

1ST SITTING OF THE 12TH SESSION HELD ON 8TH
SEPTEMBER, 1983 AT 10:30 A.M

Members Present : PU C. CHAWNGKUNGA, Deputy Speaker, in the
Chair, Chief Minister, Four Ministers and 20 Mem-
bers were Present.

BUSINESS

1. QUESTIONS : Questions entered in separate list to be asked and
answers given.
2. PAPERS TO BE LAID : PU LALHMINGTHANGA, to lay on the
Table a copy each of the Report of Com-
ptroller and Auditor General of India for the year 1980-1981, Appropriation
Accounts 1980-1981, and Finance Accounts 1980-1981 relating to the Go-
vernment of Mizoram.
3. PANEL OF CHAIRMAN : The Speaker to announce names of Mem-
bers to Pannel of Chairman.
4. PRESENTATION OF REPORT : The Speaker to report to the House
time - table in regard to business
as settled by the Business Advisory
Committee.

DEPUTY SPEAKER : 'Fret not thyself because of evildoers, neither be
there envious against the workers eniquity.

For they shall soon be cut down like the grass
and wither as the green herb.

Trust in the Lord, and do good; so shalt thou
dwell in the land, and verily thou shalt be fed.

Delight thyself also in the Lord; and he shall
give thee the desires of thine heart.

Psalm 37:1-4

Now, we will take up Business No. 1 - question Pu Sainghaka may ask his question.

PU LAL THANHAWLA : Pu Deputy Speaker, before we proceed further we want to be certain whether you are authorised by the Speaker to conduct the House and if authorized in what form - writing or verbal were you authorised.

We know that the Hon'ble Speaker is at Delhi at the moment and we are sorry to learn that his wife is being operated, and we wish them speedy recovery. However, as it is necessary to follow the rules, we want to know in what form were you authorised.

DEPUTY SPEAKER : Have not this matter shown in the list of Business ? As I am authorized by the Speaker, I am now conducting the House.

PU LAL THANHAWLA : Pu Deputy Speaker, we know that you were authorised. But, in what form were you authorized is what we all should know.

PU C.L. RUALA : Pu Deputy Speaker, as provided under Rules No. 12 which runs - 'the Speaker may by order in writing delegate to the Deputy Speaker such as of his powers and functions as he may deem fit and for such period as may be determined by the Speaker ? Authorization has to be in writing. If the Speaker did not make authorization in writing, it is breach of rules. In 1975, Pu Thansanga, the then Speaker was going to U.K. and the 7th Session was going to be held during his absence. But, before he proceeded towards Delhi, he made formal authorization in writing thus leaving Pu Hiphei Deputy Speaker to conduct the House. Have not the Hon'ble Speaker made such formal authorization ?

DEPUTY SPEAKER : Before he left Aizawl, he did not make any written authorization. But from Delhi, he made a phone-call delegating me his powers and functions.

PU C.L. RUALA : Pu Deputy Speaker according to the Rules, it should not be in telephone, it should be in writing. (Deputy Speaker Yes, that is right as it is provided under Rules No. 12).

PU. F. MALSAWMA MINISTER : Pu Deputy Speaker, have not authorization letter been reached by post ? There can be postal delay. Could not we accept verbal authorization for the June being the Hon'ble Speaker himself intimated the Hon'ble Chief Minister ?

DEPUTY SPEAKER : Let us collect the opinion of the members.

PU HIPHEI Pu Deputy Speaker, as a rule, only when there is written delegation could there be acceptance and approval of questions, resolutions and other items. Unless written delegation letter is received, all the official business will have to be postponed and the session also will have to be postponed without cancelling it, when the authorization letter is received, the hon'ble Deputy Speaker will make formal announcement which will eventually make it possible to have the session as usual.

BRIG. THENPHUNGA SAILO CHIEF MINISTER : Pu Deputy Speaker, the Hon'ble Speaker clearly stated that he sent authorization letter by post and he even mentioned his fear of postal delay. I strongly believe that the letter would arrive. It might have arrived by now.

PU JOE NGURDAWLA : Pu Deputy Speaker, as pointed out, delegation of powers should be in writing. However, there is business and conveniency and we have also been informed that there is letter on the way, it may be well to have Deputy Speaker conduct the House in anticipation of the coming written delegation. Though this may be outside the rule, it may be well to consider our conveniency. Any way let us collect opinion of the members.

PU LAL THANHAWLA : Pu Deputy Speaker, the Hon'ble Chief Minister had clearly stated that the delegation letter has not arrived and that it was expected to be on its way. But our Rule demands written delegation hence, it is necessary to have authorization letter before we transact our business.

PU ZAIREMTHANGA MINISTER : Pu Deputy Speaker, it is obvious that there was authorization letter. Though this has not arrived, it is obvious that the Hon'ble Speaker delegates his powers and functions to Deputy Speaker for the present session. If there is written authorization letter why cannot we accept it since there is no hard and fast rule which demands laying of authorization letter on the Table of the House.

BRIG. THENPHUNGA SAILO : Pu Deputy Speaker, it may be well to understand that the Hon'ble Speaker will not arrive by all means at this time. They are going through operation and are looking for donated blood. Hence, he will not arrive which is obvious. But, his letter by which he delegates powers to Deputy Speaker is on its way. It is because of postal delay that the letter has not arrived.

PU HIPHEI : Pu Deputy Speaker, it is hardly justifiable if the Hon'ble Speaker used postal mail while there is telegraphic system for sending such an urgent and important words. He knows that session is going to be held from this day. We did not doubt that the letter is on its way. But, unless it arrives, it cannot be taken into account from legal point of view.

