

Proceedings of the 4th Session of the 3rd Mizoram  
Legislative Assembly held at the Assembly  
Hall from 22nd March to 31st  
March, 1980

6th Sitting on 31st March, 1980 at 10:30 A.M.

Dr. Kenneth Chawngliana, Speaker at the Chair, Chief  
Minister, Four Ministers and 27 Members were present.

BUSINESS

1. Questions entered in separate list to be asked and  
answers given. -

PRESENTATION OF REPORT

2. Pu H. Rammawi to present to the House the Second  
Report of the Committee on Petition.

LEGISLATIVE BUSINESS

3. Clause-by-Clause Consideration of the Mizoram Animal  
(Control & Taxation) Bill, 1980

ALSO

Consideration of Amendment to Clauses 1, 2, 3, 6, 7, 8, 10,  
11, 12, 14, 16, 17, 19, 20, 21, 22, 24, 25, 27, 29, 30 and Chapter  
iv heading,  
(Amendment printed on Separated lists to be moved)

SPEAKER : " Boast not thyself of tomorrow; for thou knowest  
not what a day may bring forth, Let another man  
praise thee, and not thine own mouth; a stranger  
and not thine own mouth; a stranger, and not  
thine own lips. A Stone is heavy, and the sand  
weighty; but a fool's wrath is heavier than  
them both.

We will take up on business i.e,  
Questions now Pu Ellis Saidenga may ask Question No.12.

PU ELLIS SAIDENGA, Pu Speaker, will the Hon'ble Minister  
i/e Education Department be pleased to  
state-

What are the reasons for delay in starting Poly-  
technic Institute at Lunglei and what are the  
measures taken up by the Government to speed up  
opening of classes in the Institute ?

PU F. MALSAMA

MINISTER : Pu Speaker,

(a) The main reason for delay in start-  
ing the Polytechnic at Lunglei is that the Assam Board  
of Technical Education has since introduced the semester  
system in their Polytechnics which requires more personnel  
and facilities right from the beginning.

(b) Administrative approval for residential quarters amounting to nearly Rs.18 Lakhs and also for site preparation amounting to about Rs.4 Lakhs have been conveyed by Government. All the required posts to start the first year classes have also been created. PWD is preparing detail plans and estimates for some of the functional buildings and for other line plans are being revised.

PU ELLIS SAIDENGA : Pu Speaker, according to the reply made by the Minister, it seems that final selection has not been made for site of Polytechnic Institute. We thought Minlo Kawn near Lunglei-Drangchal Kawn was already selected for the site. Is there any other suggestion? Has the land selected for the site to be purchased? Is it also a fact that there is intention to shift the proposed Institute from Lunglei to elsewhere?

\* PU F.MALSAWMA : Pu Speaker, I made few mistakes in my reply. Rs.4 Lakhs was not for purchase of site. It was for site preparation. This is one of the measures Government have taken and administrative approval has been taken for this. There is also no intention to shift the Institute elsewhere.

PU K.LALSANGA : Pu Speaker, the Minister said that there is fund sanctioned for site preparation. But, it is understood that it will take time to have the site prepared and the building completed. Is there therefore, any intention to open classes if the required personnel and facilities are obtained before completion of the building?

\* PU F.MALSAWMA : MINISTER : Pu Speaker, there was intention to start classes at old Town Hall. But, due to certain difficulties besides introduction of semester system, I do not know whether there is any building convenient for hire at the moment. Anyway, I do not think it is wrong to start classes at the earliest convenience.

\* PU JOE NGURDANLA : Pu Speaker, was it because of the introduction of semester system by Assam Board of Technical Education that the required personnel cannot be obtained for Lunglei Polytechnic?

\* PU F.MALSAWMA : Pu Speaker, even when the Assam Board of Technical Education introduced semester system, there are still, other things which have to be planned

or estimated and there was also additional requirement of personnel and facilities. As the Assam Board is where we have affiliation, introduction of semester system has necessitated more plans and estimates on our part.

SPEAKER : If there is no more supplementary question, we will proceed to question No.13. If Pu Lalthanzauva did not authorise anyone to ask his question, will take up question No.14

\* PU C.L.RUALA : Pu Speaker, Will the Hon'ble Minister i/c Health and Family Welfare Department be pleased to state —

(a) Is it a fact that many posts of Laboratory technician, Steno III, Leprosy Worker, Female attendants were created and appointment made without going through D.P.C. and Employment Exchange ?

(b) If yes, what action has been taken to rectify such irregularities ?.

PU P.B.ROSANG  
MINISTER

: Pu Speaker,

(a) No, except in the case of Laboratory technicians who were appointed on adhoc/contract basis due to non-availability of local candidates and few Grade iv servants like Chakmas who were appointed due to non-availability in candidates from this interior areas.

(b) Does not arise.

\* PU C.L.RUALA : Pu Speaker, supplementary question—  
I regret to say that the Hon'ble Minister gave the House wrong information. It is obvious that surveillance workers, Female attendants, Steno Grade III were appointed on adhoc basis without going through DPC and Employment Exchange. For Steno III, non-Mizo who was not registered in the Employment Exchange was appointed. Why do the Departments always furnish wrong information ?

SPEAKER : Can the member substantiate that the information was wrong ?.

\* PU C.L.RUALA : Pu Speaker, my substantiation are that for Steno III, non-Mizo who was not even registered in the Employment Exchange was appointed and surveillance workers and Female attendants were appointed without going through DPC and Employment Exchange.

SPEAKER : It was not exactly a question. But, would the Minister like to answer ?

(PU P.B.ROSANG.  
MINISTER

: Pu Speaker, I don't think it is necessary to answer, for, we will pursue the matter to know whether the information was right or wrong )

Any more supplementary question ?.

PU NGURCHHINA : Pu Speaker, what I am going to say is I think, relevant to our subject. As may be aware, Surveillance workers, Female Attendants and A.N.M. are integrated under Male and Female Health worker. After they are integrated, their pay was revised at Rs 260-350/-. It is learnt that the Central Government also had given an approval for this last year. But, is it a fact that the Accounts Department has still withheld the approval order upto this day ?

It may also be noted that many Health workers have reached the maximum in their pay. Is there any intention to make Selection Grade for them? If not, have the Government intention to revise their pay at the same scale of pay i.e. Rs 330 enjoy by Health workers at Central Government ?

PU P.B.ROSANGA MINISTER : Pu Speaker, Government is intending to integrate Surveillance and Health workers and the matter is being processed. The Service Recruitment Rules for Surveillance workers who had served more than 5 years have been formed. A number of workers are already selected for promotion to Health worker in the scale of pay of Rs 260/-. There has also been administrative approval for this.

As regards making of Selection Grade and adoption of Central pay scale- the matter is under consideration and follow-up action will be taken as and when necessary. As may be aware, Surveillance and other Health workers do not have high educational qualification. But, their field experience is counted in their service and hence they are integrated as Male and Female Health workers under Multipurpose Scheme. But, there is pay anomaly which the Government have been trying to remove. Many cases have in fact, been rectified, for, which there is also administrative approval.

PU C.L.RUALA : Pu Speaker, supplementary question- For answer to my question (if) it was stated that it does not arise. Regarding reply to question (a), I said that the information given by Department concerned was wrong which I also substantiated. Is there any intention to take action against such irregularity ?

PU P.B.ROSANGA MINISTER : Pu Speaker, Government have rules and regulations. If any of their officers or employees execute works outside these rules and regulations, or appropriate action should be taken.

SPEAKER : If there is no more supplementary question, we will take up Short Notice Question to be raised by Pu Ngurchhina.

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

(a) whether it is a fact that Gorkhalis and Nepalis in Mizoram are given facilities as are available to Scheduled Tribes.

(b) If yes, on what basis they are given.

PU LALHMINGTHANGA : Pu Speaker, (a) No (b) Does not arise.  
MINISTER

PU NGURCHHINA : Pu Speaker, when I went to Revenue office the other day, I saw some Nepalis coming to get House Tax Payee Certificate. It is understood that they have house. But, as House Tax Payee Certificate is made at the value of half Court Fee Stamp, how can the Minister said that Nepali living in Mizoram are not given facilities as are available to Scheduled Tribes. If the Nepalis are given House Tax Payee Certificate, does not it mean that the Department or the officer concerned furnish wrong information? What action will the Government take in this regard?

PU LALHMINGTHANGA : Pu Speaker, it will be a good thing if the hon'ble member can name them, for, we would like to look into the matter. It may be noted that the Nepali/Gurkhalis are not legally Scheduled Tribes. But, as we have seen in the Bible and also as in the case of our forefathers, there are proselytes among every tribe and nation. The proselytes are perhaps unbounded by the laws. Similarly, there can be Nepalis who had proselytized to Mizo and who enjoy every rights and facilities enjoyed by the Mizos.

PU NGURCHHINA : Pu Speaker, I saw them with my own eyes that they were not proselytized Nepalis. They were also speaking in Nepalis dialect which of course does not prevent them from converting into Mizo tribe. But, as they are not proselytized Nepalis, will it not be more proper for them to use Court fee stamp instead of House Tax Payee Certificate when they submit tender for contract works?

PU LALHMINGTHANGA : Pu Speaker, yes, that will be better.  
MINISTER

SPEAKER : Short Notice question no.1 had been taken up. There is another Short Notice Question. But, it was submitted a little late, hence, the Minister will not be able to furnish the reply. The member who has the question is not present.

(Pu Lalthanzauva - Pu Speaker, I am sorry I came late. But, will you please - allow me to ask my question since there is still ample time for question hour?) Yes, I permit you though you were not present when it was time for you to ask.

PU LALTHANZAUVA : PU Speaker, will the hon'ble Minister i/c Health & Family Welfare Department be pleased to state -

(a) Is it a fact that due to irregular purchases of many sophisticated instruments and un-necessary equipment there is shortage of medicine in all the Medical Institutions and Sub-Centres ?

(b) During 1978 and 1979 how much was spent for purchase of Instrument, Equipments and medicine separately ?

PU P.B.ROSANGA : PU Speaker, (a) No, it is not a fact.  
MINISTER (b) The following are the total cost of medicines Instruments and equipments during 1978-79.

	<u>Medicines</u>	<u>Equipments &amp; Instruments</u>
During 1978-79	Rs 49,05,036.00	- Rs 21,98,110.00
During 1979-80	Rs 53,51,455.53	Rs 28,41,124.41

PU NGURCHHINA : PU Speaker, no reply was made regarding purchase of un-necessary equipments. For instance - Stainless Steel Bed Pans were purchased for Aizawl Civil Hospital. Is this justifiable from Government point of view ?

PU P.B.ROSANGA : PU Speaker, the purchase of Stainless Steel Bed Pan was certified. Both Finance and Departmental Purchase Board made approval. Government do not regard Stainless Steel Bed Pan as un-necessary equipments considering its duration in comparison with enamel

PU C.L.RUALA : PU Speaker, Health Department purchased two open boats and one got damaged when brought to Aizawl. Is it so necessary to have open boat and for which place these boats were purchased ? It may be noted that Bed Pan purchased at Rs 320/- per one is more useless than Bed Pan purchased at Rs 60/- per one.

PU P.B.ROSANGA : PU Speaker, I think the member did not at first ask about Bed Pan. As for his first question regarding purchased of open boats - Due to bad communication, our Field workers in Chhingtuipei district require boat for travelling and transportation of materials, so has Doctor and other workers under Leprosy control. Hence, open boats were purchased for this purpose.

PU LALTHANZAUVA : PU Speaker, Is it not PWD rather than Health Department who used to provide boat for crossing river. Chhingtuipei ?

PU P.B.ROSANGA : Pu Speaker, it is a fact that P.W.D. MINISTER used to provide mar-boats for crossing rivers if there is river to cross in the roads maintained by P.W.D. But our Health workers do not ordinarily travel on P.W.D, roads when they go out on duty. Hence, boats are regarded as necessary equipment for their works.

SPEAKER : I think the reply was clear enough. There is an urgent matter of public importance submitted by Pu H.Rammawi. It was admitted according to the rule and the Minister concerned also is getting ready to reply.

PU H.RAMMAWI : Pu Speaker, this urgent matter of Public importance is not a question. It is a motion I submitted on the strength of Rule -53. As it is a motion, I request you to allow me to make a short statement.

As we all know, Mizoram and many other parts of India were hit by drought. As a result, there is severe famine. It is needless to say the severity of famine in Mizoram villages. Supply Department also have made every effort to improve supply conditions in interior places. Nevertheless, there are things that cannot be done either by the Government or F.C.I or Railway Department inspite of every effort made by them. Hence, it will not be right to put the blame solely on the Government. As we know, there is great confusion in North Eastern regions which aggravated our difficulties. In spite of strenuous effort made by the Government supply condition cannot improve in many sectors. For instance - in my constituency Sangau, the situation is so grave that there is no food supply even for 'X'mas feast. In this regard, I have personally approached Lt.Governor and the authorities concerned. But, inspite of their effort, food supply has not approached till today. It is not only my constituency but, eastern sectors of South Mizoram are no better in supply condition. The Government is not un-mindful of the difficulty of the people. They are in fact, the one who take up responsibility when the people have certain difficulties even though they are not the cause of these difficulties. I do not under-rated the efforts made by the Government. but, if no greater effort is not made, I am afraid that many persons in and around Sangau Constituency will die of starvation by the time rainy season starts; for, many persons have lived on sweet-potato collected from jungle for the past 2/3 months. It is not actually pleasant to mention off and on the severity of famine and the difficulty of the people in this part of area. To meet the difficulties in this part of area, I want to make five (5) suggestions for the implementation of which I want the Government to take necessary steps. I also want to inform the House that the situation in Sangau and nearby areas is so grave that it is a matter of life and death. The following are my suggestions -

First of all, small quantity of petrol/ diesel we have in stock be reserved for vehicles carrying

supply to villages. It is understood that some officers cannot perform their duties without vehicle while at the same time, some of them can manage to do without vehicles. Hence, more care be taken in the issue of Petrol to Government officers so as to save more petrol/diesel for vehicles carrying supply commodities to villages.

