise, it is probable that Govt. may not re-constitute the Board and go on as normal.

Clause 15, sub-clause (3) reads: "The President may resign his office by giving notice in writing to the Govt." Does this mean that his resignation is effective from the moment he submits to the Govt? It could be quite confusing if not clarified. Is it not necessary that higher authority be there to accept the resignation notice? The President may misuse for exercise his office undesirably and submit his resignation and simply go away. He cannot simply be let loose before his resignation is officially accepted. Hence, there must be an intermediate authority for the purpose. Therefore, it seems desirable that his resignation must not be effective before the Govt. officially accepts it. Otherwise, controversy may arise in such case.

On page 23, under clause 22, sub-clause (3) we read: "The Board and its Committees may make bye-laws" and it seems the Board and its Committees have the power to make bye-laws and this appears to be ill-fitting or undesirable. Sub-clause (3) further reads: 'Laying down conditions under which grants-in-aid. . . . by the Board'. It will appear proper and desirable that the Board should exercise the power of granting of grants-in-aid under the relative rule etc.

PU R. DOTINAIA :

Mr. Speaker, on Mizoram Board of School Education Bill I found in Chapters 2 and 4 two important points and I would

like to concentrate on them. Since our separation from the Assam Govt. it is found that our having Mizoram Board of School Education is very pressing considering all the views of people. Our students met many kinds of difficulties under the Assam Board of Education and I personally vote in favour of having our Board, as repeatedly expressed in our Sessions. However urgent the matter may be, whatever rule/order we frame shall be effective and in force automatically, and if we are not satisfied with our own works we shall create problem for ourselves. In that case, great care and consideration should be given. At a glance the Bill is not satisfactory, though the English construction may be acceptable; the rules/orders etc. that should be the deciding factor are vague. The Hon'ble Members simply said 'since our separation we should have our own Board and unanimously pass the Bill' and I don't oppose the suggestion. Yet other Hon'ble Members pointed out the probable defects that may crop up after our hasty passing of the Bill. Our next landing step should be considered. As this Bill covers Primary and High School education, will it help improve our poor educational method and passing of this Bill may also bring about undesirable result. While on the subject matter, we all want to be educated and give importance to it, but our educational set up is one-sided or bad. I don't blame or condemn the staff. All executive power is centralised in the Secretary of the Department and the much needed inspection could not be conducted inspite of repeated criticism. Without sufficient Inspecting Staff, inspection cannot be conducted regularly. Regarding appointments, posting and transfer, discipline, concentration of powers in the hands of one supervisor often leads to delay and undesirable circumstances. This resulted in slow development in many fields and honourable Members pointed out this defect repeatedly. We are badly in need of this Board. However, if we have the Board as envisaged in this Bill, I am afraid it may add to our past misery and criticisms. The Director is all-in-all in appointment of Members and the formation of the Board, and I am sure as soon as we pass the Bill this will become effective. Whoever happens to be the Director, I am afraid this power centralisation will lead to more undesirable circumstances. It was proposed that we should "pass the Bill and amend any part of the provision wherever necessary." Amendment to some of the provisions may be easy, generally, the foundation and formation of the Board, Membership, functions and powers etc. are found improper. I suppose that should be amended here and now. As the Ruling Party Chief Whip mentioned, clause by clause

examination will reveal many defects to be amended. In Clause 7, we find that Regulations and bye-laws, rules framed under this Bill will have to be laid on the Table of the House but that is not mentioned here. There is no provision regarding how and when such rules have to be laid on the Table of the House. It seems power is to be concentrated/centralised in one hand and that may lead to undiserable results. If I understand it right, the Chief Whip said that amendment could not be made because Central approval has to be obtained and that dared not be ventured into. I say that our passing of it, ~~in spite~~ of our awareness of defects and with consideration of the Central Ministry's idea, is not the proper procedure. Doing things with awareness of the defects is usually wrong and let the Minister concerned bear the burden whatever the outcome, and let us not pass the Bill now. Re-examination is necessary as it shall automatically be effective after our passing and its withdrawal is requested.

Pu K. SANGCHHUN: Mr. Speaker, I consider it a great opportunity to consider what we never had before but which is very badly needed since long time past. I also praise the Govt. for bringing out this matter inspite of many difficulties.