If majority of the members wanted to go on without actually receiving the authorization letter, Rule 12 will have to be amended. If we proceed further without making any amendment, it will mean that we are breaking the Rules. If the Rule is not amended, there will be many complications in transacting business. We therefore, request you to conduct the House according to the rules.

PU BUALHRANGA : Pu Deputy Speaker, as pointed out by the Opposition Group Leader, it was on medical ground that the Hon'ble Speaker goes to Delhi this time. It was with confused mind that the Speaker and his family left Aizawl. In such a situation, it may not be easy to remember all that which have to be done before he left as it was an emergency case of illness in the family. However, we know that he sent an authorization letter from Delhi and our House Leader also had clearly stated about this. The reason why he sends letter by post could be well understood in such a situation. What we demand is that the delegation letter should be in writing as provided under Rule 12. But, we may be well aware that it is in writing that he delegates powers to Deputy Speaker and the only thing is that it has not arrived due to postal delay or may be other reasons which are beyond our control. It is necessary to understand each other and the circumstances we are in. It will be well if we could accept our situation since there is written authorization coming on the way.

PU SAINGHAKA : Pu Deputy Speaker, it is learnt that there are many questions entered and many business to transact since the Assembly term is nearing to its end. It is further learnt that the Hon'ble Speaker was advised by the Secretaries to authorize Deputy Speaker before he left for Delhi. Not heeding to their advice he left Aizawl and unfortunately, he was caught in the family problems. Perhaps he stays at Del-

hi longer than he expects but the Hon'ble Speaker, not only this time, have often undertook journey just before the Session. It is so often that he undertakes journey just before Session even in other sessions which had often caused difficulties to Departments in furnishing replies to Assembly questions,

We are also now intending to transact business in anticipation of the authorization letter to arrive. Though we understand his family problems and the difficulty he himself faced due to ill-health, but, what the members pointed out today is a thing that reads to be pointed out.

PI K. THANSIAMI : Pu Deputy Speaker, regarding journey undertaken by the Hon'ble Speaker we stay together in Delhi and I know that it is longer than they have to stay back. Hence, it is well to have understanding of their condition. Besides this, I don't think there is any where we break the rules so long as there is written authorization. Though it has not arrived, it is but there coming on the way. It is therefore, proper that you, Pu Deputy Speaker conduct the House.

PU HIPHEI : Pu Deputy Speaker, I do not think that is the point. There are many means by which the Hon'ble Speaker could communicate us, for example - It was only last monday I returned from Delhi. Had the letter been carried by hand, it would have reached by now. Even if he does not want to send by hand-post, there is telegraph. Hence we do not dare to depend on what the members and the Hon'ble Chief Minister said regarding the letter being on the way. Even while I was in Delhi, I met him there and we had informal gathering. But, he neither mentioned about the forth - coming session nor was he mention his intention to stay longer at Delhi.

If he had sent a telegraph, we would accept it as a writing, But, he did not sent a telegraph though there is ample time to sent it before the session actually starts. Hence, it is not right for us to hush - up or cover up his mistake. We are too slack in abiding by the rules that the Hon'ble Speaker neglects provision of the Rule. As we, ourselves are law-makers, it is well that we abide by the rules we constituted. If we abide by the rules, everything will run smoothly, and we would make Mizoram and the Assembly respectable. Particularly since the present Ministry functions, we have a habit of relaxing provisions of the rules which resulted in complication as we are facing now. Unless the authorization letter is received, business we have transacted and what we have to transacted will have to be put off. If we do not amend the Rule, everything will have to be done afresh when the letter arrives.

PU LALNGHENG : Pu Deputy Speaker, it is proper to follow the rules. As provided under the Rules, delegation of powers should be in writing, so it should be. But, in our case, these are too different interpretation. As these interpretations do not conform to the Rule, will it not be better to do voting ?

PU S. VADYU : Pu Deputy Speaker, as under the provisions of Rule 12, there should be written authorization. So far as we know, written authorization is on the way. Unless the letter arrived, will it be effective ? I think we should not go further unless the authorization letter arrived.

PU LIANSUAMA : Pu Deputy Speaker, if the letter bearing delegation of powers has not arrived, how would Deputy Speaker know to what extent is he delegated powers of the Speaker? Unless the letter is received, it will not be possible to go further.

PU ZAIREMTHANGA : Pu Deputy Speaker, we repeat the same thing off and on though there is slight deference here and there. However, as pointed out by one of the Hon'ble Members, our main argument, which had sprang up because of our different interpretation of the Rule do not actually conform to the Rule.

It is confirmed that the Hon'ble Speaker delegates Deputy Speaker power to conduct the present session. It is also confirmed that there is written authorization some where which we did not doubt. Our Hon'ble House Leader had clearly stated about this because of which we dare to accept. As it is confirmed that the Speaker delegates power to conduct the House and as the written authorization is there somewhere, should not we continue and transact Assembly business? Should not we proceed on without further arguments? If necessary we may as well do voting.

PU SAINGHAKA : Pu Deputy Speaker, it is confirmed that Deputy Speaker was authorised by the Speaker to conduct the House. But, the authorization letter has not arrived and the Deputy Speaker has not received it. However, if the Deputy Speaker dare to function without actually receiving the authorization letter, he could make final decision which seems to be what he should do.

PU LAL THANHAWLA : Pu Deputy Speaker, unless written authorization is received, the statements of our Hon'ble Chief Minister or other Members, do not confirm that Deputy Speaker was authorized by the Speaker in writing. Even if Deputy Speaker was

authorized in writing, it is necessary to examine whether the manner in which Speaker authorized Deputy Speaker was correct. There is also Governmental procedure which we should follow. For example - I am selected to receive grant or Loan money and I authorized someone else to draw for me. But, the Cashier will not dare to give him money unless the person I authorized produce authority slip or letter. If he gives him money without authorized letter he may have to face certain difficulty in future. We are now confronting the same situation. It is not a matter of voting we have standing Rule which we ourselves have constituted. The most important is whether we are going to break a standing Rule or not. If, however, the Hon'ble Deputy Speaker wants to go on further, it is his decision we are waiting.