Secondly, care be taken in the appointment of contractors and if necessary, additional contractor be appointed to carry supply to villages. It seems that carrying-contractors have already been appointed. In some areas, the contractors used to have difficulty in reaching supply to the destiny. For example, one contractor was given contract-work of carrying supply from Hhathial to S.Vanlaphai-Sangau. But, it appears that this contractor has mis-understanding with J & J which I think, stands for Jeep and Jonga Association. I do not know what was the actual reason for their mis-understanding. But, it seems that the Association does not co-operate him in his contract work. As he, the contractor has only two vehicles by his name, there is much delay in supply movement in this part of area. I want to inform the House that it is the people who suffer when contract-work is allotted to such contractor. I therefore, desire that the actual position of contractors be investigated before they are appointed for carrying - contractors. Contractor who has his own vehicle should be appointed.

Thirdly, keeping in mind the pervading critical situation, contract system be revised and contract-rate be made more reasonable so as to attract contractors who have vehicle to carry supply to villages and interior places.

Fourthly, we can presume that road communications to villages will be blocked again during rainy season which will begin soon. Hence, steps be taken to reach more supply of foodstuff to distant villages before rainy season starts and if necessary, army vehicle carriers may also be used. So long as it is for the relief of the distressed people, I don't think it is wrong to seek the assistance of army vehicles and transportation charge will be given to them as in the case of private contractors.

Lastly, it is needless to say how grave will be supply condition in interior villages if adequate supply of rice have not reached during dry season. If there is no likelihood of reaching more supply to far-flung areas during this dry season, Air-dropping be arranged. But, due to oil crisis it may be necessary to put pressure on Central Government for this purpose. Army posted in interior posts whose ration are air-dropped have also been deprived of half of their quota due to oil crisis. I hope and believe that the members will support this motion I moved today. I also believe that they will have many good suggestions and many things to say in this regard. I therefore, request you Pu Speaker to allot time for speech to at least two of my supporters even if there is no time for other members.

Thank you.



PU JOE NGURDAWLA : Pu Speaker, as a rule, two hours can be allotted for discussion of motion that had been admitted. I want to make statement, for, I believe, it is not only the supporters who should speak.

The motion moved by the member is worth-while discussion food condition is so grave in Mizoram that we are now in a desperate situation. In addition to this, there is immense crisis in Assam. In the newspapers, it is learnt that essential commodities transported towards Assam are thrown out of Rail Wagon near Siliguri ( West Bengal ) most probably in retaliation of dissidents in Assam. If the situation in Assam and W. Bengal is as grave as stated in the Newspapers, it is hard to imagine how worse will still the situation be in Mizoram. It is stated that there is no supply of rice for Mizoram at Silchar Godown. I therefore, request to the Minister concerned to clarify this. Because of the incidents in Assam and W. Bengal, it seems that Special Train is being arranged from Punjab to carry essential commodities for Mizoram. I am glad that Mizoram Government made all-out efforts to solve supply difficulties. But, considering duration of train's journey from one destiny to another destiny, it is likely that this special Train also will take sometime to reach our Railhead, Silchar. At the earliest, it may reach at later part of April. In view of the situation in Mizoram however, there will not be time to stock the commodities before rainy season begins. As stated by the member, there may be greater difficulty for interior and far-flung villages if supplies are not air-dropped. When critical situation arises it is easy to put the blame on others. But, we should remember that the members have joint-responsibility to find solution of the problem confronting the people. It is partly due to Assam crisis that supply condition cannot improve in Mizoram though the Government have made all-out efforts. I am not blaming F.C.I. or Central Government but, I think they should be informed again how grave supply condition in Mizoram is.

SPEAKER : Before we discuss the motion, the Minister-in-charge will be called upon to make statement.

PU ZAIREMTHANGA : Pu Speaker, taking it for granted that I will have to make statement regarding the motion, I prepared a brief written statement. But, if it is going to be discussed, I will withdraw my written statement instead of which I will make statement in verbal.

We all know the un-satisfactory condition of supply in Mizoram. Because of a commotion at Silchar, carrier-trucks sent to take load at Silchar remained at Vairengte for a week. But, as Silchar authorities do not approve of having an escort for our Trucks to take load at Silchar, we went down to Silchar. Being aware of the difficulties of the people besides getting bored to remain at Vairengte, some of the trucks took

risk to get load. As the D.C. was at Gauhati at this time, A.D.M. and some other authorities were contacted. When asked the reason for their reluctance to let us have an escort for our trucks, they said that they were afraid of the re-action of the people if Mizoram trucks loaded with supply to and fro with an escort party while there is no either Diesel or rice at Silchar itself. They said that they would let us take load of our requirements without the knowledge of the people if we could wait 2/3 days more. Lots of arguments and explanations were exchanged. After about 30 trucks, hired up at Vairengte for a week due to a commotion at Silchar as a result of Chhiahtlang incident, have taken their load, there was no more supply of rice at F.C.I. Godown, Silchar. Other times, the F.C.I. authorities used to make allotment from Assam account even if there is no supply for Mizoram. But now, there is no supply stocked at F.C.I. Godown either for Assam or Mizoram. F.C.I. Gauhati was also contacted. But, it was learned from the authorities that Gauhati F.C.I. also has no stock of supply. Such being the condition 4 wagon Rakes of rice supply were despatched for Mizoram from Haryana. But, as partly mentioned, there was blockade near Siliguri-Katihar hence supply cannot reach Mizoram. It has been a week since there was blockade. As a result of this blockade, there is great difficulty in Mizoram and we do not know when will these supply commodities reach Mizoram. Had there been no blockade near Siliguri & Katihar, it will take about a week for the wagon to reach Silchar. As I said, it was 4 wagon rakes and one rake is said to be equal to that of 95 Wagon. From Lumding Station however, one rake will have to be made into two rakes. At present, there is no stock of supply either at Mizoram or Silchar and Gauhati. Few quintals which arrived are separate load taken from Silchar for Lunglei, Lawngtlai Hnahthial and Serchhip. It is proposed that few quintals of rice we have at Aizawl Godown also be issued only for villages. According to information received from F.C.I. authorities, it seems that there is few quintals of ~~bo~~ boiled-rice at Darmanagar. Though the Mizos are not fond of boiled-rice because of its small, we still decided to get them here, as we do not know the time when we will have another supply from Silchar side. Arrangement is being made to sent trucks to Darmanagar to take load. There is also few quintals of wheat to acquire. Except few quintals of boiled-rice and wheat we intend to bring, there is nothing much at the moment on which to depend.

The members stressed the urgency of reaching supplies to villages before rainy season which, normally starts after 15th May. Though there is so little a time left before the rain comes we can do nothing as there is no supply to carry either in Aizawl or Silchar and Gauhati. If there is supply, additional contractors should certainly be appointed if necessary. But, under the present condition, to appoint add. contractors will be meaningless as already appointed contractors also have no supply to carry even to reach them to their destination before rainy season.

The member suggested air-dropping of supply commodities. When there is supply, we may have to

arrange air-dropping for interior and far-flung villages that is, if supplies cannot reach their destination before rainy season. But, air-dropping is so expensive that it is not recommendable unless circumstances compelled. However, if there is supply and if they do not reach their destination before rainy season starts, air-dropping will have to be arranged for places where there is no road-communication. If circumstances compel, it will be inevitably necessary to move for air-dropping of supplies.

As regards issue of Petrol and diesel- as suggested by the member, priority is given to vehicles carrying supplies and water-supply in Aizaw. Vehicles engaged in maintenance of law and order are also given priority. Electricity and others are given only third/fourth priority. It may be noted that some vehicles can still ply even when oil is not issued which makes it evident that when there is difficulty, there is always a means to overcome it..

Even when petrol or diesel is not issued from Petrol Pump, there seems to be always the way to obtain oil from elsewhere. It is not therefore, due to free & liberal distribution of oil by the Government that many vehicles can ply even when there is no oil stock. Anyway, every-effort will be made to obtain more oil for Mizoram and what we have will be strictly issued so as to save more for vehicles carrying supplies. According to information received from F.C.I. authorities, it seems that supply of food commodities for Mizoram is under its way. If Assam blockade is lifted, we may soon receive supply.

**SPEAKER :** I feel that the members are waiting for their chance to speak in regard to this motion. As there is still more business to be taken up, I think only 3 minutes should be allotted to each member. Now, we will call upon Pu Piandenga.

**PU L.PIANDENGA :** Pu Speaker, the hon'ble Minister stated about the prevailing difficult situation. As we know, Mizoram also have various difficulties as a result of natural calamity and un-favourable incidents which occur against the wishes of human beings. The Government also have made all-out efforts to solve these difficulties. It is not however, possible to find solution of our problems all at once. There is a root-cause for the difficulties. It is not knowing the real cause of the difficulties that the villagers asked for more supply of rice persuading the members to put pressure on the authorities concerned. But, it is obvious that we will not get more supply just because of their persuasion. As stated by the Minister concerned, every possible step is being taken to improve supply condition and some quintals of rice is intended to bring from outside. In spite of strenuous efforts made by the Government some persons are still in the habit of speaking in accusing-manner, as if trying to defame the Government without trying to understand the real cause of the prevailing difficulties. It should be our duty to

help and co-operate the Government in their attempt to solve the problems which confronted the people. We should also expect that things will get better as days go by and we should trust God to help clear our paths.

Though there is nothing much one can say under the present condition, there is but one thing I want to mention. First of all let us hope that supply condition also will improve sometimes later. At present, tender for village Retailers is being called. In this connection, I want to make suggestion. Retailer be placed in Thlawhbawks where there are a number of 50 houses, as there are Thlawhbawks whose supply of ration has to be fetched from Grouping centre situated at 4-10 miles away. It may be noted that it is not always possible to draw the quota at one time. Sometimes it takes 2/3 days thus, wasting their precious time. It is therefore, necessary to place Retailer in Thlawhbawks where there are 50 number of houses. This is what I want to suggest.

Thank you.

PU SAIKAPTHIANGA : Pu Speaker, what we are discussing is a matter of great importance. From the capital, Mizawl, it is not possible to fully understand the true condition of all Mizoram. If our situation is to be as grave as the present, it is obvious that the people will die of starvation. Especially after the Minister concerned stated about the many difficulties involved, thing seems to look worse. It is very dis-heartening to be in such a gravely situation. To improve our gravely situation, the Government and the people should make joint-effort. The Minister had also mentioned efforts made by the Government to improve supply condition. Things must truly be difficult, for, Rail wagon is being mentioned every now and then even in villages.

One thing I want to mention is- while there is no rice in Fair Price Shop or Government Godown, there is lots of rice of the same, kind as are issued at Fair Price Shops, in Mizawl market. Though they are said to be acquired from 'Food for Work Scheme' cannot the Government have control over the issue of these rice? There must be much profit for the sellers, as they are sold at high rate. I therefore, desire that investigation be taken to find out the reason why the same kind of rice as issued at Fair Price Shops could be obtained in the market while there is none in Government Godown or Fair Price Shops. It is also mentioned that private merchants who used to go to Silchar can take home 2/10 bags of Government's rice from Silchar. Government will therefore, do well in checking whether rice is purchasable by private individual from Silchar. The Hon'ble Minister said that the Assam blockade launched by West Bengal youth caused supply difficulties in Mizoram besides delaying supply-movements in north-eastern states. But, in view of our gravely situation, I think we should hold-talks with various organisations of W. Bengal to make relaxation on Rail wagons carrying supply commodities exclusively for Mizoram, since it is not against Mizoram this blockade was launched. Their

target is Assam. It seems that the Assamese also have no intention to create further difficulty for Mizoram. If we only wait for supply to arrive when tension died-down between Assam and W. Bengal. Mizoram will be in a more gravely situation. Even if it is said that Government have not failed, it is still the Government who is responsible if supply fails. I therefore, urge the Government to make all-out efforts to pull-out supply commodities which got stuck somewhere in West Bengal.

PU ELLIS SAIDENGA : Pu Speaker, I also have few things to say. I am glad to note efforts made by the Government for improvement of supply condition. We are considering what steps should be taken to remove supply difficulty. The member who stood before me mentioned availability of rice in the market. I am glad that there is rice to be purchased in the market. I think it is still better if more rice is available in the market at cheaper rate so long as they are acquired through proper means, so that the Government may not have to acquire them from outside with much difficulty.

Supply difficulty is mentioned off and on. For the members who represent constituencies where famine is more acute, it is difficult to have a good nights sleep, In some of my constituent villages such as Bualpui and Thingsai, there is no rice even for X'mas feast and there is no more wild-yam (Sweet potato) to be found in the jungle. It seems that some, women gave birth while digging wild-yam in the jungle. Such is the difficulty faced by the people. I do not however, have to mention again the difficulty of different areas. But, I am very concerned with what should be done to have supply reached villages before rainy season. As the difficulty of villages is more acute than those of the people living in town, I feel it is necessary to save more petrol/diesel for vehicles carrying supply to villages.