If we examine this Bill in minute detail, many points are not satisfactory though some portion may be gladdening. Ins ite of the minor defects, I give importance to how we shall develop/improve our educational method, since this Bill has come up. The introduction of this Bill reminds me "Do what you have to do today, don't leave it for tomorrow" and that is just what we need here. While other States are already developed in almost every field and approaching decendence we are about to start life anew. Assam Govt. had separate entity in School Board and we had been under that Board in the District level for quite some time and met many difficulties, and progress and development came in our way. When we reach the highest peak of our goal, our education begins to deteriorate at all levels, the best example of this is the poor result of this year's Metric examination and I dare not compare it with places. That proves our education and its authorities are decaying and nearin, death. I then say that we should no longer be under the Assam Board of Education as our past experiences revealed. I suggest that we must strive to develop our selves with our own hands maintaining our independence yet maintaining relation with other States. Politically, it can be said that if we have/maintain independence in education, it is an indication that we may try to be independent in other matters also. My point is, taking Education Department as the ~~blue~~ example, we should strive to be independent and compete with other states in other Departments. The opposition leader too stressed the need of having independent Board though he sounded doubtful regarding the criteria for deciding the formation of the Board and framing of the relevant rules; but those are really minor matters. The Indian Constitution is flexible and what has been amended in 1948 became unsuitable/unadaptable in 1970 and have to be amended. Then it becomes purposeful for the Govt. and

the Nation. Even if we could make it perfect to suit present situation civilisation and everyday changes will make it unsuitable within short time and we may have to amend it within this year itself. As nothing can be perfect its applicability for the present is what we need now. English Proverb says - "A bird in a hand is more precious than two birds in a tree". Instead of its future suitability and considering its applicability we should strive to lay the foundation to be developed gradually, and amend whatever defect is detected and be strong and progressive in that line in future.

It has been pointed out that the Director of Education may exercise his power and interfere in any matter but I doubt that. He is just the Director of the Deptt. and regarding the Controlling Authority, it is not said that he shall be appointed/nominated by virtue of his being the Director or the Secretary of the Deptt. as other person too could be in that position. There is no provision providing that the present Director or the Secretary will continue to hold that office for time to come. There is no provision that he shall singly exercise that power as long as other persons too could occupy that office. You pointed out that some sort of difficulties may creep out of some corner but I am more concerned with probable difficulties to come out in the future. If we do not pass the Bill now, it will have to wait for at least new year and the first succeeding Session and when I think of the consequent result the students should face, I say now is the time. There are many failures in result, inspections, recognition and many difficulties and we blamed and criticised the Education Deptt. But I say only one thing cannot make up and improve the situation. The present Ministry has been in the District Council level and with God's graces many of the staff are still working in various capacities in various Departments of the U.T. Govt. which proves that we are gradually making progress in many fields. As that is the past situation, how can we criticise our own Board while we manage education in the Directorate level? Some viewed that we are about to invest powers on the present incumbents, who are very junior and in-experienced in the management, and if we lay more burden on their shoulders, how will we progress; but that is foolish idea. Many new officials with bright ideas will come up and render assistance and what seems impossible from some point will be possible from some other side. Hence, Departmental Consultative Committee has been formed and the Deptt. staff are included; but human psychology determines enthusiasm/wisdom. It means let us strive to find a way/mean to reduce what our Education Deptt. is facing and I accept/approve the principle. What defects you detected in the framing of rules etc. have to be overlooked now. It is not time to hesitate when the time is ripe and we shall do whatever we can to day and resume tomorrow, and economise precious time. As I said, not to mean total separation/seclusion from other States, but competing them and to try to stand on our own and start right now. Corrections/amendments will have to wait for the first convenience and we pass the Bill right today.

Thank you.