PU K. BIAKCHUNGNUNGA : Pu Deputy Speaker, from legal point of view, I think both sides four stand could be regarded as correct. However, if the Hon'ble Members from opposition group insist on producing authorized letter before we start, it is where there is difficulty. As under the provisions of the rule, there should be written authorization and as we well know, there is written authorization which, unfortunately, has not arrived. The opinion entertained by the members from Opposition Group that the authorization letter should be produced is also correct from legal point of view. But, if we agreed to go on as it is, there is nothing wrong even from legal point of view and we can carry on our business. Even if there is going to be some complications it is we, the same members who would again discuss the matter.

Hence, it may be proper to have the sitting continued at this stage.

PU JOE NGURDAWLA : Pu Deputy Speaker, we are confronted by an un-usual problem. What stated by the Hon'ble Members were correct to a great extent. It is also evident that the Hon'ble Speaker does not leave written authorization before he left Aizawl. However, our House Leader have explained all this. As stated, there is written authorization coming on the way. Hence, whether we should continue the sitting depends solely on the decision of the House. Instead of pressing Deputy Speaker to make final decision by himself, it is we, the members who should make decision. We know majority opinion of the House and voting also will not be necessary. If majority of the members agree to go on, it may be better to go on. Whether we should go on as the wishes of majority of the members may be decided by Deputy Speaker.

PU SAIKAPTHIANGA : Pu Deputy Speaker, much had been said and it is not a matter that could be smoother by discussion. What we are discussing, today seems to startle officials, non-officials as well as the members of both sides. Hence, should not be adjourn the House for half-an-hour for consultation.

PU JOE NGURDAWLA : Pu Deputy Speaker, as there may be criticism of you conducting the House later on, first thing you should do is to collect opinion of the House. It is on the opinion of the House where validity of your conducting of the House depends.

PU HIPHEI : Pu Deputy Speaker regarding conducting of the House— even in the past, Deputy Speaker has often conducted the House without written authorization when Speaker is absent. I am also quite convinced by what our ruling members said as it was on medical ground that the Hon'ble Speaker had to go to Delhi. But, what I am afraid is that all the business executed in this session will turn into nothing if we do not know which of his power will the Speaker delegates for this session, for, as we know, there are powers that could be delegated to others and powers that could not be delegated to someone else. If we do not know the kind of power he delegates to Deputy Speaker for this session, it is difficult to know to what extent would we go and which business would we be able to execute under the chairmanship to Deputy Speaker. Once it happened in Lakher District. There was election of Chief Executive Member. But, as wrong election paper was used, the election and the business the new CEM executed as CEM were declared null and void. If such problem arises, we will not be free from legal point of view and the business we executed may also turn into nothing if we do not do thing legally from the start. I do not attack Deputy Speaker for taking the Chair in the absence of Speaker. But, which of his power would Speaker delegates to Deputy Speaker in this session is what is important to know. Being afraid of what would happen later on that I raise this question.

PU K. BIAKCHUNGNUNGA : Pu Deputy Speaker, what was stated by the member from Tuipang constituency was true. But, the Hon'ble Speaker authorized him to taking his place and to do the necessaries during his absence. Though we have not received his written authorization letter, but it will be a good thing if we could trust that his verbal authorization would include all that which would be required in normal session. (Pu Hiphei : Pu Deputy Speaker, we did not doubt Speaker's authorization. But, as there could be many complications we could not put full trust only on verbal authorization). I think it will not be wrong to a source that the person occupying high and respectable office would give full power to do all the necessaries during his absence. I do not think we would face the same thing that was faced by Lakher District. (Pu Hiphei : Pu Deputy Speaker, Does that mean that Lakher District was small and that law was put to free more strickly ?) I do not mean it that

way. What I mean is that the same thing that once happened in Lakher District may not happen in our cases for, it is believable, that the person holding high office will give necessary power that will be required in normal sittings or the session.

PU JOE NGURDAWLA : Pu Deput'y Speaker, first thing we should consider is whether we all agree to go on. Opinion of the House may be taken on this issue. This will be first important thing even for future.

DEPUTY SPEAKER : Most of the members have made speech in this regard. Have not we all prefer continuing our sitting to adjourning now ?

PU LAL THANHAWLA : Pu Deputy Speaker, it is truly regretting that many complications have cropped up because of the Hon'ble Speaker. We understand his family problems and we wish them speedy recovery. But, it is regrettable that the Hon'ble Speaker caused much trouble. It is learnt that he gave advice regarding the ensuing session before he left for Delhi. It is hard to understand why he did not leave written authorization if he had given advice. We also met in Delhi and he told me that he will not be present in the session. Besides me, the Hon'ble Chief Minister and a number of Members who were there in Delhi by whom he could send the authorization letter. He knows that we all were going back to Aizawl in time to attend this session. Even if he had sent authorization letter by post, he could have sent its copy through any of us just in case the letter does not reach its destination in time. It is not fair on his part to neglect the House and its conduct. Had he cared a little, he could have taken the way to prevent all the troubles we have been going through.

The ruling party President requested us to agree to continue the sitting with good understanding. With good understanding we could go upto any length. But, it is still improper on the part of the Hon'ble Speaker to neglect procedures and conducts of the House in such a manner. Hence, even if we are to carry on our business, I demand that the Speaker be admonished by the House.