I think we are also aware of the wrecked-condition of village-roads. During rainy season, most of the village-roads are un-plyable by vehicles. To have better transport movement even during rainy season it is necessary to improve road communications. Due to efforts made by the Government a supply of rice is expected from Punjab which may arrive a little later. Whatever be the case I want the Government to give priority to villages. That is all I want to say.

SPEAKER : We will call upon Pu Biakchungnunga. As there are other business to be taken up today, he will be the last member to speak. The Minister concerned had also stated efforts made by the Government for improvement of supply difficulty. I think there is not much more to say except our difficulties. We will now call Pu, Biakchungnunga.

PU BIAKCHHUNGA : Pu Speaker I thank you for giving me a chance to speak. It seems that the mover of this motion wants to invite the members to make suggestion instead of solely intending to point-out the difficulties. We know that there cannot be much improvement in supply inspite of strenuous efforts made by the Government. As the Mizo saying goes - 'If a man dares not steal when his family has nothing but a burning fire to stare at, he is not a man' it may be necessary to take some measures outside legal purview to save the people from dying of starvation. In this regard, I want to make suggestion which may not be possible legally. There can be no rules/regulations when one is dying of starvation. The only law applicable in such circumstances is to get food before he/she dies. There is plenty of rice in Burma. If we know how to acquire them, our supply condition will surely improve. It may be noted that almost all the houses in Mizoram are roofed with corrugated-iron sheets smuggled-in from Burma. I think rice also can be acquired in the same way since famine does not know any hard and fast rule. Even if it cannot be acquired officially, I think there will be some ways to get them. Our neighbouring country and state such as Bangladesh and Manipur also have plenty of rice. If there is money, plenty of rice to purchase is available all the time near Bangladesh border. Even if it is not possible to acquire them officially. I think now is the time to find the way to acquire them from either of these countries.

PU LALHMINGTHANGA : Pu Speaker, please let me speak for a few minutes, what the member said regarding Bangladesh and Burma was a matter relating to foreign affairs. It is not therefore, possible to consider here in the House. If there is however, plenty of rice to purchase in Manipur, I think the Government also should find the ways to acquire them. As regards Bangladesh and Burma- I think the matter should not be mentioned again in the House as it is foreign affair.

SPEAKER : As stated ... (Pu C.L.Ruala - Pu Speaker, I also want to make suggestion. Could you please give me few minutes ?) As I have said, unless we intend to make suggestion, supply difficulty may not be mentioned again. Now, Pu C.L.Ruala may speak.

PU C.L.RUALA : Pu Speaker, it seems that supply movement within Mizoram is also not regular. I do not know whether there was mistake but, one Truck load of rice destined for Suangpuilawn was un-loaded and disposed of at Ramhlun Veng. If the Government take stern measures, I think few quintals of rice we have at the moment will reach interior villages where famine is serer.

Regarding supply difficulty, the mover strongly emphasized that no one is particularly responsible for the present state of affairs. But, it may be noted that there is a Ministry who should take responsibility .

The Ministry, whichever political party may form it, should dare take responsibility. The present Ministry also should regard the present difficulty as their responsibility. It is correct that they should inform the House their failure to carry through their responsibilities. Yet, they should regard themselves as being responsible for what is happening in Mizoram. If no one claims to have responsibility for state of affairs in Mizoram, I am afraid that we will remain idle.

PU F. MALSAWMA : Pu Speaker, it will be highly appreciated if the name of the person who unloaded and disposed of supply bound for Suangpuilawn at Ramhlun veng can be furnished in writing or confidentially. That can easily be done. In fact, the Supply officers also know the person. If asked, they will give the name. I think the Ministry should better ask the Department.

PU JOE NGURDAWLA : Pu Speaker, the objective of the motion is not to hush-up the responsibility of the Government. In a critical situation such as the one we have been facing everyone should take up the responsibility towards finding solution to the problem. The mover stated as if no one has responsibility in particular. But, we have a Ministry who dares take responsibility. The Ministry will first take the responsibility and we, on our part, will support them. If no one claims to have responsibility I am afraid that there will be slaveness in the implementation of works.

PU LALTHANZAUVA : Pu Speaker, I support what had been stated by the members and the mover. In Sialsuk for example, a contractor was appointed. But, the rate fixed for carrying-charge was too low that he cannot reach even one quintal of rice, eventhough there was rice in Aizawl Godown at that time. He had in fact withdrawn himself from supply contract-work. It is understood that it will take quite a long time if a fresh tender is to be called for replacement of this contractor. Hence as suggested by the members, I also desire that rate for carrying supply be made more reasonable so as to attract vehicle owners to enter into supply contract work. Otherwise, there will be no time before rainy season starts to reach supply to villages.

We were informed of the hampering of supply movement in W. Bengal. In this case, I feel that Central Government should not allow us to be starved by W. Bengal since we are also Indian citizens. If supply blockade is not called off by W. Bengal, Central Government should be pressurized to have army interfered. If not, the Ministry should request Central Government to allow us to acquire rice from our neighbouring countries such as Burma and Bangladesh. I think this is one way to relieve the people.

Thank you.

PU H.RAMMAWI : Pu Speaker, regarding the allegation of member from Tlungvel Constituency Besides record of speeches being maintained, I think the members remember what I said. I did not say that we have no responsibility. Instead, I said that the present difficulty is not created either by the Ministry or F.C.I. or Railway authorities. As I have said, it is due to North Eastern trouble that there is supply difficulty in Mizoram. I request the members to understand the original cause of the present difficulty.

PU HIPHEI : Pu Speaker, what we are discussing is a matter of great importance. Why it is as necessary to speak out the difficulty which confronted the people is that it is not because of our own created difficulty that there is supply difficulty in Mizoram. It is due to prevalence of troubled-atmosphere in our neighbouring states that Mizoram has supply difficulty. It is therefore, necessary for the Government to know how grave is the situation. Can not time be allotted to us to say more about the difficulty of the people.

SPEAKER : It is unlikely that supply condition will improve merely by speaking much about the difficulty of the people. Even without being mentioned, we know the difficulty of the people and what efforts made by the Government to remove it. We also know the condition of our respective Constituencies and we know that we are in need of rice at present. Hence, to speak of only difficulty is not the best solution to our problem besides, it will take too long a time. Anyway the Minister-in-charge had stated the present supply condition and steps taken by the Government and he also mentioned our rice stock position. Let us therefore, hope that they will continue to make efforts. I think we better now stop the discussion on this subject. (Pu Zairemthanga-Pu Speaker, I want to make few additional statements. Am I permitted to do so)? If you think it is necessary, you may do so.

PU ZAIREMTHANGA : Pu Speaker, regarding the suggestion  
MINISTER to send a message of S.O.S. to Central Government - Mizoram Government have often sent such message to Central Government.

As for opening of Fair Price Shops in Thlawhbawk villages - it may be noted that the Government have certain terms and conditions for opening Fair Price Shop in plain areas and in villages. But, recognising our peculiar difficulty, they used to make concession for Mizoram. However, I want the members to know that there will be many difficulties to have Fair Price Shops opened in every village where there are a number of 50 houses. For instance - in a village where there are 50 households there may not be a single household who could run a Retail Shop. Even if there is a Retailer, there may not be any profit for him to run a Fair Price Shop merely for 50 households. It is therefore, necessary to consider this matter more seriously.



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The members mentioned about some irregularities in supply movement. We are glad to receive such information and the matter also should be pursued. I also want to inform the House that we have been pursuing matters that have not been mentioned in the House. Because of our critical situation, Government is also very strict with supply movement. Stern measures should be taken to check such irregularities mentioned by the members.

As suggested, Government is also aware of the necessity of having talks with Central Government regarding Assam Blockade. We have in fact, hinted the matter in writing though we have not had face to face contact, without Central Government's interference, it may not be possible for us to do anything to stop the Blockade. According to Radio broadcast however, the Governor and Power Minister of W. Bengal have made strenuous efforts to improve the situation there. Perhaps it is because of my wish that I thought and believe that the situation will improve since I heard this broadcast. Anyway, at the moment, we are not in a position to go to Central Government, because of our Budget Session. We will however, go at the earliest convenient. As I have said, we need your co-operation and there may be time when any of the members is asked to accompany us. I therefore, request the members to extend help and co-operation to the Government in our attempt to solve our food problem.

SPEAKER : We will now proceed to Business No.2  
Before we go on, I want to apologise  
for the mistake in the Demand we have  
discussed on 29 which was mentioned by Pu C.L.Ruala.  
Correction had been made and the copy will now be distributed to the members.

Now, our Business No. 2- Second Report of the Committee on Petition will be presented by Pu H.Rammawi.

PU H. RAMMAWI : Pu Speaker, I, the Chairman of the Committee on Petitions, Mizoram Legislative Assembly having been authorised by the Committee to submit its report on its behalf, present the Second Report.

SPEAKER : Now, the copy of the Report may be distributed to members, we will proceed to Business No. 3. We will continue discussion on the Animal Control and Taxation Bill, 1980 which we have partly discussed the other day. We should try to pass the Bill today. There are some amendments to the Bill. As a rule, we will first of all consider the amendments, The Minister-in-charge may propose the first clause for amendment.

PU ZAIREMTHANGA : Pu Speaker, amendment is being  
MINISTER proposed to amend clause 1(3) in which the date of enforcement of this Act is written as - 'It shall come into force at once.' But, there can be inconvenience to fix the date for

its enforcement, it is proposed that the clause be amended as - ' it shall come into force on such dates as the Administrator may, by notification in the Mizoram Gazette, appoint, and different dates may be appointed for different provisions of this Act, or for different areas'. I will be glad if the House pass the clause in the amended form.

SPEAKER : Now we will discuss amendment to clause 1(3). 'It shall come into force at once.' is to be amended as - ' it shall come into force on such dates as the Administrator may, by notification in the Mizoram Gazette, appoint, and different dates may be appointed for different provisions of this Act or for different areas'. The copy will be distributed to the members and discussion will follow. Is there any member who wants to speak in this regard ? If there is no member who wants to speak, we will take vote. Members who want to pass the amendment may raise your right hands and say 'agree'

(Members raised their hands and said 'agree'). If there is no member opposed to passing the amendment, the proposed amendment - ' It shall come into force on such dates as the Administrator may, by notification in the Mizoram Gazette, appoint, and different dates may be appointed for different provisions of this Act, or for different areas' has now been passed.

We shall take up clause 2. The Minister concerned may move the proposed amendment to clause 2.

PU ZAIREM'HANGA : Pu Speaker, the wording of clause MINISTER 2(d) is - 'District means a civil district of the Union Territory of Mizoram'. 'Of Mizoram' be omitted. There is another to be amended. At Clause 2 (f) it is stated that 'Local fund means - any fund under the control of management of a village council and includes fees and fines collected by the village council under this Act.' The wording 'and includes fees and fines collected by the village council under this Act' be amended as - ' or a town Committee, as the case may be.' After amendment, the wording will run- "Local fund" means any fund under the control or management of a village council or a Town Committee, as the case may be."

Sub-clause (h)- "town" means a town declared as such by the Administrator" be amended as - 'town' means a notified area declared under sub-section (4) of section 3 of the Mizo District ( Administration of Town Committee ) Act, 1955 ( Mizo District Act No. 11 of 1955)" and sub-clause (i) - 'Town Committee ' means the Town Committee established under section 4 of the Mizo District ( Administration of Town Committees) Act, 1955 (Mizo District Act No. 11 of 1955)" be added and under which sub-clause (j)- Union Territory" means the Union Territory of Mizoram" be again added which will mean that sub-clause (i) will now be (k). I request the House to accept amendment to clause 2 I moved.

SPEAKER : We all have the copy of a Bill to be amended. It is not therefore, necessary to read it out again. We will now have discussion on the amendment.

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PU C.VULLUAIA : Pu Speaker, I do not understand why it is necessary to omit the word 'Mizoram' at clause 2 - (d).

PU ZAIREMTHANGA : Pu Speaker, as there is a definition  
MINISTER of 'Mizoram' at Union Territory (a), it seems that it is not legally right to define it again as ' Union Territory of Mizoram' at sub-clause (d).

PU JOE NGURDAWLA : Pu Speaker, for the definition of 'Town Committee', Mizo District (Administration of Town Committees) Act, 1955 was rejected. I have no time to study the formation of Town Committee, but, what kind of Committees are covered by this Act ? There can be areas where there is no village council or where it is not convenient to have Town Committee.

PU ZAIREMTHANGA : Pu Speaker, at present, we have not  
MINISTER had Town Committee. ut, we are sure to have such Committée someday. I therefore, believe that the Act is for the time when we have such committee. If the Act is to be enforced however, it may be necessary to make separate provision for Town & areas and villages, for, it may not be possible to enforce the same rule of provisions in Aizawl and Lunglei with that of provisions applicable to villages. Though there is Village Council, Aizawl and Lunglei are Town areas where it may not be convenient to practise the same rule as it practised in village council of the villages. Hence, I think it will be necessary to have wider outlook when rules are framed. As I have said, we have not yet had Town Committee.

SPEAKER : Is there any member who is against the amendment proposed by the Minister? The amendment is - sub-clause (i) (d) - 'Mizoram' is omitted and (f) 'Local fund' has now mean any fund under the control or management of a village council or a Town Committee, as the case may be. In (h) 'town' means a notified area declared under sub-section (4) of section 3 of the Mizo District ( Administration of Town Committee) Act, 1955 ( Mizo District Act No. 11 of 1955) In (i) " Town Committée " means the Town Committee established under section 4 of the Mizo District ( Administration of Town Committees) Act, 1955 (Mizo District Act. No II of 1955). In (j) " Union Territory" means the Union Territory of Mizoram." The Minister proposed amendment to the act from (i) to (j). Those who agree to pass the amendment proposed by the Minister may raise your right hand and say 'agree' ( Member agreed )

The amendment to clause 2 had now been passed.