. . . 32/-

PU J. TRANCHUAMA: Mr. Speaker, we badly needed to have Education Board and it is gladdening we can consider the relevant Bill today. Mentioned many a time, last year's poor result, and past difficulties met/faced in education matter and members again pointed out that our education crumbled due to poor inspection and whole scale poor management. Our land is not vast and we almost know each and everyone, may be one of the small states of India. I suppose we could set up an example/model Government and this Board Bill comes up at the right time and it is great opportunity for the purpose. While under the Assam Govt. the Board issued false certificates. There is proposal to join N.E.E.U. comprising Nagaland, Meghalaya etc. However, there is great competition amongst different tribes and States brought about by present modern situation. If it is not total separation from the main stream, I suggest that we should strive to set an example regarding syllabus, teaching method, school period, and other connected matters. Unless and until we have independent Board of Education, we cannot show our true Mizo traditions and go on under other States' Board. We may criticise that under our Board, we will lack behind in education mainly in English language; but under our Board we may introduce English medium of teaching right from Class III as we shall have all the powers. The Board's view and opinion on the matter is the criteria for decision. It depends on the ones who shall benefit by it. In the I.A.S. competition exam the Mizo candidates often make themselves known, but unfortunately we lag far behind in Engineering and Science lines. I believe that our having the Board may pave the way and I suggest that we should introduce Science in the Middle School stage, and whoever is interested may be given stipends and further studies considered. We all go in the ordinary B.A. line and want to become L.B.A. etc., and that is detrimental to the Government. I suppose that our economy would have been better if our businessmen were all B.Com etc. This Education Board is the criteria for starting such developments now. I have heard that we are untruthful regarding question and answer papers, but it is not so. When a person bears responsibility on his shoulders he automatically adapts himself to it. If I were not M.L.A. I may have lowly and be drunk all the time, but my position controls me to some extent. As such, it is wrong to believe that we are far inferior and other States superior. We must have the said Board, but the Government must take direct actions against any detected defaulters. Only recently, question paper leaked out but we do not know who is punished for it. When such big crimes are detected and the defaulters escape unpunished, people get frustrated badly. We are about to have our own Board and it is probable that distrust and envy of each other will arise. The question papers leaked out last year, yet till today we have not heard who is punished/discharged for the fault. I believe we do not take the follow up action seriously and blame the authority; we have a point in the State of emergency to punish any defaulter. We are now facing employment problem/un as many people are seeking jobs and it is unjustifiable if the servants are lazy while blocking the chances of the would-be diligent ones. Such situation frustrates good people. We

heard that most of the High School teachers are no longer interested in teaching and I can't tell in detail whether their causes are reasonable and sound or not. Could they be made to be interested again in their jobs? Regarding recognition/provincialisation of schools, the report of each school authority has not been carefully verified and the paperwork accepted for granted and provincialisation done. In such case, I suggest the Govt. should exercise its machinery. I suppose you had no time to go through the references, but we know that amendments have to be made in part of the existing provisions and that will have to be done according to changing time. I say we should pass the Bill today as the Members proposed.

We all loved to be praised and shown respect. But I suggest that our Ministers, Directors, Officers etc. should conduct surprise visits to schools. If formally and officially informed of the proposed visit, they prepare themselves presentable to the officials and hide all undesirable records; under such circumstances it is uneasy for the visitors to write badly on the school managing authorities. In order to get the true picture, the Ministers, Directors, Inspectors etc. should conduct surprise visits and see for themselves whatever is being practised. From then on I am sure people will be on guard and won't delay in their duties. What I said had not been practised even once and I want you to give it a try.

Schools have to be regularly inspected and in order that this may be possible, vehicle is compulsory. Only recently one Dy. Director of Education has been posted with the power of Inspector of Schools and with only one vehicle for the whole of southern area/District. It has been repeatedly mentioned that they are still very backward in every field and I urge the Govt. to provide at least 2/3 vehicles for the 2 Districts of Lunglei and Saiha. It is an eye-sore to see the vehicle of Identity Cards Cell carrying school children everyday and taking it to Cinema Hall too often. I demand that any available vehicle should be provided for Lunglei and Saiha Districts instead of such misuses. I don't criticise the Education Deptt. in particular, use of Govt. vehicles for coming and going to and from offices and home is an eye-sore. I demand that the practice be stopped. I demand that such vehicles be placed at the disposal of Education Deptt. Officials for use wherever official work arises. Misuse of Govt. vehicles for pleasure trips should be stopped. The Ministers should walk by foot and know the plight of civilians, at least once. You are entitled to Car Advance and buy your own Car and learn to know the condition of the masses. If you don't give an example the Govt. Officials won't volunteer for it; the higher authorities have to start setting examples. If you start coming to office and go home by private vehicle your subordinate officers won't dare do what you dare not do; but it is a pity no such trial has been made. Similarly we should set an extra-ordinary example in having Education Board and I want other States to copy from us. I don't care what Nagaland or Meghalaya Boards may have practised, I want them to be in awe and copy whatever we practice in our Board and set an excellent example in every field. That's why I am so glad that we could consider the Bill regarding the Board of Education. Thank you.

PI SAPT..WNI :

Mr. Speaker, it is gladdening to have the opportunity to consider this Education Board Bill as it shows our progress and forward step. Every one of us is troubled and concerned with the last poor Matric result and this is due mainly to our not having an Education Board. On the other hand it may be due to our poor teaching method and laziness. To some extent our being under the Assam Education Board may be another cause as the paper examiners play vital role there. And I am glad as it appears we shall be able to look after our own Education Board from now onwards; it is certain that we shall look after ourselves better than being looked after by non-Mizos. We are afraid that we may lag behind in English language but I am not afraid. The Board shall work/function diligently and take preventive measures to check impending decline of education and try to improve English and other languages and develop our educational standard. I am glad we are in a position to look after the Board ourselves and improve it as best as possible.