BRIG. THENPHUNGA SAILO : Pu Deputy Speaker, we all know that the Hon'ble Speaker was in despair due to ill-health in the family. He telephoned me and said that he was going to send authorization letter as imposed by the Rule. Legally, it should be by post not its spare copy by hand. Actually,

it is not the Speaker who troubles us. It is we, ourselves who make it out within our minds as the Speaker troubling us.

PU LAL THANHAWLA : Pu Deputy Speaker, that is not correct. There is rule where it is written clearly that there should be written delegation of power. We understand this was family problem due to ill-health. If he knew the difficulties we are going to face if his authorization is not there, he should have done something or send the letter by some means. Anyway, what the Hon'ble House Leader said was only an intention to cover up the wrong done by the Hon'ble Speaker. It is not right.

PU C.L. RUALA : Pu Deputy Speaker, generally speaking, we have often dis-regarded rules here in the House. Even today, there is no rule which permits the Speaker or the Members to alter any sub-clause or clause of the Rule. Hence, if we are not going to abide by the Rules, it will mean that we are going to break it. I want to put this question before the House are we allow ourselves to break these Rules? If we, ourselves break standing rule without making any amendment to it, I do not think we can expect others to follow it. It will therefore, be better to adjourn the House today and we can resume our sitting when the Speaker arrives. Regarding conducting of the House there is provision for Deputy Speaker to preside over the session when Speaker is absent. But, there are business to transact. Unless we know upto which of his power the Speaker delegates to Deputy Speaker for this session, there is no meaning in continuing the sitting. To be able to function, according to the Rules and to maintain dignity of the House it is first necessary to adjourn the House and to resume the sitting when the Speaker returns or when his authorization letter reach us.

PU ZAIREMTHANGA : Pu Deputy Speaker, from legal point of view, our argument, as I have said earlier, is not within the purview of the Rule. Both sides of our stand could be right and wrong. Such being the condition, it is neither unlawful in making request to continue the sitting with understanding nor is legally right to dis-continue our sitting. So far as the rule is concerned, there should be written authorization. Some of us could accept the present situation so long as there is written authorization while some members insist on receiving that very written authorization to have the sitting continued. There is no provision in the Rule which clearly indicated which side of our stands should be or could be accepted. Hence, it may not be necessary to argue further. If we could not come to all agreement over this question, it may be wise to do voting so as to have our sitting continued.

PU BUALHRANGA : Pu Deputy Speaker, from what I gathered, it seems that we all want to carry on our business with deep understanding.

If the Deputy Speaker could preside over our session, he will also be able to exercise Speaker's power as provided under Rule No. 11. Hence, even if we hold different view points on the question which is not within the purview of the Rule, we can still go on with good understanding. If Deputy Speaker presides over the sitting while Speaker is absent, he can as well exercise Speaker's power. Hence, it is better to have understanding and continue our sitting as we have been summoned by the Lt. Governor.

PU C. CHAWNGKUNGA : Do you all agree to continue our sitting ?
DEPUTY SPEAKER

PU HIPHEI : Pu Deputy Speaker, is there anything wrong in resuming the sitting when the authority letter is arrived after all it is said to be on its way ? Is it not better to wait for the letter ?

PU LAL THANHAWLA : Pu Deputy Speaker, what we are saying is not within the purview of the rule. The Hon'ble Speaker is said to have sent authority letter which we did not doubt. However, as the letter is not yet received, there are Governmental procedures which have to be observed. The person/persons who break rules have often have to swim in a troubled sea. I do not want us to be in such a position. Hence, I insist on the House to acknowledge the fault of the Speaker not because I condemn him.

PU B. LALCHUNGNUNGA : Pu Deputy Speaker, had there been no written authorization, I, personally would not insist on continuing the sitting. But, the Hon'ble House Leader have clearly stated that there was written authorization. If so, will it be better to weight those who could believe in the letter and those who could not ?

PU LALHMINGTHANGA : Pu Deputy Speaker, we have taken quite a long time on this subject. It was stated that it was Speaker's fault, which may be true to some extent. But, the House have, for so long, functioned with integration, I feel that we should request each other to accept the condition which some of us find it hard to accept and to continue our business. The main objective of our business as we know is for the welfare of our territory. Even if we continue to transact business, I don't think there will be validity of ques-

tion. The hon'ble Speaker himself had informed us about authorization he had sent by post. But, there is postal delay, which is beyond our control. As our main objective is to work for the interest of the people and the country, it may not be right to take thing individually. No one could say the time when written authorization letter will arrive. But, for the interest of the people and the country, it will be well to make up our mind to do what we have to do.

PU C. CHAWNGKUNGA : Is not this suggestion good enough ? I think we better accept this and carry on our business. May be the delay was also due to the hon'ble Speaker. But, it is necessary to have understanding of each other. Now, let us take up our business.

PU LAL THANHAWLA : Pu Deputy Speaker, the request made for good understanding is respectable. If we are going to break rule, it may be better for us all to be with one accord. If we are to continue our sitting, I still insist on the House to acknowledge the fault of the hon'ble Speaker. It is truly regretting to have to face a difficulty such as we have been facing.

PU JOE NGURDAWLA : Pu Deputy Speaker, I feel that what the opposition Leader said was recently right. I think it is right to express our regret for such a lack in the normal procedure of the House.

PU C. CHAWNGKUNGA : Yes, that is a good suggestion. The Speaker should be informed of his fault for not sending authorization letter in time. He may also be advised to be more careful in future. I am glad that we can now resume our sitting with one accord.

PU LAL THANHAWLA : Pu Deputy Speaker, please make it clear the way it is going to be recorded.

DEPUTY SPEAKER : What we said here are all recorded in the Tape Recorder which will be a replayed later on.

PU JOE NGURDAWLA : Pu Deputy Speaker, our regret for the situation we are in because of the speaker for not making written authorization in advance or in time and our desire for no repetition of such incident may be expressed and recorded.