Now, we will consider clause -3.

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PU ZAIREMTHANGA : Pu Speaker, at clause 3, sub-clause(3)  
MINISTER : should be omitted because at clause 7  
and clause 14 everything regarding  
control of animals in town areas and villages is clearly  
defined. I request the House this amendment I proposed.

SPEAKER : The Minister had stated the reason  
why he proposed amendment to clause  
3(3). Is there any member who disagree  
to this amendment ?

( All the members agreed to the amendment ).

We will consider clause - 4.

PU ZAIREMTHANGA : Pu Speaker, there is no amendment  
MINISTER : proposed to clause -4. I therefore,  
request the House to accept it as it  
stand now.

PU C.L.RUALA : Pu Speaker, at clause 4(c) it is stated  
that cattle, Mithun, Horses and Buffaloes  
shall be controlled in the like manner  
as under clause (b). For other animals, it is stated that  
-any other animal shall be kept in confinement or detention  
As clause 2(b) for example, there is a definition of  
animals which includes Mules, Elephants, Asses, Lambs, Sheep,  
Kids etc. To keep these animals in confinement or detention  
may be a difficult task. As it is going to be difficult to  
control such animals I made suggestion to refer this Bill  
to Select Committee. All the amendments do not include the  
clauses which I considered necessary to amend. I feel  
that it is necessary to consider the Bill more seriously  
Once, the Animal Control Act had been passed in the House.  
But, the Act has remained useless. It is therefore, neces-  
sary to consider the Bill we intend to pass since it also  
concerns taxation besides control. I am afraid that if a  
complicate Bill is passed we shall have difficulty in  
enforcing it.

I appreciate amendments proposed by  
the Minister. It seems that taxation also has to be consi-  
dered besides control. Well-breed cows reared in Durtlang  
for example, will not come out of the Farm enclosure. Hence  
there will not be any taxation. on them. But, Muana living  
in Lengpui for example, has 40 cows and one of the calves  
gone astrayed and grazed at somebody's garden, so Muana  
have to pay or fine. If one of the cows/calves always goes  
astroy and could not be found, Muana is going to be fined  
off and on. Considering this case, it seems that the rich  
and well-to-do households are less to be checked. A sow/  
female pig can have about 10 puppies at a time. If one has  
6 sows, he/she is expected to have 60 pigs in a year.  
Female pigs usually have puppies twice in a year. If a  
tax of Rs 50/- is levied for each pig, it will mean that the  
owner of 60 pigs will have to pay a tax of Rs 300/-. Such  
being the condition, I still want the matter to refer to  
Select Committee though it is not that I do not appreciate  
amendments proposed. I feel that wider publication should  
be made to the public before amendment is made to that  
they may be able to make decision as to how many pigs and

the like they will keep before the Act is being enforced. For example - Thanga, who has two cows may like to sell one of the cows because of the fine or tax he has to pay while at the same time, the other persons may like to keep more cows or pigs. The public require time to consult with each other as to what occupations such as cattle farming, jhumming or piggery they will take up. It is therefore, necessary to consider the Bill in wider aspects as it is an important Bill which we want to put in force.

We were having discussion on clause 3- where there is a definition of 'cattle'. In this definition, some animals such as Elephant, Pony, Mule etc. are not include. But, these are also animals kept domestically. What is to be done with them ?. Are they to be kept in confinement all the time ?

PU LALHMINGTHANGA : Pu Speaker, what had been stated by the member was truly important. But,

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regarding confinement at No. 4(b)

it is stated that - 'every owner of goats may allow his goats to graze subject to keeping them under the watch of a keeper.' Hence 'confinement' here does not mean confinement at all times as grazing is permitted under confinement. At (d), it is stated that any other animal shall be kept in confinement or detention. 'animal' here includes Elephant, Mare Geldings and Asses. As regards grazing- at No.4(c) it is stated that - 'they shall be controlled in the like manner as under clause (b) which will mean that clause (b) - 'graze to subject to keeping them under the watch of a keeper' covers them. Animals mentioned by the member are not therefore, subject to confinement at all time.

Taxation is also an important matter that has to be considered seriously. But, to refer the matter to Select Committee, I feel that there is no better Committee than that of the House to take up the matter as it is the committee where all the representatives of the people are present. Even if the matter is referred to other Committees, there is no better committee than that of the House where the voice of the people is represented better. I mention this simply because I want the members to look far beyond what the member suggested.

PU F.MALSAMMA : Pu Speaker, what was stated by the member from Tlungvel Constituency was correct. However, it will not

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be long to keep them in confinement as there is a provision at chapter 3 clause (3) which states that 'no seized animals shall be allowed to starve. The Village Council shall feed and water them properly'. Below this - (Pu C.L.Ruala Pu Speaker, No. 3 here of course, refers to animals but this does not refer to animals). Well, may be you are right.

PU LALTHANZAUVA : Pu Speaker, what we are discussing is a matter of great importance. As stated, we all admit the necessity of controlling animals. But if this Bill is passed and put to force, there can be complications, due to which, it is necessary to give more thought to it before it is put to force.

If proper allocation of grazing land is not made in each village, there may be difficulty as there are animals such as Mithun that can't be let loose among other animals. Even if the Bill is passed, it will not be possible to put it to force unless the villagers are given time to select grazing land in their respective villages and to do the fencing. Is it not therefore, possible to include allocation of grazing land in the amendments? If not included, I think many difficulties will arise when the Act is put to force.

PU JOE NGURDANLA : Pu Speaker, one of the members suggested to have the matter referred to Select Committee. I appreciate his view-point. But, since it has not been referred, I think we better note down in a slip what are important and give the slips to the Minister-in-charge whereas we will continue consideration of the amendments clause by clause.

The member stated that Animal Control Act had been passed at one time in the House. But, that was not Animal Control Act similar to the one we are discussing. Rules for this Act was framed in 1973 but, it was considered late in 1975 in the Subordinate Committee. As recommended by this Committee, Animal Control Act is being presented now. It is understood that this will not be complete in every respect. But, only what we think important be mentioned or noted-down and be given to the Minister concerned for his scrutiny. If necessary, there can be amendments besides what already proposed.

PU SAINGHAKA : Pu Speaker, clause No.4 implies Control of Animals. If we carefully study the amendments, we may realize that the Act is not clear enough. It seems that there is intention to treat animals kept in villages and towns differently. The hon'ble Finance Minister said that clause 4 - 'control of animals such as goats covers control of other animals that are to be kept in confinement or detention. But, I feel that this does not include animals grouped under 'other animals'. Why cannot we make clear the specific names of other animals besides cattle Mithuns, Horses and buffaloes?

PU ZAIREMTHANGA : Pu Speaker, it is understood that the Bill will not be put to force tomorrow even if it is passed today. Unless rules are framed it is difficult to know what kind of instructions will be given to the public. Hence, we will pass the Bill as amended and give the public one month or even a year if necessary, for preparation. To give the public proper instruction, it is first necessary to pass the Bill. The members suggested to refer the matter to Select Committee, which may be the right thing to do. But, as already stated by the Finance Minister, if the matter is referred to Select Committee, it will mean that only 4/5 members will consider it. Even if the matter is left for consideration of Select Committee, we should still consider the amendments as already introduced. If necessary, other amendments, besides we have proposed, may also be proposed. If the House accept such proposal, if there is any, it will be taken for consideration. As regards confinement or detention what had been stated by PU C.L.Ruala was correct. It



is a fact that there are still many other animals besides cattle, Mithuns, Horses and Buffaloes. At clause 4(b) it is stated that these animals are subject to graze under the watch of a keeper. If we study clarification of 'if in confinement' and 'if in detention', we will know that these animals, though may be a little different from the rest of animals, can be let loose with long string attached to them. However, if the members suggest to give these animals more freedom, their suggestion can be taken into consideration.

SPEAKER : Since the amendment is proposed clause by clause, the members can propose other amendments in connection with this. Their amendments can be taken into consideration. But to have the matter referred to Select Committee, we are no more in a stage to refer it to this committee. Suggestion can be made when the Bill was introduced the other day. At Present, we are in the passing stage.

PU NGURCHHINA : Pu Speaker, as stated, 'other animals' is not clearly defined. What I want to say is about fowl. Fowls can be very troublesome in towns. (Speaker :- We are discussing about animals. Are fowls included in the family of animal?) I don't think they are in the family of animals. But, they are still very troublesome.

PU SAINGHAKA : Pu Speaker, as stated by the hon'ble Minister, clause 4(b)(1) defines grazing of animal like goats whereas clause 4(11) explains as to how they are to be tended at night. It seems that 'to keep in confinement' and 'to keep in detention' applies to the condition under which they are to be kept at night time. I think the Department should be made responsible for making clear the specific names of 'other animals'.

PU LALMINGTHANGA : Pu Speaker, as partly suggested by MINISTER the member, clause 4(c) - 'in the like manner as under clause (b)' be added at the end of 'other animal' so that the meaning may be more clear. As suggested by Pu Ngurchhina, I also feel that fowls should be included in the 'animal'. Should not fowls be included in the definition of 'animal' at clause 2 (d)?

PI K. THANSIAMI : Pu Speaker, I also feel that fowls should be included since the Animal Husbandry also regards them as animal. If not, should they be classified under the family of birds? I think we all are aware how troublesome the fowls can be.

PU JOE NGURDAMIA : Pu Speaker, if fowls are to be included, many amendments will have to be made. For instance - Rs 5/- may be annual taxation fee for one fowl. If we include them now, plenty of time may be taken for consideration. Is it not better to drop this suggestion for the present?

SPEAKER : I think it will be troublesome to have fowls included now, for, there may be others who keep monkey and the like.

PU NGURCHHINA : Pu Speaker, it will not be troublesome. If one has poultry farm, he will pay annual taxation fee not on the basis of the number of fowls he keeps. This will not confuse other amendments.

PU ELLIS SAIDENGA : Pu Speaker, we have taken much time for consideration of the amendment Bill. Though important, let us, for the time being, drop suggestion made for inclusion of fowls, and proceed on. If necessary, we can always make amendment even 10 times.

SPEAKER : No final decision has been made on the amendments proposed. To give the members time to study the amendments, the Bill is considered clause by clause. We will first of all pass the Bill as introduced by the Minister concerned and amendment may be made later on that is, if necessary we have had discussion on clause 4. It seems there is nothing to be said of clause 5. At chapter 3, there is heading which has to be amended.

PU LALHMINGTHANGA : Pu Speaker, we have not passed clause  
MINISTER no 425. It was merely clause by clause discussion. Even if there is no amendment, there has to be clause by clause discussion which we should pass. Clause in which there is no amendment to be made should also be passed.

SPEAKER : Well, we have had discussion on clause no. 4. Members who agree to pass this may raise your right hand.

(Members raised their hands). If there is no member who disagree to pass, clause 4 had now been passed. Regarding clause 5 as there is no amendment, the Minister also can not move it. But, we can have discussion. Is there any member who wants to speak in this regard?

PU P.B.ROSANGA : Pu Speaker, should not clause 5 also  
MINISTER be passed even if there is no amendment?

SPEAKER : Before it is passed, members who wish to speak in this regard may do so.

PU J.H.ROTHUAMA : Pu Speaker, at clause 5, it is stated that 'animals shall be kept in such a clean and sanitary condition as may be prescribed by rules so that they may not cause a public nuisance'. But as there can be persons who keep animals in such a condition as violating the rules, will it not

be necessary to make rule for punishment of such persons? May be I did not study the provisions carefully, but I found that there is no provision made for punishment of persons who violate rules for keeping animals.

SPEAKER : If there is no other member who wish to speak in this regard, we will do voting on clause 5 which we have discussed. The wording of clause 5 is 'Animals shall be kept in such a clean and sanitary condition as may be prescribed by rules so that they may not cause a public nuisance.'

PU ZAIREMTHANGA : Pu Speaker, at clause 26(2) it is stated  
MINISTER that 'any person who keep animal in contravention of provision of this Act, shall on conviction be punished with fine which may extend to fifty rupees'. Hence, this provision may cover what the member suggested )

PU JOE NGURDAWLA : Pu Speaker, I have a new idea when I read the provision. I feel that 'inconveniences' should be added to the provision of clause 5. I think 'inconveniences' serves better the purpose instead of 'nuisance'.

SPEAKER : I think 'Public nuisance' covers 'inconveniences'.

PU ZAIREMTHANGA : Pu Speaker, there is separate provision  
MINISTER for penalty of animal causing inconveniences such as by grazing in other persons' garden. Hence, I don't think the provision of clause- 5 includes this. Clause- 5 merely states the conditions in which animals are to be kept.

PU F.MALSAWMA : Pu Speaker, as stated earlier, we may  
MINISTER have new ideas in the course of our discussion. But, there are other business to be taken up today, will it not be better to first pass the Bill as introduced? If necessary, we can always make amendment later on.

PU JOE NGURDAWLA : Pu Speaker, why it is so difficult to add 'inconveniences'? Please ask the members whether they want to add this or not. If they do not want, we can pass the Bill as introduced.

PU C.VULLUJALA : Pu Speaker, the meaning 'inconveniences' and 'nuisance' convey may be different in legal term. If 'inconveniences' is added to the provision of clause 5, I want the Minister concerned and other legal experts to ascertain whether this wording has different meaning in legal term, for, I am afraid if half-correct wording is used in the amendments.