Some Members criticise the inclusion of M.E. School Headmasters, Primary School Headteachers etc. among the elites of the Board Members; but it is not so as the educated and elites do not know the condition of Primary Schools and their prevailing hardships. As the Board is to look after the affairs of every sort of students, administration, the Members should acquaint themselves with the need and circumstances of the schools and the students. Without knowledge of such requisite information, it will serve no purpose as can be seen from the example of M.E. School Scholarships Examinations. We, old teachers know quite well. When the questions for Scholarships Examination papers come, though we may not know who set the questions, we could tell whether they are trained in teaching M.E. Schools standard, from the form of their questions. We could judge them whether they know of the school and students' standard and capacity. If the Board is ignorant of the students' standard it will serve no purpose and will not make rightful judgements. I am glad they had the knowledge/common sense to include at least one Headmaster of M.E. Schools and Headteacher of L.P. Schools respectively as they practically know of the students' likes and dislikes and the capacities and their standards. I am really glad for this thoughtfulness. I would like to request that the Bill should be passed and I believe we shall pass it. Yet, I want to make a kind of request and remind them this: amongst the would-be 20 Board Members only 2 female members are to be included and it is here provided as "at least one". If Rs. 5/- is suggested to be contributed it is often fixed at that amount; it is the same case here too. It is here provided as 'one lady educationist' and as such I am afraid more than one lady educationist may not be chosen from among the Heads of Schools. There won't be female-Director of Departments as it is certain that they are all-males. There will be only few female-Heads of institutions and it is certain that all the Board Members will be male. And only 2 female-Members will participate in it and I find that very inadequate. While we are propagating equal treatment between male and female, discrimination in important matters like this is very intolerable. When the Govt. is to finalise the Board Membership I remind the Govt. to consider to include more than 2 female-Members among the 20 Board Members and give us due consideration in this matter.

Thank you.

. . . 35/-

PU SAPLIANA :

Mr. Speaker, I am glad to have the opportunity to consider the much anxiously awaited Bill for Mizoram Board of School Education on which our education and development depends very much. It is also good that the Govt. could introduce it here. We could not have sufficient time to make/propose amendment on the Bill, though. As the Bill is very badly needed and anxiously awaited for long time, I want to make clear that amendment could not be made/proposed due to paucity of time. As many Hon'ble Members said, clause 4 of the Bill is concerned with the formation of Membership and I found that 27 Members, including the President could make up the Board and I detected that Ex-officio Members make up the majority of the Board. I know that they hold the key-posts in the Govt. and are experienced in their respective lines and respectable/acceptable in their qualifications. But I am aware that they hold important posts and concentrate in their respective lines and if they are included in the Board of Education, the Board may suffer as they may not have sufficient time to attend to the works of the Board outside their official duties. I found the scope of utilising the services of outside people very narrow. If this scope had been wider we won't fail to utilise the services of our officers as we will gradually develop Colleges like Engineering, B.Sc. etc. in future even if they are not Members of this Board. We shall often need their advice and guidance and it is probable that we shall learn new things from outside by utilising the services of outside people. I am afraid that their all being and rendering services to the Board may hamper development and be unable to be useful as expected. Though it is gladdening that 'one lady educationist' shall be a Board Member, but do we consider only educationists? I wonder if the prescription of qualifications is vague as to what educationist actually means is not clarified. I don't know what is the kind of educationist is and what level is considered requisite to be an educationist. I wonder why females are called educationists while the male Members are not called that and what Pi Saptawni requested regarding inclusion of more female Members should be considered. Under clause 4, sub-clause (3)(e) we find - "One Member of the Legislative Assembly of Mizoram on the recommendation of the Speaker of Legislative Assembly -". I won't grumble if none of us is included in the Board but since included sub-clause (3)(e) is rather vague as the Definition does not specifically mention "Mizoram Legislative Assembly". At the time of appointment of Members if the Assembly has not been properly constituted the Controlling Authority may have the power to nominate any Member and I found that unsuitable. We find here: 'if by such date as may be prescribed any of the concerned authorities failed to nominate Member or Members as provided in sub-section 1' and in sub-section 1 there shall be 23/24 Board Members. It reads - 'Member to be nominated by the Govt.' though it is here simply written - 'Legislative Assembly' and this is ill-fitting. Though these may be minor in our view, other people too will study the Bill in various places. Whether passed or not, it is frightening that many ill-fitting things may be involved.