PU C. CHAWNGKUNGA : Yes, that will be good. If we agree to proceed on we will now take up question. Pu. Sainghaka may ask his question

PU SAINGHAKA : Pu Deputy Speaker, will the hon'ble Minister i/c Labour & Employment Department be pleased to state

a) Whether there are un-employed science and Arts Graduates.

b) If so, the total number of such graduates.

PU ZAIREMTHANGA : Pu Deputy Speaker
MINISTER

a) Yes,			
b) Science	Arts	Total	
14	426	440	

PU SAINGHAKA : Pu Deputy speaker, supplementary question—Is there an intention to make scheme for solving un-employment problem for our unemployed graduates as it is done in other states. If not, is there any intention to give their some allowances

PU ZAIREMTHANGA : Pu Deputy Speaker, there is no intention to give monthly un-employment allowance to unemployed graduates. However, Government have been making ways and means for them to get employment. For example - as priority is given to Exervicement and MNF returnees, un-employed graduates are also given priority in the allotment of Taxi Permit. Besides this arrangement is made for them to undergo training in the field of small and medium Industries.

PU C. CHAWNGKUNGA : We will take up question No. 2.
DEPUTY SPEAKER

PU C.L. RUALA : Pu Deputy Speker, will the hon'ble Minister i/c Education Department be pleased to state- It is a fact that many false certificates and marksheets bearing the name of Assam and Manipur Board of Secondary Education sold by somebody in Mizoram.

PU F.MALSAWMA : Pu Deputy Speaker, the Education Department is not aware of false certificates bearing the name of Assam and Manipur Board of Secondary Education sold by somebody in Mizoram.

PU LIANSUAMA : Pu Deputy Speaker, being newly elected member I want to ask one thing do not know who is to reply my question but I want to know whether we are bound legally to address the chairman as Mr Deputy Speaker when he presides over the meeting during the absence of Speaker. For example—in the meetings of other organizations, whoever takes the Chair is addressed as Mr. Chairman. As I do not yet know the correct form, I am going to address the Chair as Mr Speaker.

It is also a fact that one Middle School teacher hailing from my constituent village—Lungdar holds bogus certificate and that he is undergoing training?

PU F. MALSAWMA : Pu Deputy Speaker, regarding bogus certificate—**THE MINISTER** Secretary, Board of School Education had issued notification to all departments inviting them to report if there is anyone holding bogus certificate. And this is for House information that the Police have caught some persons who got involved in selling bogus certificate and they are working on identification of bogus certificate holders. The nature of works they are undertaking and their findings have not been referred to Education Department. But, from Board of Education no bogus certificate holder has been identified. I hope that the members will co-operate Government in this regard and if any bogus certificate holder is known or identified, the authorities concerned should be informed.

PU C. L. RUALA : Pu Deputy Speaker, the Minister in-charge said that Education Department have no knowledge of bogus certificate holders being detected by the Police while at the same time he mentioned about measure taken by the Police to detect Bogus certificate holders. I want to know whether the person/persons who sold such bogus certificate have been identified. Is it also possible to know the number of bogus certificate the Police have so far detected? It appears that most of the bogus certificates detected by the Police bear the signature of Assam and Manipur Board of Secondary Education. Is there any knowledge of persons/person involved in selling bogus certificates here in Mizoram?

PU F. MALSAWMA : Pu Deputy Speaker as I have stated earlier, nothing **MINISTER** is known officially. But, from local papers and street talks, we learnt about bogus certificates being detected by the Police. Since then, the Department have issued notification to Board of Education. I think the number of bogus certificates holders could be known from local newspaper.

It also appears that investigation is going on to detect bogus certificates. But no specific report, as to the number of bogus certificate having been detected, has been received.

PU JOE NGURDAWLA : Pu Deputy Speaker, it seems that a number of bogus certificates have been detected. As I have told our Finance Minister the other day, it is a matter which draws much my attention. I have a feeling that the present method of investigation may not be the best. It is not only time consuming and too heavy a task for our police Force, but there can be irregularity if the persons involved are personally known friends or relatives of the investigators. Hence, I think it will be better to have each Department take over investigation work on their respective Departments instead of having to approach each and different persons separately. As most of the certificates produced by Mizoram Government employees in different Departments bear the name of only 2/3 universities, it may not be too difficult to enquire the Board of these universities, the accuracy of certificate will come out clearly. Will it be possible to do this Pu Deputy Speaker?

PU F. MALSAWMA : Pu Deputy Speaker, as I have said, Secretary, Board of Education have issued notification to all departments to scrutinize and report certificates produced by their respective departmental staff.

What the hon'ble Member from Phuldungsei constituency asked regarding Middle School teacher of Lungdar having bogus certificate investigation if going on and an enquiry is made in the Manipur Board of Education.

PU LIANSUAMA : Pu Deputy Speaker, I think my first question was relevant to our subject. Would you please clarify my question, for, I do not know how to address the chair, I mean the correct form of address.

PUZAIEMTHANGA : Pu Deputy Speaker, one can address as one's wish. We mostly address as 'Deputy Speaker' if it is the Deputy Speaker who preside over the meeting.

DEPUTY SPEAKER : We will take up question No. 3.

PU SAINGHAKA : Pu Deputy Speker, will the hon'ble Minister i/c Agriculture and Soil Department be pleased to state The number of families selected for the cultivation of Coffee and Rubber plantation since the year 1979 till date. Also state the average area in Hectares each family has cultivated in Coffee and Rubber plantation.

PU P.B. ROSANGA MINISTER : Pu Deputy Speaker, number of families selected for Coffee plantation from 1979 to 1983-84 are 555 Nos. The total area under Coffee are 640 hectares and under Rubber 386 hectares.