PU ZAIREMTHANGA : Pu Speaker, it is stated that "nuisance"  
MINISTER implies that one should not cause inconveniences to others.

PU JOE NGURDAWLA : PU Speaker, whatever be the word 'nuisance' may imply, I do not mind to drop my suggestion to add 'inconveniences'. But, we should remember that the more detail the Bill contains the easier to practise.

SPEAKER : Member who want to pass clause 5 as it stands - 'Animals shall be kept in such a clean and sanitary conditions as may be prescribed by rules so that they may not cause a public nuisance' may raise your hand.

( Members raised their hands ).

well, clause 5 has now been passed.

We will now have noon break and the sitting will be resumed at 2 P.M.

Recess till 2 P.M.

AFTERNOON SITTING

2:00 P.M.

SPEAKER : Now, we shall take up our next business. The Mizoram Animal (Control and Taxation) Bill, 1980 was passed in the morning Session.

We will call upon the Minister concerned to move the proposed amendments.

PU ZAIREMTHANGA : Pu Speaker, at chapter III there is a heading - 'Procedure for seizure of animals in areas where there are no pounds'. 'Where there are no pounds' should be amended as 'other than town'.

It is stated at clause 6 that 'the provisions of this chapter shall apply only to villages for which no pounds are established'. This should be amended as - 'The provisions of this chapter shall apply only to areas other than town.' I request the House to accept amendments I proposed at clause 6 and chapter III.

SPEAKER : Is there any member who wish to speak in regard to clause 6 and chapter III or any member who have better suggestion to propose ?

PU JOE NGURDAWLA : Pu Speaker, cannot we also discuss clause 7 along with the proposed amendments ?

SPEAKER : Clause 7 have not been taken up. Is there any member who wish to speak regarding clause -6? If there is no member to speak, those who agree to pass the amendment as proposed may raise your hand.

(Members raised their hands )

The heading at chapter III - 'A procedure for seizure of animals in areas other than towns' and clause 6 as amended - The provisions of this chapter shall apply only to areas other than towns have now been passed.

We shall take up clause 7.

PU ZAIREMTHANGA : Pu Speaker, there are many amendments to propose at clause 7. The last three lines of sub clause 1 - 'tie them or cause them to be tied and to report the matter to the village council concerned' be amended as 'take it to the President, Vice President, any member or Secretary of the village Council concerned who shall cause such animal to be tied at such place or enclosure as may be set apart for the purpose by the village council.'

The last line of clause 3 'reported to +ut be amended as 'brought under sub-section (1)'. Sub-clause 4 - 'when seizure of animals is reported under' be amended as 'when any animal is brought under'. Without amending sub-clause 4(a) 'if possible' at 4(b) be arased and 'seized' be replaced by 'broughts'. At sub-clause (c) 'and residence of the seizure' be added after 'the name'. At (d) 'and residence of the owner, if known' be added after 'the name'. The third line from first at sub-clause 5' be amended as 'the time when the animals were brought under sub-section (1).' I request the House to pass the amendments as I proposed.

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SPEAKER : Is there any member who wish to speak regarding clause 7(1) or as its amendment form?

PU C.VULLUAIA : Pu Speaker, I would like to know why all the V/C members except village crier are detailed to tend to animals seized, for, with a monthly salary of only Rs. 25/- the V/C authorities concerned may not like to trouble themselves with such animals. As for the President or Secretary - they themselves can expect to be troubled at any time if duty calls. But, to detail all the members concerned may not be wise. To detail all the members concerned has no apparent reason, will it not be better to detail only President or Secretary ?

PU ZAIREMTHANGA : Pu Speaker, it is believed to be better to entrust V/C to keep animal seized instead of leaving the animal in the care of the person who seize it. As entrusting only President or Secretary we have not thought about it.

PU C.VULLUAIA : Pu-Speaker, it may be proper to make written provision in the Law Book for assignment of V/C members to tend to animals seized. Practically however, it will be quite troublesome to entrust all the members, for, every member will have to keep separate Register. Besides this, all the members may not have place or shed to keep the animals or some of them may not have anyone to help them gather fodder for the animals. If President/Secretary is entrusted specifically, he can always detail someone else to do the work even if he himself is in-capable of doing it. However, I do not insist on passing my suggestion. I simply made this suggestion as I feel it is too comprehensive to detail every V/C member to tend animals seized.

\* PU-J.H.ROTHUAMA : Pu Speaker, the clause we discuss is truly important. As stated by the member, I also understand the difficulty involved in having seized animals taken to V/C members. Animals are of different kinds as are the owners. Some animals are let loose in the jungle by the owners since they are born. Such animals are usually difficult to seize. We once seized such animal under the Presidentship of our present Deputy Speaker. Sometimes 2/3 persons have to carry the animal at a distance of 2/3 furlongs. It is quite tiresome to carry big animal at such long distance specially if the animal is not well tamed. I think we can imagine how troublesome and difficult it will be for only one person to seize and take such animal to the V/C authorities.

There are also animals that have to be chased a long distance to catch them. Some animals are in fact, so wild that it is not possible to seize them though they may be nuisance even to the owner. As there are many such complicated cases, I feel that we may have lots of trouble to take every sized animal to V/C authorities.

SPEAKER : There are now two opinions regarding the clause we are discussing. Pu C.Vulluaia made suggestion. Is there any member who wish to make other suggestions ? If there is no member to speak, we will take vote. Members who agree to pass the amendment as proposed by the

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Minister concerned may raise your hands.

(Members raised their hands. It is agreed to pass the amendment as proposed.)

There is one thing I want to inform the House. It is learnt that the President of Vietnam expired.

There is no amendment proposed at clause 7(2). But, as our discussion is to be clause by clause, members may like to state certain things in regard to this. So, we will call upon any member who wish to speak.

\*PU JOE NGURDAWLA : Pu Speaker, I feel that clause 7(2) has to be amended. In this clause it is stated that 'in the course of being chased by the owner of the land or property with a view to seizing it or causing it to be seized'. If the animal while being chased meets with an accident or gets hurts by falling on the ground or into a ditch or precipice or in some other manner even to the extent of death as a result therefrom, the owner of the land or property shall not be liable to pay damages to the owner of such animal. Here, the animal chased can be a cow for example. Even if the cow died while being chased, the owner cannot say anything against the persons who seize/chase it. I feel that we should be careful in this regard. Though nuisance when a cow tramples on the garden or property, but, the owners of land or property are not altogether right. Hence, it may not be wise to provide them with full power over the animals. I therefore, desire that 'in some other manner even to the extent of death as a result therefrom' be omitted.

\* PU NGURCHHINA : Pu Speaker, as proposed by the member 'in some other manner' be omitted and the sentence be joined with -'even to the extent of death'. Otherwise, there can be an intentional chasing (i.e. to have the animal killed) of animal on the pretext of this provision.

\* PU LALHMINGTHANG : Pu Speaker, if we study the provision from the other angle, it does not show any wrong motive. If the purpose of chasing the animal is to have it killed, it will be different context. Here the purpose is to have the animal tied or controlled. I therefore, found no reason why the clause will not have good intention.

PU C.VULLUAIA : Pu Speaker, it is the way the person intends to catch/seize the animal. For example - one person tries to seize or catch the animal with electric wire and the animal was caught and died. To all purpose and intends, the person does seem to catch/seize the animal.. But, from other's point of view, this may not be so. Hence, it is necessary to delete 'or in some manner'. If this clause is deleted, it will be clearly understood that the animal died accidentally while being chased.

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\* Speech not corrected

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PU B. LALCHUNGUNGA : Pu Speaker, as stated, the clause we discuss is truly important. I think it is necessary to make clear-cut provision for this clause. May be the person who chased the animal have no intention to cause death or accident on the animal he chased. But, human beings have turned so bad that this provision without deleting 'or in some other manner' can be an excuse for anyone to do mischief. For example - the person who chased the animal today may still like to continue the chase tomorrow. It may not be fair enough to let the owner of the animal suffer even when the accident takes place outside the land of the person who chased. If the animal meets accident or dies while being chased within the land of the person who chase, the wording of this provision needs not be amended. But, I think it will be better if the extent of land/property is clearly defined.

\* PU F. MALSAWMA MINISTER : Pu Speaker, the provision in this clause may be a little mis-leading. But, it is clearly defined in the above clause. If we are afraid of mis-interpreting the provision, I don't mind to make amendment and I also don't mind if no amendment is made.

\* PU JOE NGURDAWLA : Pu Speaker, as proposed by the member, the provision will be clear enough if 'in some other manner' is deleted. This may not be the best thing to make too a liberal or comprehensive provision before the rule is put to force or before we experience the merits and demerits of the laws we make.

SPEAKER :. Many opinions have cropped up now. What shall we do? Some members propose deleting 'in some other manner even to the extent of death'.

PU H. RAMLAWI : Pu Speaker, our criticism is mostly concentrated on the wording 'in some other manner'. If there is no definition for this clause, we feel that it may be mis-interpreted. Anyway, I think it would be desirable to hear the views of the Minister in-charge.

PU ZAIREMTHUNGA MINISTER : Pu Speaker, the reason for inserting this clause appears to be to meet the exigency when an animal got hurt in course of chasing but not necessarily when it falls on a precipice. Cutting with a dao or inflicting injury to an animal in any other way will not come under the clause. However, I do not dispute the possibility that an animal can be injured intentionally in the course of attempting to seize it, because there are many who are bent on doing mischief. If it is desired that the clause should be deleted in order to safeguard the animal, I have no objection although the intention is not to legalise inflicting injury to an animal in the course of seizure.



SPEAKER : Many of the members are of the opinion that the clause might mean and include inflicting injury through traps etc. and it appears they are in favour of removing the same. Since the Minister concerned says that he has no objection to delete the clause, do you agree to pass clause 7(2) after deleting this clause?

PI K.THANSIAMI : Pu Speaker, before passing clause 7(2), I would like to raise one more point. The law, if passed, will require keeping of the animals under confinement and we have discussed about the penalty for strayed animals. The question arises when an animal is run-over by vehicle on the street or on the road. In such a case, there can be a dispute between the driver and the owner of the animal. Will it be possible to make provision for such cases?

PU ZAIREMTHANGA : Pu Speaker, such strayed animals are liable to be seized and they should be seized.  
MINISTER

PI K.THANSIAMI : Pu Speaker, motor drivers do not run-over animals intentionally and such accident occurs due to the fault of the animals.

PU ZAIREMTHANGA : Pu Speaker, when all the animals are controlled, there will be none to run-over.  
MINISTER

SPEAKER : He says that before an animal could be run-over, the inhabitants would have a chance to seize it. Therefore, do you agree to delete 'in some other manner' and pass it? (Members keep silent) Those who agree may raise their hands (Members raised their hands) No one is opposing it.

PU NGURCHHINA : Pu Speaker, let it go like that. In this connection, I want to include one thing before coming to sub-clause 3. Now, an animal trespassed into a garden because of the failure on the part of the owner to look after the garden properly. He chased the animal but he could not catch it. The propose Law does not include any provision for dealing with such animal. There can be cases where the animal whose owner is known but which cannot be caught. I feel that there should be some provision for dealing with such cases. The animal trespassed into my garden, I try to seize it, but I cannot do it; I know its owner, I feel that we should make some provision here how we should deal with such animals.

PU F.MALSAWMA : Pu Speaker, I think the matter has been taken care of under section 23(1) and (2).  
MINISTER

SPEAKER :. If that is so, is there any necessity of making a provision? Is Pu Ngurchhina satisfied with it? ( Pu Ngurchhina - yes ) If that is so, clause 7(2) is passed as follows - " If any animal trespassing upon land

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or property or causing damage thereto under Sub-section (1) in the course of being chased by the owner of the land or property with a view to seizing it or causing it to be seized, meets with an accident or gets hurt by falling on the ground or into a ditch or precipice or even to the extent of death as a result therefrom, the owner of the land or property shall not be liable to pay damage to the owner of such animal" .

Now, we shall call upon the Minister-in-charge to move the proposed amendment on sub-clause 3 which is "every village council shall keep register for the animal seized and reported to them". (Pu Zairemthanga, Minister - Pu Speaker, I have already moved it).

He has already moved it. Do you have anything to say on this? (Members are keeping silent) Can it be passed? (Members keep silent). Now it had been passed as follows - 'Every village council should keep register for the animal seized and brought under sub-section 1'. Now we shall take up sub-section 4. Do you have anything to say on this? (Members keep silent). Do you all agree (Members: Yes.) All right, the clause "when animal is brought under sub-section (1) the village council shall cause to be entered in a register -

- (a) the number and description of the animals;
- (b) the day and hour on and at which they were brought;
- (c) the name and residence of the seizer; and
- (d) the name and residence of the owner, if known;

and shall cause to be given to the seizer or his agent a copy of the entry," is passed. Do you have anything to say on sub-clause 5? (Members keep silent). Do you all agree? (Members: Yes) Therefore, sub-clause 5 has been passed as follows 'When seizure of animal takes place under this section the village council shall, within twenty-four hours of the time when the animals were brought under sub-section (1) through a village (crier announce, such seizure to the people of the village locality)".

Amendment on clause 7 is also passed as proposed.

We shall take up clause No. 8. We will call upon the Minister in-charge to move the proposed amendment.

PU ZAIREMTHANGA : Pu Speaker, in clause No. 8, a marginal  
MINISTER heading 'seizer' is first to be amended. Sub-clause 1 of clause 8 'the seizer of the animals' should be amended as 'the village council shall feed and water them properly' and sub-clause 2 'and pay to the seizer of the animals' should be deleted.