The term of office of nominated and co-opted members is fixed here but not of Ex-officio members; I suggest that the term of office of Ex-officio members, whether by virtue of offices, should be fixed too. On page 11, under

sub-section 2 we find - 'the Govt. may, by notification, remove any nominated or co-opted Member who remains absent for 3 consecutive meetings of the Board without the leave of the Board. .'. There we don't find the provision that if the Ex-officio Member never attended any meeting of the Board he shall be removed or action taken against him as found befitting, though nominated and co-opted Members shall be punished as found fitting. We can't expect the Ex-officio Members to attend every meeting without fail as they too can face difficulties, hence discrimination of some Board Members is not desirable.

I am confused with the 'powers of the Controlling Authority and the Govt.' appearing on page 16, concerning suspension of the Board by the Govt. If suspended for how long and when will it be re-constituted is not mentioned here. It is also not known in what manner the 'Executive Order' shall be exercised as it is not written down in the Definition. As there shall be no President to look after the Board 'Administrator' have to be appointed and the definition of the 'Administrator' here means the 'Administrator of Mizoram'. But as another 'administrator' is mentioned here it could be quite confusing. On page 18, sub-section 16 we find - 'Election and functions of Vice-President' and the Definition mentions the functions of President, Secretary etc., but the office of the Vice-President being important is not found in the Definition. In some portion it is simply written as Vice-President instead of Vice-President of Board of Education and I thought that should be clarified in the Definition. As it is not done so, it could be quite confusing.

Clause 17, sub-clause (2) mentions the Secretary as the Chief Administrative Officer of the Board and that appears to be self-styled and I cannot understand it. In clause 21 we find various Committees, and in sub-clause (2) we find another 'Recognition Committee' which is not mentioned in the above list. If the Board could constitute various Committees, if constituted whether or not mentioned in the Bill does not matter. In sub-clause 3 and 4 we find - 'term of office of those members of Committee who are members of the Board or are nominated by the Controlling Authority, shall be 3 years and the other members 1 year from the date of the first meeting of the Committee'. The term of office of Board Committee members is some 3 years while some is 1 year only and I thought the term of office of members of the same Committee should have been of equal length. The Minister concerned has to clarify it for me. In clause 26 we find 'Auditor' to audit the Board and Accountant General 'concerned' to audit the accounts but not clarified in the Definition and it appears to be self-styled.

'Power to remove difficulties' under clause 34, page 29 provided 2 years time, specifically. What is the need of this specific term of 2 years for the Govt. to remove difficulties? It appears that if difficulties are not removed within the specific term of 2 years nothing else could be done outside the term? Some difficulties may not be removed within 2 years term due to absence of previous practice. I wonder whether it is necessary to fix the term for 'removal of difficulties'?

In the Statement of Objects and Reasons we find that under the Assam Board of Secondary Education Mizo students could not answer question papers and get taught in Mizo language and that placed them at serious handicap and this Bill envisages removal of that. Under the Assam Board of Education we got taught Vernacular in Mizo as approved by the University. Our present handicap is introduction of Assamese as the medium of instruction in every educational institution under Gauhati University and that resulted in the necessity of our having independence from that University. Within Mizoram itself Mizo language is not wholly used in the Pre-Primary and Primary stages. The 3 District Councils look after Pre-Primary education and they go their own respective ways. Not simply because we want to introduce Mizo medium of instruction but rather because the Assam Board of Education introduced Assamese medium of instruction placed us at serious handicap is reasonable cause and I thought the statement of Objects and Reasons is misplaced. Poor pass percentage is quite a problem and introduction of Board of Education to clear this problem is highly expected and anxiously awaited for long time. Had sufficient time been available I desire amendment to the outstanding defects. But as time is not available for the purpose and since the need of separation from Assam Education Board is very urgent, I support our separate and independent Board. We, in the Hill areas are under Hills University and I want the Govt. to see whether we could come under one vast Education Board. In order that we may stand on our own and manage ourselves and that our students may go for further studies to other States, I want the Govt. to consider the matter. I believe this Bill envisages our separation from the Assam Education Board under which we met many handicaps for quite some time. I suggest we should pass the Bill by any means.