On average the area allotted per family is one hectare in case of Coffee and two hectares in case of Rubber.

PU SAINGHAKA Pu Deputy Speakear, Supplementary question of all the families selected for Rubber and Coffee plantation, is there any family who has attained self-reliance without having to take up other occupation besides the plantation for livelihood. In what basis the selection of family is made ? Is it being assured by the experts that there will be lots of profit that Rubber plantation is encouraged.

PU P.B. ROSANGA MINISTER : Pu Deputy Speker, families selected started plantation only after 1979. Hence, they are not yet in a position to depend for livelihood solely on Rubber and Coffee plantation.

Selection of area for coffee plantation is made on the basis of survey of the soil conducted by the experts from Coffee Boards.

Selection of families for plantation is made usually on the recommendation of Village Council and F.M.C. of their respective areas.

PU SAIKAPTHIANGA : Pu Deputy Speaker, who select Coffee planting families in W. Phaileng to Phuldungsei area.

PU P.B. ROSANGA MINISTER Pu Deputy Speker, the area from W. Phaileng to Phuldungsei is thought to be good for Coffee plantation by the experts from Coffee Board. Different families are therefore selected from different places of this area. I do not know the detail process by which these families were selected. But, it was the Department concerned who made the selection from application submitted by various families.

PU S.VADYU : Pu Deputy Speaker, I believe that there is suitable area for Coffee plantation even in Chhimtuipui District. Is there no family in this district who applied for Coffee plantation.

PU P.B. ROSANGA : Pu Deputy Speaker, from Chhimtuipui District a number of families were selected for Coffee and Rubber plantation. I am sorry to say that the hon'ble member did not know the selection of families even from his own constituent villages such as Chawntlang, Sihtlang, and Paithar. There is also going to be plantation in Tuipang, Chawngte, Sunilpara, Nomodi and in Lakher area.

PU S.VADYU : Pu Deputy Speaker, in my constituent villages, there is no family who take up plantation for self-reliance. In Hawilitar, Leitlangpui and Leipui, there is departmental coffee plantation area not families owned plantation.

PU P.B. ROSANGA : Pu Deputy Speaker, if the hon'ble member wants to know the detailed information, he is welcomed to inquire about it from the people of Sihtlang and Chawntlang. The House is not given wrong information in this regard.

PU LIANSUAMA : Pu Deputy Speaker, supplementary question—of the families selected for coffee and rubber plantation in area for example, in W.Phaileng, are there families related to the hon'ble Minister and Government employees's families? Is it also possible to select families living outside, for example W.Phaileng for plantation in W.Phaileng area?

PU P.B. ROSANGA : Pu Deputy Speaker, Government cannot compel anyone to do coffee or rubber planting. Cultivator families who are interested and applied for it are selected for Rubber/Coffee plantation. Generally, Government employees and persons who have business or employment for earning a living are not to be selected. But, by mistake from the applicants, themselves, there may be lack in the selection. As Settlement Programme is for cultivators and manual labourers, families from such group are selected.

As to the selection of family from plantation area—there is no hard and fast rule that only those families belonging to the plantation area should be selected.

Regarding relatives of the Ministers concerned being selected for coffee plantation, I have no knowledge that close relatives of the Ministers were selected.

PU SAINGHAKA : Pu Deputy Speaker, supplementary question—from what the Minister said it appears that none of the families selected for Rubber and Coffee plantation have achieved self-reliance till date.

The outgoing Administrator stated in the press Conference that some schemes under Agriculture Department have been a failure inspite of large fund being spent. Is plantation scheme one of the families? (Deputy Speaker—That is not relevant).

PU P.B. ROSANGA : Pu Deputy Speaker, to see the success of Rubber and Coffee plantation, we have to wait some years most probably five to seven years for Rubber and 3/4 years for Coffee. For Rubber and Coffee plantation, it is not only Agriculture Department who take initiative. From coffee Board come the experts headed by Deputy Director and on the basis of their recommendation that selected families were given the seeds in subsidy.

PU LALSANGA : Pu Deputy Speaker, the way the hon'ble member set question, it appears that close relatives of the Minister concerned could not be selected for the plantation. But, why should not it be possible to select even the relatives of the Minister if they are cultivators?

DEPUTY SPEAKER : Now, question No. 4.

PU LIANSUAMA : Pu Deputy Speaker, will the hon'ble Minister i/c Local Administration Department be pleased to state—

- a) Is there any intention to amend the power and function of the Village Council as contained in the village council Act, 1953?
- b) If not, why?

PU ZAIREMTHANGA : Pu Deputy Speaker,
MINISTER

- a) No.
- b) The existing provisions of the said Act are considered sufficient at this stage.

PU LIANSUAMA : Pu Deputy Speaker, the present condition of the country is much different from the time when Village Council Act was constituted. At the time when Village Council Act was constituted in 1953, the daily wage rate of a person is Rs. 3/- When there is communal work in which everyone is expected to take part, those who do not participate in the work are fined. According to the provision of Village Council Act, the rate of fine is Rs. 4/-.

Nowadays, it is much easier to give a fine of Rs. 3 or Rs. 4/- instead of taking part in the communal work. Considering the present condition, it is truly necessary to amend this Act, I regret that the Government have no intention to amend it.

Regarding dissolutions of Village Council provided under section 25 there are certain things which could not be well understood. I hope that the authorities concerned will study them and make necessary amendments in the next session.

PU C. CHAWNGKUNGA : If there is no other supplementary question, we
DEPUTY SPEAKER will call upon Pu Rammawi to ask his question No. 5. If he does not authorize anyone, we will proceed to question No. 6.