SPEAKER : Do you have any amendment to propose or to say anything in this regard.?

\* PU F. MALSAWMA : Pu Speaker, it is stated that 'no  
MINISTER seized animal shall be allowed to starve'. But, what shall they do if the owner of the animal charges them for not properly feeding his animal .

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\* Speech not corrected

PU ZAIREMTHANGA : Pu Speaker, in that case, the owner and  
MINISTER the feeder of the animal will have to  
argue since the animal will not be able  
to relate how he was treated.

SPEAKER : Do you all agree to pass the amendment proposed  
in clause 8 ? (Members said 'agree').

Now, we shall take up clause No. 9.

PU ZAIREMTHANGA : Pu Speaker, I propose that one line be  
MINISTER added to the provision of clause 9(1).  
The words 'feeding charges under sub-  
section (2) of section 8' be added after the wording "if  
the owner of the seized animal or his agent appears and  
claims the animal, the village council shall deliver them to  
him on payment of". And, "feeding charges under sub-section  
(2) of section 8" be joined by "such fines at such rates as  
the Government may, from time to time, by rules, prescribe  
for each kind of animals." However, sub-clause (2) will  
remain as it is, that means, I have no amendment proposed  
in sub-clause (2).

SPEAKER : Do you have anything to say here ? (Members  
keep silent) All right, clause 9 (1) is passed.  
Now, we shall take up clause No. 10.

PU ZAIREMTHANGA : Pu Speaker, the provision of clause 10  
MINISTER is that "if the owner of the seized  
animal do not claim it within 3 days "  
sub-clause (1) needs not to be amended. But sub-clause (2)  
"if within the period specified in sub-section(1), the owner  
or his agent claims the animal but refuses or fails to pay  
the feeding charges and the fines chargeable under section  
9, the village council shall cause the animal or as many  
of them as may be necessary to be sold by public auction"  
be inserted in sub-section(1). In 'provided that if any  
such animals are in the opinion of the village council not  
likely to fetch a fair price if sold as aforesaid' we will  
delete 'as aforesaid' and replace it with 'in auction under  
sub-section(1) or sub-section (2)' and this will be joined by  
this wording- 'they may be disposed of in such manner as the  
village council thinks fit'. Sub-clause (2) will then  
become sub-clause (3), 'or any member or Secretary thereof  
or any other person in the employment of the village council'  
be added after 'the village council', and this will be  
joined by 'shall not directly or indirectly purchase any  
animal sold under this section'. After being amended, sub-  
clause (4) will become sub-clause (3).

SPEAKER : Is there any member who wish to speak or make  
suggestion in this regard ?

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\* PU NGURCHHINA : Pu Speaker, if the animal seized belongs to other village, the village crier may not know where to make announcement as some persons have garden/land outside their V/C jurisdiction where animals are likely to graze. Will not 3 days too short for claiming animal if it belongs to a person living in other/nearby village? Should not there be concession in such cases?

\* PU JOE NGURDAWLA : Pu Speaker, it is stated that the animal seized should be claimed within 3 days. But, if the owner belongs to other village, the village crier may not make announcement in that village. Unless it is announced by the village crier, the owner may not know his animal was seized even to make a claim. Hence, as stated by the member, 3 days may be too short a period for owner of the animal who lives in other/nearby village. The Minister concerned may clarify this point and that should be done.

PU ZAIREMTHANGA : Pu Speaker, actually we have thought  
MINISTER of only a particular village. But when the members pointed out the possibility of having seized animals belonging to other village, it is quite likely that such case will crop up. For town areas where a village crier cannot be employed, more than 3 days is fixed for claiming the animal seized. But, I think 3 days will be too short if announcement has to be made in 2/3 villages.

PU C.VULLUAIA : Pu Speaker, it is likely that such cases will crop up. The father, head of the family goes to jhum and spends many nights to tend to paddy and only his daughters were at home, it is likely that the daughters will not be able to tend their animals. Let us therefore, fix 7 days for claiming the animal seized. If the owner fails to claim within this period, it will not be wrong to put the animal for auction.

PU ZAIREMTHANGA : Pu Speaker, will not 5 days enough?  
MINISTER

\* PI K.THANSIAMI : Pu Speaker, I think 5 days is enough, for, I believe we should also consider the one who has to do the feeding. It may be quite troublesome for him to feed the animal for so many days.

PU JOE NGURDAWLA : Pu Speaker, but the owner is going to pay feeding charges. It is only on payment of feeding charges that he is allowed to claim the animal. I do not know how many number of days should be fixed, but I think we should have liberal view on this matter.

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\* Speech not corrected.

SPEAKER : There are two proposals. Pu C.Vulluaia proposed 7 days for claiming the animal seized whereas 5 days is also proposed. The first proposal is 3 days which the members regarded as too short. Do you all agree to pass the proposal for 7 days without altering another? (Members said 'agree').

If so, we will take up chapter IV.

PU ZAIEMTHANGA : Pu Speaker, in chapter IV, the heading-  
MINISTER "Procedure for seizure of animals in areas where there are animal pounds" be amended as "Procedure for seizure of animals in town". In clause II, all other, except "the provision of this chapter shall apply only to towns" be deleted.

SPEAKER : Do you agree to pass the amendment as proposed by the Minister concerned?  
(Members said 'agree' )

PU ZAIEMTHANGA : Pu Speaker, clause 13 'Duties of pound -  
MINISTER keepers' may remain as introduced.

SPEAKER : Do you agree to pass clause 13 as it was introduced? (Members said 'agree').

We shall take up clause 14.

PU ZAIEMTHANGA : Pu Speaker, there are many proposed  
MINISTER amendments for clause 14 'impounding animals'. It is stated that "It shall be lawful for any person who is the owner of any land or property private or public to seize and take to any pound established in the village or town". Instead of 'village or town' the wording - 'town in which his land or property is situated for confinement therein any animal trespassing upon such land or property or causing damage thereto' be inserted.

After this, separate sub-clause (2) be made and insert sub-clause (2) "if any animal trespassing upon land or property or causing damage thereto under sub-section (1) in the course of being chased by the owner of the land or property with a view to seizing it or causing it to be seized meets with an accident or gets hurt by falling on the ground or into a ditch or precipice or in some other manner even to the extent of death as a result therefrom, the owner of the land or property shall not be liable to pay damage to the owner of such animal". After this, sub-clause (2) will become sub-clause (3). May we have included the clause the members want to delete.

\* Speech not corrected

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\* PU JOE NGURDAWLA : Pu Speaker, as stated by the Hon'ble Minister, let us delete the portion we do not want to include which is 'or in some other manner'.

SPEAKER : Do you agree to pass the amendment as proposed by the Minister and the member? (Member said 'agree')

Now, we will proceed to clause 15.

PU ZAIEMTHANGA : Pu Speaker, there is no amendment proposed  
MINISTER in clause 15. It may be passed as it is.

SPEAKER : Do you agree to pass clause 15 as it is?  
(Members said 'agree').

We shall take up clause 16.

PU ZAIEMTHANGA : Pu Speaker, in the last line of clause  
MINISTER 16 (1), there is "different scales be prescribed for different areas". Here, 'different areas' be amended as 'different town'. In sub-clause 2, 'forfeited to the Government' be amended as 'forfeited to the Town Committee'. The rest of the wording in this clause may remain as they are.

SPEAKER : Do you have anything to say in this regard?  
(Members keep silent). Do you agree to pass it?  
(Members said 'agree')

Let us proceed to clause 17.

PU ZAIEMTHANGA : Pu Speaker, I move clause 17 (1)  
MINISTER without any proposed amendment. Sub-clause (2) "if within a period" be amended as "if within the period". Sub-clause (3) may remain as it is. Sub-clause (4) be amended as "the Town Committee or any member thereof or any person in the employment of the Town Committee including the pound-keeper, or any Police Officer or other Officers shall not directly or indirectly purchase any animal at a sale under this Act".

SPEAKER : Is there any member who wish to speak or propose amendment in clause 17?  
(Members keep silent) Should we then pass it?  
(Members said 'yes').

Now clause 18.

PU ZAIEMTHANGA : Pu Speaker, I introduce clause 18(1)  
MINISTER and (2) without any amendment.

\* Speech not corrected

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SPEAKER : Do you have anything to say in this ? (Members keep silent) Do you agree to pass it ? (Members said 'agree').

Now, we will proceed to chapter V

PU ZAIRATHAAGA : Pu Speaker, there are many amendments to propose in chapter V. Clause 19 'there shall be .....' be made into sub-clause (1). The last line at sub-clause (1) - "a tax on animals from" be amended as 'from the owner. Next to this, a paragraph be added as "provided that nothing in this chapter shall apply to any animals owned by -

- (a) the central Government
- (b) the Government of the Union Territory
- (c) the North Eastern Council constituted under section 3 of the North Eastern Council Act, 1971 (Central Act 84 of 1971).
- (d) a corporation owned or controlled by the Central Government or the Government of the Union Territory;
- (e) a Town Committee; or
- (f) a village Council.

"The animal tax levied under sub-section (1) shall, at the option of the owner of the animals, be paid annually in one instalment or half yearly instalments within such time as may be prescribed" will become sub-clause (2).

\* PU NGURCHINA : Pu Speaker, I would be glad if the Minister in-charge clarify why we want to exempt Central Government, and the Government of Union Territory.

SPLAKER : Before the Minister makes clarification please check whether the members received the full copy of this amendment. Have you anything to say in this regard.?

\* PU C.L.RUALA : Pu Speaker, at page 13 of the Act Schedule, there is a list of animals for which tax has to be paid. Though it is a trifle matter, there seems to be but animals that are e-xempted. For example - it seems that Pony, elephant etc. are not to be taxed. If we study the provisions of law we are making, we may see that no tax is levied on dog though it is one of the most common animal kept in Mizoram. Dog, as we know, can be harmful if it bites human beings besides being an animal which strays at whatever places it likes. What should be done in the case of dogs ? Should not we check the list of animals to be taxed.?

\* Speech not corrected

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PU ZAIREMTHANGA : Pu Speaker, it will be easier to make  
MINISTER law if we have discussion on animals  
that should be taxed with the rate to  
be levied on each animal. What Pu C.L.Ruala said was truly  
important.

SPEAKER : Have you anything more to say regarding the  
proposed amendment ?

\* PU NGURCALINA : Pu Speaker will the law we make cover  
cows belonging to the Government or  
corporation but which have gone strayed  
or impounded ?

PU ZAIREMTHANGA : Pu Speaker, why should not they be  
MINISTER included if they are seized ? They  
are however, exempted from tax. If  
such animals are seized, the owner have to abide by the  
law as any other individual. Except in taxes, there is no  
concession for Government or Corporation if such animal are  
seized.

\* PU C.L.RUALA : Pu Speaker, regarding taxes it may be noted  
that Security Forces are keeping many pigs.  
Some of them are not in fact, kept in  
confinement. As noted, Security Forces, are not included in  
the list of body to be exempted. Should they be included in  
the Central Government ?

SPEAKER : Do you agree to pass this amendment as  
proposed ? (Members said 'agree')  
We will take up clause 20.

PU ZAIREMTHANGA : Pu Speaker, there are some amendments  
MINISTER to propose in clause 20. A marginal  
taxes' be amended as head - 'Village Council to collect animal  
collection of animal tax'. Sub-clause  
(1) 'animal tax shall be collected by the' be lined with  
'Town Committee in towns and by the Village Council in other  
areas in accordance with the provisions of this chapter'.  
Sub-clause (2) will not be amended. " fifty percent of the  
animal tax collected under this chapter shall be credited  
to the local fund and the balance of fifty percent shall be  
credited to the consolidated Fund of the Union Territory"  
be inserted in sub-clause (3).

SPEAKER : Have you anything to say here ?

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\* Speech not corrected

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\* PU JOE NGURDAWLA : Pu Speaker, the amendments proposed by the Minister was to be for chapter III. Fifty percent is to be credited to the local fund whereas another fifty percent is for consolidated fund of the Union Territory. Will there be explanation for 'local fund' in the Rule and who are to use local fund ?

PU C.VULLUAIA : Pu Speaker, in clause 10(3) of chapter III, it is stated that 'the sale proceeds thereof shall be deposited into the local fund.' The other half i.e. fifty percent is to be credited to the consolidated fund. Hence, it will be necessary to clarify/explain 'local fund'.

PU ZAIREMTHANGA : Pu Speaker, what we found in chapter  
MINISTER III is 'sale proceed. But, the one we are talking about is tax. I think you now know the difference. 'Local Fund' means Village Council Fund in villages and Town Committee Fund in towns. I think there is a definition of 'local fund' somewhere in the Law Book. The fund is named 'local fund' because of our presumption that Town, Village Council and Committee will be later constituted separately; hence, it may not be convenient to name it 'village Council fund'.

SPEAKER : Do you agree to pass this ?

\* PU C.L.RUALA : Pu Speaker, if 'local fund' is under the control of only village council, could this mean that Town Committee has no separate fund ?

SPEAKER : Do you agree to pass clause 20 with the amendments proposed ? (Members said 'agree').

Now, we will take up clause 21.

PU ZAIREMTHANGA : Pu Speaker, there are amendments proposed  
MINISTER in clause 21. A marginal head be amended as 'Registration of animals'. Sub-clause (1) be amended as 'every owner of animals shall report to the Town Committee in towns and to the village Council in other areas.' Instead of being only 'the village council be it "the number of animals (adult and young) and kinds of animals owned by him and register such animal by paying registration fee of 50p for an adult animal and 25 paise for the young one".