PU LALKUNGA :

Mr. Speaker, I am glad we now intend to have our own Board. I believe the downfall of education standard in Mizoram

is not due to poor Matric result or our not having a separate Board. The situation in all classes under Matric is somewhat like that prevailed in Imphal as it seems certificate for all classes could be obtained easily to join other Schools. None of the students who failed in the promotion stage intend to join the same class as they could easily join higher class in other Schools and the Education Deptt. as well, as the public is responsible for this unfair practice. They go on like that and finally appeared as Private Candidate for Matric examination. Many females preferred to be known as unsuccessful Matriculate to successful class VI. We went on leniently for some time and can't help eliminating the unsuccessful ones. Previously the unsuccessful ones tried again when they failed but now the unsuccessful ones joined higher classes without passing and Matric results suffered. There was great scope for enrolment as Matric Candidate as the Inspector of Schools has the power to allow some unsuccessful candidates of High Schools to appear from other Schools. Similarly, some Private Candidates convinced some teachers that they got taught by private tutors and the teachers could not reject/refuse them enrolment as Matric Candidates. As such is the practice, it is no wonder this year's Matric result was very poor. Many of them did not study to pass Matric, rather

they appeared to fail Matric. as there is some advantage in it to get part-time employment and to try again next time. I believe many of them appeared to be known as unsuccessful Matric Candidates and our education suffered heavily. I very often heard that some students who failed in one School got admitted to another School and if there is no way to check this practice, whether we have the best Education Board will not matter as the intention of the public is to degrade our educational standard as the students simply aim to cross the same class and get promoted to higher class. If that is still our intention whether we have our own Board or not will not matter and our educational standard will not improve. As Matric is the door to College and employment in Govt. offices, our sending up Candidates with anticipation will not be permissible under the Board, if we could have it. This year also after results were published but prior to issue of Mark-sheets some students went to Gauhati and came home declared 'passed'. With 'Suantak's Certificate' many students could get employment and join Colleges as this kind of unfair practice has gone on for quite some time. I have heard that some people passed B.A. without completing/passing Matric and it is possible that our Govt. is employing such people. Under such circumstance/situation it is now difficult or impossible-looking to trace out the defaulters and I believe the Board will heavily suffer if strong check is not made on it. We are interested in every kind of Board Member and Matric Candidates can't help getting interested in Board Members of Secondary Board of Education.

PU F. HRANGVELA :

Mr. Speaker, when we get/acquire what we very badly wanted/wished to have we feel somewhat elated or overjoyed and are aware that we might make a mistake and I am in that state right now. I think it is just because I am overjoyed. On receipt of the Bill I studied as minutely as I could and I found the formation of the Board unsatisfactory. If the Board could function actively things go smooth, otherwise things don't turn up as expected. I thought the inclusion of the Directors of Health Services, Agriculture/Industries and Principal Engineers in the Board is unsuitable as they are very busy and occupied with their respective duties and I am afraid they won't be able to render active services to the Board of Education as expected. Besides, I thought the Board Members are those that one person could place at his beck and call. I am glad they included Primary and Middle School Teachers as they know the psychology and circumstances of their students practically. The inclusion of Directors of Departments is misplaced as they have too much works in their respective duties and they may not have time to concentrate their interests in the Education Board. I am afraid the interested Board Members may not dare speak out their true opinions and simply do their duties under the dictates of the superior powers. We have popular Govt. and we are representatives of the public but only few important Govt. officials are included as Board Members. Among our M.L.As some are worth called educationists with great interest in education but inclusion of only one public representative in the Board is a shame as I supposed they will dare speak out their true opinions and propose better suggestions. But inclusion of only

one public representative against many Directors, who can't manage their respective duties, is ill-fitting and I just put 'X' marks against the 4 Directors. If time had been available for amendment this should be amended and I feel sorry that we have to pass the Bill as it is. Anyhow, we could not have sufficient time to consider any Bill with leisure. I am sure the Directors, Principal Engineer etc. won't have time to attend Board meetings too often and though we have to pass the Bill as it is I urge the Govt. to amend it in the next Session. I believe an active and efficient Board will uplift our already poor educational standard, otherwise simply having independent Board will not serve the desired purpose. I therefore urge the Govt. to make proposed amendment possible at the earliest convenient time.

SPEAKER : Regarding amendment, the Bill was issued to you quite in advance so that you may have sufficient time to study and propose amendments, but you said time was not available for the purpose. I thought you woke up a bit late to propose amendment.