PU LIANSUAMA : Pu Deputy Speaker, will the hon'ble Minister i/c Forest Department be pleased to state-

Amount of Revenue collected by Forest Department during the last financial year.

PU P.B. ROSANGA : Pu Deputy Speaker Revenue collected by Forest
MINISTER Department during 1982-83 was Rs. 15,269,33.83 only.

PU LIANSUAMA : Pu Deputy Speaker, in the previous year, revenue collected by Forest Department was Rs. 17,04,000/-.

What is the reason for the decrease in the amount of revenue collected by Forest Department.

PU P.B. ROSANGA : Pu Deputy Speaker, the decrease is mainly due to
MINISTER unfavourable circumstances that prevailed in Mizoram. The main source of our revenue is Mahal.

But when unfavourable circumstances prevailed, Mahalders were confronted with various difficulties and Government tenders were tendered at lower rate than normal rate. As a result, the amount of our revenue falls.

PU LIANSUAMA : Pu Deputy Sepeaker, it is pleasing that Forest Department is making strenuous effort to increase our state revenue. What had been stated by our hon'ble Minister will also be true. Last year, about Rs. 6,20,000/- was allocated for collection of firewood and charcoal. How was it spent with and intention to increase our revenue ?

PU P.B. ROSANGA : Pu Deputy Speaker, the Department have taken vigorous steps to utilize the money for improvement of state revenue. Sites/Places for selling firewood and charcoal have been selected and vehicle for carrying and collecting firewood and charcoal from different places had also been purchased. Soon after sometimes, the Department will start the work.

PU SAIKAPTHIANGA : Pu Deputy Speaker, how many places are selected in Mizoram for stocking of firewood and charcoal for sale ?

PU P.B. ROSANGA : Pu Deputy Speaker, for the initial stage, it is intended to have here in Aizawl Town.

PU ELLIS SAIDENGA : Pu Deputy Speaker, in Mizoram, there are many non-Mizo labourers who used much of our bamboo and wood. Have the Department collected tax from them and what is the amount?

PU P.B. ROSANGA : Pu Deputy Speaker, besides Zemabawk, Luangmual and Kulikawn are selected for stocking firewood and charcoal for sale.

Regarding royalty to be paid by Arm Forces and BRTF - The matter had been discussed in the Assembly. It was decided that they were to give in Lump-sum considering their yearly requirements. Some amounts were given in the past years and they have some more arrear.

PU LIANSUAMA : Pu Deputy Speaker, it is pleasing to note that Government have been trying to improve our state revenue. There was a provision of Rs. 1,07,000/- for afforestation and preservation of forest. I would like to know which forest are cleared for plantation and which are preserved. And where is 500 Acre of forest where plantation had been done with the money provided ?

PU P.B. ROSANGA : Pu Deputy Speaker, I am not very clear about the question and only Rs. 1,07,000/- was not our Budget. As stated Forest Department have taken up various steps to improve state income. Their main activity is plantation and work covers different parts of Mizoram. Natural vegetations are removed and new seeds are grown and planted. I cannot say the exact figure but fund provided for plantation in the largest among other budgets provided under Forest Department, I think the total amount for plantation is about 40/50 lakhs.

PU C.L. RUALA : Pu Deputy Speaker, while I was Executive Member-in-charge of Forest under the erstwhile District Council in the year 1972, royalty for wood, stone and sand collected from BRTF was a little more than a million rupees. As we are aware, the BRTF have been still using wood, stone and sand for doing their works. How much royalty had Mizoram Government collected from them ?

PU P.B. ROSANGA : Pu Deputy Speaker. I am sorry I cannot say the exact figure now.

DEPUTY SPEAKER : Now, question No. 7 that is Pu Sainghaka's question.

PU SAINGHAKA : Pu Deputy Speaker. will the hon'ble Speaker i/e Revenue Department be pleased to state -

Whether the Government of Mizoram propose to open a market in 30 Aizawl South A/Constituency during this year.

PU LALHMINGTHANGA : Pu Deputy Speaker, Government of Mizoram has no intention to open new market in Aizawl South.

PU SAINGHAKA : Pu Deputy Speaker, could this mean that they have no intention to utilize Rs. 6 lakhs provided in the Budget for this purpose ?

PU LALHMINGTHANGA : Pu Deputy Speaker, it is not that we do not intend to utilize this provision. But, some kind of Bazar is intended to open which however, may not be completed this year. I believe that all the fund we have in the Budget will be utilized.

PU SAINGHAKA : Pu Deputy Speaker, supplementary question - What the hon'ble Minister said was not very clear. It appears that there was an intention to open Bazar in Kawlthei huan (Quava garden). As I have said, there is a provision of Rs six lakhs in the Budget for this purpose. The Quava garden lies within the area of Aizawl South Constituency but, when Government made notification of area they are going to purchase, this garden was said to be in Khatla area. Khatla is Aizawl West Constituency. As the garden is situated in Aizawl South area. It can't be Khatla. It should be Mission Veng. Hence, could the Government make corrigendum in this matter ?

PU LALHMINGTHANGA : Pu Deputy Speaker, will this be so important as to cause corrigendum for the success will depend more on the public than on the name of the area? If Bazar is opened in Quava Garden, it will serve not only the people of Mission Veng, but also the people of Khatla and others living in and outside these areas. So long as the scheme is successful, the name of the area where the Bazar is opened will not be so important. Anyway, it is not a scheme that could be completed within a year. It will take two/three years for completion.

DEPUTY SPEAKER : Now, starred question No. 8, Pu Lalnunzira's question.

PU V. LALNUNZIRA : Pu Deputy Speaker, will the hon'ble Minister i/c Transport Department be pleased to state.

How many quintals of rice has been sent from Aizawl to the Constituency of Kawrthah during current year.