Sub-clause (2) should be amended as "the Town Committee and the village council shall maintain registers for registration of animals and keep accounts of registration fee".

\* Speech not corrected

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I also propose that sub-clause (3) be amended as "The account books and other registers maintained by the Town Committee and the V/O under this section shall be subject to checking by an officer appointed by the Government in this behalf.

SPEAKER : Have you anything more to say here ?

\* PU C.L. RUALA : Pu Speaker, I still want to raise the question I have raised earlier. Is there some ways to include dogs in the list of animals to be taxed/registered since they are also animals which can be very nuisance and harmful when it bites human beings ?

\* PU LALHMINGTHANGA : Pu Speaker, I think fowls and cats also should be included besides dogs. It will not be wrong to make more category.  
MINISTER

PU JOE : Pu Speaker, should not there be clarification in the Rules as to how animals are to be registered. For instance - a person who has many cows may not register all of them if the name of the animals are not registered separately.

SPEAKER : Is there anymore suggestion ? Do you agree to pass the amendments as proposed ?  
(Members said 'agree')  
Now, clause 22.

PU ZAIREMTHANGA : Pu Speaker, clause 22 may be amended  
MINISTER as "any person aggrieved by any order of the Town Committee, the village council or other authority or officer under this chapter may appeal to such authority and within such time as may be prescribed".

SPEAKER : Is there any member to speak in this regard? Should we pass it ? (Members said 'yes')  
We shall take up chapter VI.

PU ZAIREMTHANGA : Pu Speaker, I introduce clause 23 (1)  
MINISTER and (2) without amendment.

SPEAKER : Do you agree to pass as introduced by the Minister ?  
(Members said 'agree').

Now, clause 24 will be taken up.

\* Speech not corrected

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PU ZAIREMTHANGA : Pu Speaker, clause 24 should be amended  
MINISTER as follows - 'whoever forcibly opposes  
the seizure of animals liable to be seized  
under this Act, and whoever rescues the same after seizure  
either from the place or enclosure specified in sub-section  
(1) of section 7 or from a pound or from any person taking or  
about to take them to the President, Vice President, any  
member or Secretary of the village council under sub-section(1)  
of section 7 or to a pound, shall, on conviction, be punished  
with imprisonment for a term which may extend to three months  
or with fine which may extend to one hundred rupees or with  
both".

SPEAKER : Do you agree to pass the amendment as proposed ?  
(Members said 'agree').

Clause 25 will not be taken up.

PU ZAIREMTHANGA : Pu Speaker, there is amendment proposed  
MINISTER in clause 25 as follows - 'any person in  
charge of the animals kept under sub-  
section (1) of section 7 or any pound - keeper releasing or  
delivering animals contrary to the provisions of chapter III  
or chapter IV or omitting to provide any impounded animal  
with sufficient food and water, or failing to perform any of  
the other duties imposed upon him by this Act, and any person  
purchasing any animal in contravention of section 10 or section  
17, shall, over and above any other penalty to which he may  
be liable, be punished on conviction, with fine which may  
extend to fifty rupees".

SPEAKER : Is there any member who wish to speak in this  
regard ? (Members keep silent) Do you agree to pass  
the amendment as proposed ? (Members said 'agree').

Now, we shall take up clause 26.

PU ZAIREMTHANGA : Pu Speaker, clause 26 may be passed  
MINISTER as it is.

SPEAKER : Do you agree to pass clause 26 as introduced  
by the Minister ? (Members said 'agree').

Let us then proceed to chapter VII

PU ZAIREMTHANGA : Pu Speaker, clause 27 (1) be amended as  
MINISTER 'any person whose animals have been seized  
or have been detained in contravention of  
this Act may, at any time within ten days from the date of the  
seizure, make a complaint to a Magistrate". Sub-clause (2),  
(3) and (4) may be passed as they are.

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\* Speech not corrected

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SPEAKER : Have you anything to say here ?

PU C.L.RUALA : Pu Speaker, in one of the clauses we have passed, the number of days fixed for selling of the animal seized is within 7 days. But now, it has come to 10 days. Will it not be quite troublesome if the owner complaints after the animal is sold ?

PU ZAIKEMTHANGA : Pu Speaker, clause 27 concerns illegal seizure or detention. Have not the member MINISTER mis-understood this ?

\* PU F.MALSAWMA : Pu Speaker, let us fix 7 days for V/C MINISTER and 10 days for town. I think it will be more convenient if we fix the date separately for town-s and villages.

PU ZAIKEMTHANGA : Pu Speaker, it may be proper to fix 10 MINISTER days for towns. But, will not there be contradiction if different number of days is fixed for towns and villages ?

PU C.L.RUALA : Pu Speaker, I think the animal would have been auctioned within that period even in village. If the owner of the animal complains that it was seized illegally, it may be quite troublesome to deal with such cases. If there can be edification, I do not mind to pass the amendment.

SPEAKER : Should we then pass clause 27. ?

PU ZAIKEMTHANGA : Pu Speaker, even if the owner makes MINISTER a complaint, it is the Magistrate who should make a verdict.

PU C.L.RUALA : Pu Speaker, as stated by the member from Sairang Constituency, some villages/towns may hasten animal auction if there is urgent requirement of fund. They may also auction the animal without considering as to how and in what manner it was seized. As there seems to be no provision even at sub-clause (3) to deal with such cases, it is likely that there will be court-fighting between the owner and the seizer/the authority who put the animal got auction. Hence, will it not be necessary to make some edifications ?

PU F.MALSAWMA : Pu Speaker, let us presume that the fund MINISTER will not be used for M.S.School fund.

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\* Speech not corrected

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PU C.VULLUAIA : Pu Speaker, if 10 days is fixed, it will be meaningless to make a complaint as the animal would have already been auctioned by this time. Let us therefore, make it 7 days instead of 10 days.

\* PU JOE NGURDAWLA : Pu Speaker, as stated by the member, may be it is not necessary to trouble ourselves over the number of days. It is the Magistrate who should make a decision. If the complaint of the owner is justified, he is going to get back all the money acquired through auction. Hence, why it is still necessary to trouble ourselves over this ?

PU ZAIREMTHANGA : Pu Speaker, we are discussing about illegal seizure of animal not trespassing animal. It seems that the owner of the animal has to make a complain within 7 days after which it will be useless to make a complaint. However, if the animal is seized illegally, the owner can complaint it even within one day. It is unlikely that V/C or Town Committee will put the animal for auction if the owner had make a complaint. Unless the Magistrate interferes, nothing will be done to have the animal auctioned or released to the owner. What we are afraid seems to be that of a complaint from the owner after the animal is auctioned. But, if the animal is seized legally and it had been auctioned before the owner makes a complaint, it is bad-luck on the part of the owner

PU C.VULLUAIA : Pu Speaker, if the animal is auctioned within the period fixed for making complaint, our Law will be meaningless. But, if the owner complaints within the fixed period, it is obvious that the animal will not be auctioned. When the Magistrate makes a verdict, the owner will either pay fine or get back the animal. If the owner can complain even within 3/4 days. Why should it be necessary to give him another 3 days after 7 days ? Will not 7 days sufficient ?

\* PU JOE NGURDAWLA : Pu Speaker, it seems that some of the members mis-understood the objective of this clause. The main objective of this clause is to protect the owner of animal which is seized illegally. It aims to give the owner a chance to make a complaint. He can make a complaint within 7 days or perhaps in a day or two or even upto 10 days. If more days is fixed, it will mean that the aggrieved person is given more chance. I feel that to give the aggrieved person better chance, more days should be fixed for claiming the animal just in case it was seized illegally. I think 10 days will be quite sufficient.

\* PU K.BIAKCHUNGWUNGA : Pu Speaker, I think it is not wrong to give the owner of the animal more days. Even if the animal had been disposed of when the owner makes a complaint, the Magistrate or the Court should make a verdict in favour of him so long as his animal was seized illegally. It is not therefore, meaningless

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\* Speech not corrected

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for the owner to make complaint even after the animal had been disposed of so long as his complaint is justified. I think 10 days is enough for making a complaint.

\*PU C.L.NUALA : Pu Speaker, that opinion may be quite right from one's point of view. But, if we carefully consider this case, it may not be pleasant to be a bidder for the animal auctioned if the days fixed for claiming animal has not expired. I think no one will dare to bid the animal at high rate for fear that the owner will come forward and make a claim in the court.

PU H.RAMMAWI : Pu Speaker, it will not be right for the members to take things in a negative form. I appreciate what the members said and suggested. It is the advantage of the owner to be able to complain even after the animal had been disposed of or auctioned. The member had stated the objective of this clause - 27. As stated, its objective is to protect the rights of the owners of animals. Though 7 days may be quite enough, we should however, consider the reason why it is complained. In the case of election, 90 days is allotted for making a complaint. Even if we allot one month for making complaint, it may not be wrong, as there can be a case when some mischievous persons seize the animal illegally knowing the absence of the owner who will not be back to the town or village within 7 days during which he is to make a complaint. If the clause is to be amended, let us fix not only 7 days but one month for making complaint so, that it may be easier to prove whether the animal was seized legally or illegally. Let us therefore, make it 30 days or even 45 days for this.

SPEAKER : Much had been said now. It seems that there are three different amendments proposed. Some members proposed 10 days whereas others proposed 7 days. There is also proposal for 30/45 days. Which of the proposal should be accepted ?

PU C.VULLUAIA : Pu Speaker, I do not press the House to pass the amendment I proposed. If the owner is to be compensated even after the animal had been disposed of, I do not mind to make it even 10 or more days. With a view to have the animal released before it is butchered that I proposed 7 days.

SPEAKER : I think there are more members who proposed 10 days. As there are different opinions, we will take vote.

PU H.RAMMAWI : Pu Speaker, it will not be necessary to take vote. I do not mind to withdraw my proposal for 30 days.

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\* Speech not corrected

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PU C.VULLUAIA : Pu Speaker, I still do not understand why should 3 days extra be allotted to the owner. Had the animal been auctioned and butchered on the 7th day and the owner makes a complaint on the 9th, will he be still compensated in some way or the other if his complaint is justified ?

\* PU F.MALSAWMA : Pu Speaker, as stated by member from  
MINISTER Sairang Constituency, the father, head of the family might have gone out of station and his children are too young to bother about animals and he may not be back in time to claim for his animal which was seized. For such cases, more than 7 days may be required. I think it is considering such cases that the member proposed 30 days. May be it is better to give the owner of the animal more days. But, it will be troublesome to fix the number of days for claiming the animal if we expect to have the animal released to the owner while it is still alive. It will also be wrong to think that the animal will be auctioned and butchered before the Magistrate makes a verdict.

SPEAKER : Do you agree to pass clause 27 with the amendments proposed by the Minister ? (Members said 'agree').

We shall now take up clause 28.

PU ZAIREMTHANGA : Pu Speaker, I introduce clause 28 without  
MINISTER amendment.

SPEAKER : Have you anything to say here ? (Members keep silent) Shall we pass it then ? (Members said 'Yes').

We will proceed to clause 29.

PU ZAIREMTHANGA : Pu Speaker, in the last line of first  
MINISTER paragraph, it is stated that 'prohibited area for the keeping of .....'. In this clause, 'the' may be deleted and insert 'animal' in its place.

SPEAKER : Is there any member who have anything to say in this regard ? (Members keep silent) Shall we pass it then ? (Members said 'Yes').

Now, we shall take up clause 30.

PU ZAIREMTHANGA : Pu Speaker, in the first line of clause  
MINISTER 30, 'or cause to be appointed by the Town Committee or the V/C as the case may be such officers as may be necessary who shall' be inserted just next to 'the Government may appoint'. The rest of the wording may not be altered.

\* Speech not corrected

...46/-

SPEAKER : Do you agree to pass clause 30 as introduced by the Minister ? (Members said 'agree').  
Now clause 31 will be taken up.

PU ZAIEMTHANGA : Pu Speaker, I introduce clause 31 without  
MINISTER any amendment.

SPEAKER : Have you anything to say here ? (Members keep silent) Shall we pass it then ? (Members said 'Yes').  
Now, clause 32.

PU ZAIEMTHANGA : Pu Speaker, I introduce clause 31(1) and  
MINISTER (2) without any proposed amendment.

SPEAKER : Is there any member who have things to say in clause 32 ? (Members keep silent) Do you agree to pass it ? (Members said 'agree').

Now, we will call upon the Minister to beg leave of the House for passing his Bill with the amendments he proposed.

\* PU JOE NGURLAWLA : Pu Speaker, is it after passing the Bill that we are going to consider the case of dog ? Fowls may not be treated as animal, but dogs are true animal.

PU H. RAMMAWI : Pu Speaker, are we to accept clause 30 'chapter for heading' as proposed just now.

PU ZAIEMTHANGA : Pu Speaker, in this case, the rate proposed  
MINISTER was a maximum rate. If we want, we can also propose lower rate than this. Shall we first consider other proposal for amendment, if there is any ?

SPEAKER : If the members have amendments to propose, let us do so as suggested by the Minister. If there is however, any new amendment proposed, all the amendments we have passed will have to be gone through again.

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\* Speech not corrected

....47/-



PU ZAIEMTHANGA : Pu Speaker, with a view to have better  
MINISTER law for control of animals which can  
destroy crops and property that the Animal  
Control and Taxation Bill is made. Dog is not actually an  
animal which destroys crops/property. It is not therefore,  
included in the list of animals to be taxed right from the  
beginning

SPEAKER : I think it is clear now. As stated with a  
view to protect farmers/cultivators who grow  
crops for livelihood from animals that the  
Animal Control and Taxation Bill is made. Such being the  
reason, dog is not therefore, included.