PU F. HRANGVELA : Mr. Speaker, you told us amendment could be proposed only this morning. As the Bill is of urgent nature we thought amendment will delay our having of independent Board and we dared not do it. If we had known it earlier in advance I thought most of us would propose amendment and it is a pity we come to know it a bit late.

SPEAKER : I shall call upon the Minister-in-charge of the Bill.

PU VAIVENGA :
MINISTER. Mr. Speaker, it seems we are all glad to be able to consider this Mizoram Board of Education Bill which envisions our independence from the Assam Board of Education. In big States they have Elementary Education Board, Board of Technical Education, Secondary Education Board, but in our case we combine all these under the Mizoram Board of School Education. The Members stressed the urgent need of having independent Board and I would like to add that in the preparation period we consulted many other States enquiring their practices and also considered the adaptability/suitability in our case and brought about this Bill. As money is heavily involved we referred it to the Finance Deptt. for approval and after their clearance referred it again to the Law Deptt. to examine technical matters involved regarding enforcement and effectiveness and after their clearance the Cabinet finally accepted it. Then it was sent to the Central Govt. and the Home Ministry examined its administration side and the Education Ministry examined the academic side who further referred it to the Law Deptt. regarding legal matters. After their clearance the Govt. approved it and we could consider it now.

Each and every law/rule depends upon the exercisers' benefit and adaptability to the situation and then it is considered good. Our Bill also has many defects. As pointed out by Hon'ble Members that have to be replaced and amended and it is certain that changing times will demand changes. But to lay the foundation and to be independent of Assam Board as early as possible we urgently prepared it. I think the clauses the Hon'ble Members pointed out need not be further clarified. I think section 25 clearly clarifies the probable financial implications involving expenditures under which there shall be reserve and operational funds and the reserve fund shall be deposited in the Bank to earn interests. The operational fund shall be utilised to meet current expenditures and fees will flow in and considering all the available sources it is expected the Board will be able to manage itself. In section 11, 14, 17, 28, 20, 21 and on pages 35 and 36 detailed statement is made concerning involvement of expenditures. I therefore request you kindly to pass the Bill inspite of the many defects.

PU CH. SAPRAWNGA : Mr. Speaker, in the statement of objects and reasons, Mizo medium of teaching shall be introduced in High Schools and exam papers answered in Mizo and I want to know in detail how this could be proposed.

PU VAIVENGA : Mr. Speaker, there is no firm decision about the medium of instruction. The Board will later decide it. With consideration of gradual development we are using English medium in lieu of our mother-tongue while our neighbouring States are using their mother-tongues in Matric examinations and we are competing in the matter. It does not mean we shall drop English totally, if preferred we can still use it. A time will come when our English standard will improve and we will prefer to introduce Mizo in lieu of English and with consideration of that this is introduced. If we still prefer English there is no bar.

PU CH. SAPRAWNGA : Mr. Speaker, Minister's explanation is one thing but it seems quite clear here. If it is passed as it is, it seems the medium for answering question papers is quite clear, and I wonder whether this provision is necessary. Amendment seems impossible.

SPEAKER : Objects and Reasons lies under the Speaker's discretionary power and if this is interpreted to mean introduction of Mizo you were aware that we may bind ourselves for future. The Minister's explanation did not particularly mean that. It does not mean so strong bondage but the reasons have to be clarified as it is another weak point. If we insist to mean strong bondage and interpret it that way, we can replace/substitute it, whether whole or in part?

PU NGURDAWLA : Mr. Speaker, suppose we delete the portion 'Handicaps besides' is it not satisfactory as the purpose and reason is quite clear above?

PU C. LALRUATA : Mr. Speaker, the Minister's speech convinced me as it does not mean compulsory introduction of Mizo. Under the Assam Board of Secondary Education there was no provision that Mizo students will be allowed to answer question papers in Mizo and does not this provision mean introduction of Mizo if found necessary? As it does not seem compulsory and a must, I think introduction is preferable to exclusion. (SPEAKER : That is the intention of the Bill.) I found the wording seems to mean just that. (SPEAKER : If we interpret it that way, it is not complicated. Besides, the Bill will not be affected.)

PU CH. SAPRAWNGA : Mr. Speaker, I believe we won't be able to obstruct if strongly insisted upon. This Board Bill has come up as a result of our long deprivation of Mizo medium under the Assam Board of Education. In order that Mizo medium may be introduced this Bill has come up and that is in the Objects and Reasons.

SPEAKER : The Bill, after being passed shall become an Act and this will not appear on it.