PU ZAIREMTHANGA : Pu Deputy Speaker, no rice has been sent from Aizawl to Kawrthah during current year. However, 11,932.47 quintals of rice have been sent from Silchar to the constituency of Kawrthah from 1.1.1983 to 31.8.1983.

PU V. LALNUNZIRA : Pu Deputy Speaker, Supplementary question-

Who are the carrying contractors and what are the names of the additional contractors ?

PU ZAIREMTHANGA : Pu Deputy Speaker, I am sorry I cannot say now the names of the contractors, but, list of contractors could be seen in the office if the hon'ble member wants to see it.

PU SAIKAPTHIANGA : Pu Deputy Speaker, it appears that question raised by the hon'ble member was not correctly answered. From Aizawl some amount of rice was sent to Tuipuibari which is in the constituency of Kawrthah. How many quintals is allotted for Tuipuibari Grouping Centre ?

PU ZAIREMTHANGA : Pu Deputy Speaker, yes, I could answer this question. But I cannot answer now Supplementary question raised by the hon'ble member.

PU V. LALNUNZIRA : Pu Deputy Speaker, Supplementary question-

Have the Government detailed departmental authorities to check whether supply of rice are reached to their true destination ?

PU ZAIREMTHANGA : Pu Deputy Speaker, to know whether supply reached to their true destination, A.O. and Store Keeper of that particular village are important. Inspection is also conducted occasionally by the supply inspecting staff. But, supply is normally received at their destination by A.O. and Store Keeper.

PU V. LALNUNZIRA : Pu Deputy Speaker, have the Government intention to check irregularities practised by A.Os and Store Keepers ?

PU ZAIREMTHANGA : Pu Deputy Speaker, if there is report of such irregularities, Government will take measures to check it.

PU C. CHAWNGKUNGA : Question hour is over, we will now proceed to our next item. It is laying of paper. We will call upon Pu Lalhmingthanga to lay his paper on the table of the House.

PU LALHMINGTHANGA : Pu Deputy Speaker, with your permission, I beg to lay the following papers on the table of the house.

- 1) A copy each of the Report of Comptroller and Auditor General of India for the year 1980-81.

2) Appropriation Accounts 1980-81.

3) Finance Accounts 1980-81 relating to the Government of Mizoram,

DEPUTY SPEAKER : The copy of these papers may be distributed now.

Now, let us take up Business No. 3. The following persons are selected for Panel of Chairman of this session

- 1) Pu Liansuama
- 2) Pu J.H. Lianchungnunga
- 3) Pu Lalpiandenga

Now, business no. 4-Business Advisory Committee Report-

1) The Twelfth Session of the Third Mizoram Legislative Assembly having been summoned by the Administrator, Union Territory of Mizoram under section 6 of the Union Territories Act 1963, the Business Advisory Committee met on September 1st, 1983 in order to recommend the duration of the Session and the time that should be allocated for the discussion of the stage or stages of such Government Bills and other Business.

2) The Committee recommends that the Session be held upto Tuesday, the 13th September, 1983 covering a period of 6 (six) days. The number of days on which the House may actually sit will be 4 (four) days.

3) The Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly provides that every Friday during a session shall be allotted for Private Members' Business under the Speaker otherwise directs. The committee therefore recommends that Friday, the 9th September, 1983 should be allocated for Private Members' Business.

4) The Committee authorises the Deputy Speaker who in turn has been delegated by the Speaker such of his powers and functions under rule 12 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly to report to the House the time table in regard to business as settled by the committee.

5) As regard the time that should be allocated for the discussion of the stage or stages of such business, the Deputy Speaker may regulate the time.

6) A provisional programme of sittings of the Twelfth Session of the Third Mizoram Legislative Assembly as recommended by the Business Advisory Committee is as follows :-

1. 8.9.1983 (Thursday) — Government Business
 - 1) Questions
 - 2) Any other Government Business
2. 9.9.1983 (Friday) — Private Member's Business
 - 1) Questions
 - 2) Bills
 - 3) Resolutions
 - 4) Motions, if any.
3. 10.9.1983 (Saturday) — Off
4. 11.9.1983 (Sunday) — Holiday
5. 12.9.1983 (Monday) — Government Business
 - 1) Questions
 - 2) Any other Government Business.
6. 13.9.1983 (Tuesday) — Government Business
 - 1) Question
 - 2) Any other Government Business.

I hope the House may adopt the recommendation of the Committee.

Is there any member who has to say any things in this regard ?

PU ZAIREMTHANGA : Pu Deputy Speaker, I request the House to put up for adoption the programme of sittings of the Session prepared by the BCA.

PU C.L. RUALA : Pu Deputy Speaker, I support the hon'ble Minister.

DEPUTY SPEAKER : Do we all agree to adopt this programme ?

(Pu C.L. Ruala - have the Minister in-charge of Parliamentary Affairs been designated to move the motion for adoption of Time Table for this session ? If he has not been designated, he cannot move it. Only the designated one can move it).

PU JOE NGURDAWLA : Pu Deputy Speaker, hence it is not difficult, let us designate him, for, it is better to follow the Rules than breaking it.

DEPUTY SPEAKER : I was not designated in the Committee, let the Minister move it.

PU ZAIREMTHANGA : Pu Deputy Speaker, as I was verbally designated, I simply moved it.

DEPUTY SPEAKER : Is there anything more to say ?

PU HIPHEI : Pu Deputy Speaker, in future, we better be more careful with provisions of the rules. We have had the habit of doing things anyhow and in an easier manner. This habit should be stoppe.d

DEPUTY SPEAKER : All right we have finished Business for today. Sitting will be resumed tomorrow at 10:30 A.M.

Mecting Adjourned at 12:25 P.M.

L.C. THANGA,
Secretary.