Now, the Minister in-charge may beg leave of  
the House for passing his Bill.

\*PU C.L.RUALA : Pu Speaker, do not we pay priority to human  
beings than to crops/ property ? Besides  
being harmful to human beings, it is quite  
nuisance to see/find many strayed dogs roaming about. Specially  
in Mizoram, there is no good medicine to be acquired for dogs  
bite. Should not therefore, dogs also be included ?

PU ZAIEMTHANGA : Pu Speaker, usually, control of fowls is  
MINISTER taken up by Municipal Law. We thought  
that we also will have such law sometimes later. It is a  
fact that fowls and dogs roaming about can be quite nuisance.  
We thought however, that this will be taken care of by the  
Municipal Law.

PU JOE NGURDAWLA : Pu Speaker, as it is an annoying animal,  
the member has much concern for control  
of dogs. I think the Minister concerned  
should think a way to have some regulations for control of  
dogs even before we could have Municipal Law.

PU ZAIEMTHANGA : Pu Speaker, as suggested by Pu Ngurdawla,  
MINISTER it is necessary to have some regulations.  
As suggested, I think we should find the  
way to have such regulations without including them in the  
provision of this Bill.

SPEAKER : The Minister in-charge had made a suggestion. This  
is not a thing that can be neglected. But, as  
it was not included in the provision in the  
beginning, his suggestion may be accepted. Do you accept it?  
(Members accepted)

Now, we will call upon the Minister to beg leave  
of the House for passing his Bill with the amendments he  
proposed.

\* Speech not corrected

PU ZAIREMTHANGA : Pu Speaker, with your permission, I  
MINISTER request the House to pass 'The Mizoram  
Animal Control and Taxation Bill, 1980'.  
I have introduced along with the amendments I proposed.

SPEAKER : The Minister has begged leave of the House  
to pass his Bill. Those who agree to pass  
may raise your hand and say 'agree' (Members  
said 'agree'). The Mizoram Animal (Control and Taxation)  
Bill, 1980 has now been passed.

This Bill has schedule at page 13. The  
schedule and an acting formula noted at page no. 1 are  
included in this Bill. Therefore, A Bill to provide for  
the control and taxation of animal in the Union Territory  
of Mizoram and for matters connected herewith be enacted  
by the Legislative Assembly of Mizoram in the Thirty.first  
year of the Republic of India as follows -

This Act may be called the Mizoram Animal  
(Control and Taxation) Act, 1980. The Bill, with its  
acting formula, schedule and the amendments is passed.

We have now executed almost all the business  
for this session. There are however , certain things to  
be done.

I will first of all, read out business executed  
during the present session.

Of 25 Starred Questions received, 14 were  
admitted which were all answered. 9 Unstarred questions were  
received, 6 were answered. There were 4 Short Notice  
Questions received, of which 2 were admitted. Of these one  
was answered. 8 Resolutions were submitted, but only one  
was admitted, considered and passed. Questions received  
Department-wise -

One Starred question received from Labour and  
Employment Department was answered.

No Starred question was received from Appoint-  
ment Department. There were however, 2 Un-Starred Questions  
received which were both answered.

From Law Judicial and District Council Affairs  
come one Starred Question which was answered. There was no  
Unstarred Question from this Department.

6 Starred questions were received from Health  
Services Department. They were all answered. But, no UnStarred  
Question was received.

2 Starred questions received from P.W.D. were  
both answered. One Unstarred question was also answered.

From Animal Husbandry and Vety Department  
come 2 Starred Questions which were answered. There was no  
Unstarred question from this Department.

One Starred question received from Agriculture  
Department was answered. No Un-starred question was received.

One Starred question received from Education  
Department was answered. One Unstarred question was also  
answered.

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There was no Starred question received from Revenue Department. One Unstarred question was answered.

From Finance Department comes two Unstarred questions which were both answered. No Starred question was however, received.

One Unstarred question received from Supply Department was answered.

From Political Department comes one Short Notice question. It was answered.

All together 14 Starred questions were received and all of them were answered. Of 8 Unstarred questions received, 6 were answered. Of the two Short Notice questions received, one was answered.

As already mentioned in the House, earlier and as per report received, it seems that there is feud between the Chakmas and the Mizo cultivators living in Chhimtuipui District. I think it was also suggested to have the area visited by the authorities. In this connection, the Deputy Speaker and House Leader set out this morning to visit the area and they have returned now. They may not know the detail of the incident, but we will call upon our Deputy Speaker to give the report for House's information.

PU C. CHAWNGKUNGA : Pu Speaker, I am glad to be given an opportunity to give the report. The Chief Minister is however, absent. The other day, our Hon'ble Members, particularly, Pu J.H. Rothuama had stated the difficulties involved in Mauzam incident. Their ex-chief, Shri Tlangliankhama who was their chief even during the British period and who had been V/C President for 20 years and is also now one of the V/C members is charged as being a foreigner. The BSF are trying to evict him to Bangladesh. The root cause of Mauzam incident is that there are about 1,000 houses of refugees from Bangladesh along the river bank of one river in Mauzam. These new settlers destroy forest for cultivation without caring whether the forest was reserved.

Complaint was lodged against these new settlers and the matter was referred to D.C. and S.D.O. Lunglei. When the BSF were detailed to make investigation, they let these settlers, mostly consisting of Bawa and Pang sign a paper. But as the paper was written in English, these people do not know what they signed. The content of the paper was that they were Bangladesh nationals who entered into Mizoram at recent time. It was on such declaration forms they were asked to give their signature. Having signed on the paper without knowing the content, these people were persuaded to go back to Bangladesh from the next day they signed on the paper. When the matter was published in the local Newspapers, our Chief Minister informed the House his intention to make on-the-spot investigation. So, we both set out this morning and went to Mauzam. It seems that the BSF have actually asked these people to sign on such paper. However, our neighbouring State like Meghalaya and Tripura have refugees problem. It seems that the BSF at Mauzam also have taken action in the other way round in their attempt to solve the problem.

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As there is no Helipad at Mauzam, we made landing somewhere nearby. We do however, know the actual incident as the BSF posted here are in the same Battalion as that of BSF posted at Marpara. I want to inform the members that the mis-understanding is likely to end soon. As proposed by the Government, the representatives of Mizoram Govt. are detailed from Lunglei to visit the area via Tlabung. We do hope that the matter will soon be settled favourably for which proper instruction had been given.

**SPEAKER:** It is pleasing that a brief account of the incident which bothers the members have been clarified. Though it is not a detailed account, it will but serve as an useful information to the House.

One other thing - recently, during the session, the residences of some of the members were searched by the Police. In this connection, there had been long discussion and the members made condemnation and charged such thing as degradation of the dignity of the members. If the members were searched/checked unjustly without any reason, we should stand together to fight for our cause. I want to inform the House that the Govt. is collecting information for this. If any Cabinet Minister/Member knows what steps had been taken in this regard, he may inform the House before we adjourn the session.

**PU C. CHAWNGKUNGA:** Pu Speaker, let me say it. I truly regret **DI. SPEAKER.** that some of our Members were searched/checked by the Police during the Session. It is a thing which had also happened to me in the past. I too have been searched/checked 5 times in the past. It is not a pleasant thing to be searched/checked by the Police. However, I think it is necessary for the members to know the actual happenings of the incident. I will say it in detail so as to avoid so many questions to be raised.

I regret that the residences of Pu Lalthanzauva and Pu Lalupa were searched. The reason why their houses were searched is that - the Police/CRP who did the search were CRP from Sairang. At first, we do not know that there was connection with Sairang CRP. But, we have learnt lately that there was in fact, connection. Recently, two persons named Ruata s/o Biakchhunga and Thangliana joined MNF. They were enrolled in the MNF after the formation of P.C. Ministry. After 7/8 months of joining, their leader/ commander was arrested at the outskirts of Saikhawthlir. The newly recruited Ruata and Thangliana then came up to Sairang. But having mis-understanding with one family who has a member working in the Intelligence Bureau of the Govt., Ruata was arrested by Sairang CRP. He was transferred to Aizawl Jail later on. Meanwhile, an intensive search was conducted for his friend, Thangliana. When his family were asked his whereabouts, they said that he was living in Pu Lalthanzauva's house as Thangliana is the son of our member, Pu Lalthanzauva's sister. When the Police came to look for him at Pu Lalthanzauva's house, he was nowhere to be found, as he actually stayed at Pu Z.V. Lalmawia's house instead of being at Pu Lalthanzauva's house.

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It was because of the information given by Thangliana's family that Pu Lalthanzauva's house was searched every now and then. You may be wondering as to how we came to know this. But, father of Thangliana came to my house and said that the Police are looking for his son, Thangliana whom he placed at Pu Z.V. Lalmawia's house. He also said that because of his son who he said was MNP, his uncle Pu Lalthanzauva's house has been searched by the Police off and on and that he wanted his son to stay in my house. So I ventured out to fetch Thangliana to my house. By this time Sairang CRP have no knowledge that Thangliana was actually staying in my house. As a matter of fact, they believed that he was still at Pu Lalthanzauva's house. Hence, Pu Lalthanzauva's house was again searched. Thangliana is now back to his family at Sairang and he was also interrogated. He is now with his family safely. Because of this connection, I think Pu Lalthanzauva's house was searched. I think the members now understand the reason why Pu Lalthanzauva's house was searched by the CRP!

In the case of Pu P.Lalupa - it is stated that his house, being at Kulikawn just next to Pu Lalthanzauva (there is one house between them), the Police who came to do house-search happened to drop in.

PU NGURCHHINA : Pu Speaker, if they were looking for human being at the residence of Pu Lalthanzauva, then why did they topple files and papers ?

PU C.CHAWNGKUNGA : Pu Speaker, I am sorry I cannot answer this.  
DEPUTY SPEAKER

PU C.L.RUALA : Pu Speaker, if house-search is to be conducted without warrant in the house of ordinary citizen, the Police should take along at least other persons living nearby. Otherwise, we can't help to regard such house-search without warrant as an act of contempt and degradation of the Opposition members. It was because of this why we were so angry yesterday. I am however, glad that our Deputy Speaker made a statement before the end of the session. Nevertheless, if such house-search is to be conducted again, it should be done formally. If the Police have no other persons to take along as an witness to their action who knows that they will not do any mischief. For example - had they planted a cartridge under a pillow and used it to frame a case against us later, who can deny it if there is no witness to what they have done ? Had a person been killed by bullet, the Police may say that they killed the person for self-defence. As there can be such cases, it is necessary to be careful in this matter.

\* PU JOE NGURDAWLA : Pu Speaker, I am glad that the Deputy Speaker made a statement regarding the grievances of the members. We all regret for what had happened to some of the members as one can be in a state of disturbed mind in such circumstances. The Speaker however, unveiled the privileges of the members in the House, for which we should be thankful, for, if we do not educate each other, we may not know what we, as members of the House should know. I am truly glad that our Deputy Speaker made classification of point which confused our minds.

\* Speech not corrected.

PU C. CHAWNGKUNGA : Pu Speaker, what had been stated by  
DEPUTY SPEAKER Pu C.L. Ruala was correct. I am truly  
sorry that our Hon'ble members have come under such unfavour-  
able circumstances. As I have said, I too have been searched  
five times during the Congress Ministry. The then I.G. himself  
had entered into my bedroom and pointed his pistol  
at my back and I was forced to go out.. Our Hon'ble member  
Pu J.H. Rotnuama is the one who knows what had happened to me  
during those days. Sometimes, my house was rounded by the  
Police all through the night. Sometimes they came to the House  
and crashed the door to do house-search without warrant.  
During those days, it was no use to lodge complaint or nobody  
really pay attention to it even if I mentioned. But now  
the members have realized the unpleasantness of such atmos-  
phere, for which I am thankful.

SPEAKER : It is regretting that the residences of some of  
the members were searched. What the members  
should know is that whenever there is such case,  
they should report it either to the Speaker or Chief Minister.  
May be because I was absent for too long that I know nothing  
about the incident till yesterday. It seems that no report was  
made to our Chief Minister. We should remember that it is  
either the Speaker or Chief Minister who should protect the  
rights and privileges of the members, and hence, you should  
inform us what actually happened, so that we may know what  
we should do.

PU C.L. RUALA : Pu Speaker, it is evident that they did not  
pay much heed to what we said in the House,  
for, house-search was still conducted in  
the house of the members even after we made complaint in the  
House.

PU C. VULLUATA : Pu Speaker, will complaint made in the House  
have connection with the normal course of  
study to be performed by Security Forces ?  
It is not the House who give the Police an order to conduct  
house-search. As stated by the Deputy Speaker, it was accor-  
ding to report received by them **from the father that** the Police  
conducted house-search in the residence of the member. Hence,  
what we complained in the House will not have connection with  
the duty of Security Forces.

PU C.E. RUALA : Pu Speaker, it is the Police who conduct house-  
search. The Government should be able to con-  
trol them as they were not army. What we said  
in the House or complaint we made in the House should be heeded.

SPEAKER : It will not be right to have an argument now.  
It is pleasing that we could finish our Budget  
Session today inspite of various difficulties  
which have cropped up during the session. It is also pleasing  
to note that there was no unpleasant atmosphere or hot argument  
as in other Assenbly Houses. The members have had discussion  
on various subjects.

As all the business for this session have been  
conducted, we will now adjourn the session.

House adhournd sine die  
4:30 P.M.

J.MALSAWMA  
Secretary.

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