PU VAIVENGA : MINISTER. Mr. Speaker, the Hon'ble Members seem to concentrate the point only on High Schools. As the Board covers Primary to M.E. School stages, regarding introduction of Mizo medium I have hinted only High School level. At present we use Mizo medium to answer question papers in Primary and M.E. School stages and I believe this introduction does not stand in the way.

PU C. LALRUATA : Mr. Speaker, if I remember it right, there was Primary and M.E. Scholarship Examination Board for Mizawl District and Lunglei District respectively. I want to know how these Boards are inter-connected? Does this Board of School Education supercede over the Scholarship Board? It is not clarified here and could not complication arise between the two Boards?

SPEAKER : Anyhow, that does not seem to be affected. Affiliation of and recognition of Junior High School, i.e. Classes V and above, to the Board is necessary. After the Bill becomes an Act, this statement of Objects and Reasons shall no longer appear there. Is it harmful to let it remain as it is?

PU CE.SAPRAWNGA :

Mr. Speaker, whether harmful or not is debatable. Anyhow, the matter is under the Speaker's discretionary

power and if you permit, we may discuss it later on. We need not argue about it now.

PU NGURDAWLA :

Mr. Speaker, if the matter lies under the Speaker's discretionary power and if some Members are not satis-

fied that does not seem to stand in the way of passing the Bill. In case of Privy Purses the issue was contested even in the Supreme Court. I am satisfied with the provision but some Members are not satisfied and I suppose we may delete that portion?

SPEAKER :

I shall read out second paragraph which seems to be satisfactory -

'There has been a growing opinion both in professional and private circles that this is high time to set up in Mizoram a Board of School Education to provide for better organisation, better supervision and better development of School Education along desired lines in respect of Control, Curricular reforms, Conduct of examinations etc.' Hence, let us delete the portion 'Besideshandicap'.

We have considered the Mizoram Board of School Education Bill, Mizoram Bill No.6 of 1975 and the Minister-in-charge has requested to be passed. Members in favour of passing say 'Aye'. (MEMBERS : Aye) Any objection? (MEMBERS kept silent) It is passed.

I shall explain the method of amendment. In case of Money or Financial Bill Central Govt's approval and clearance has to be obtained. In case of amendment to Money Bill recommendation has to be obtained. Our Administrator may approve it. In case of Central Govt. simple clearance is satisfactory, to study any Bill. Section 23 of the U.T. Act states that our difference from the Union is that whenever money from the Consolidated Fund of the Union Territories is to be spent for any purpose, since this is financial Bill and not Money Bill, Administrator's recommendation is essential for amendment. The clause you want to amend will tell. Suppose you want to amend the clause that does not involve money expenditure, it is not harmful. But the clause involving huge money expenditure, like section 11, 17, 19 etc. have to obtain Administrator's recommendation, and that is easily obtainable if you do it in advance. The amendment which does not affect any clause is permissible and remember this for future. It is not something like a rubber stamp, that we can't do without Central Govt's clearance. We can point out and criticise whatever portion we find unsatisfactory.

PU K.L.ROCHAMA :

Mr. Speaker, suppose we want to amend the clause of a Bill that does not involve money expenditure, what will be the method? We want to amend an Act, not a Bill, and the clause we want to amend does not involve expenditure, what will be the procedural method?

SPEAKER :

That will be Amendment Bill. It shall be 'The Mizoram Board of School Education (Amendment) Bill. You can amend only a Bill, not an Act.

PU K.L.ROCHAMA :

Mr. Speaker, will the President's or Central Govt's approval be essential for that?

SPEAKER :

The Administrator is to recommend and you shall do it as a fresh Bill. While it is being considered it is as a Bill, not as an Act.

~~PU K.L.ROCHAMA :~~
PU K.L.ROCHAMA :

Mr. Speaker, I wonder whether complication may arise and I am unsure of our position. There are some Bills which we want to make as Amendment Bill, which we thought we may consider but which already became an Act due to paucity of time. In the case of Amendment Bill to an Act, the interpretation and advice of Law Deptt. is the whole Act should go / that through the general procedure with the sanction of President or Central Govt., otherwise consideration is not allowed. In case of our amendment Bill, it is said that, if the general procedure is not followed, we are not competent to do that.
(SPEAKER : After it has become an Act, yes.)

SPEAKER :

If the portion you want to amend has become an Act, the procedure is necessary. But this is still a Bill.

I am glad we passed the Bill. We shall meet tomorrow at 11:00 A.M.

Meeting Adjourned at 3:50 P.M.

Sd/-

Secretary,
Mizoram Legislative Assembly.

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Kltz/-

28/12/1976