

**SEVENTH LEGISLATIVE ASSEMBLY OF MIZORAM
(TENTH SESSION)**

LIST OF BUSINESS

FOR SECOND SITTING ON WEDNESDAY, THE 31st AUGUST, 2016
(Time 10:30 A.M. to 1:00 P.M. and 2:00 P.M. to 4:00 P.M.)

LAYING OF PAPERS

1. **PU R. LALZIRLIANA**, Minister to lay on the Table of the House a copy of "The Twenty Fourth Annual Report 2014-2015 of Mizoram Public Service Commission."
2. **PU LALSAWTA**, Minister to lay on the Table of the House a copy each of the following :-
 - i) The Mizoram Entry Tax Rules, 2015.
 - ii) Report of the Comptroller and Auditor General of India on General, Social, Economic, Revenue and Economic (PSUs) Sectors for the year ended 31 March 2015.
 - iii) Annual Technical Inspection Report on Rural Local Bodies and Urban Local Body for the year ended 31 March 2015.
3. **PU N.K. CHAKMA**, Chairman to lay on the Table of the House a copy of Statement on Actions Taken by the Government against Committee on Public Undertakings further recommendations contained in the Fourth Report, 2016 relating to Zoram Industrial Development Corporation (ZIDCO) for the year 2007-2008 and 2008-2009 under Industries Department.

PRESENTATION OF REPORTS

4. **PU N.K. CHAKMA**, Chairman to present to the House the following Reports of Committee on Public Undertakings :-
 - i) Fifth Report on Action Taken by the Government on the Recommendations contained in the Second Report of Committee on Public Undertakings on the Report of C&AG of India for the year 2007-2008 relating to Zoram Industrial Development Corporation (ZIDCO) under Commerce and Industries Department.

- ii) Sixth Report on Action Taken by the Government on the Recommendations contained in the Third Report of Committee on Public Undertakings on the Report of C&AG of India for the year 2010-2011 relating Zoram Industrial Development Corporation (ZIDCO) under Commerce and Industries Department.

- 5. **ELECTIONS TO FINANCIAL COMMITTEES** to elect Members of the three Financial Committees

LEGISLATIVE BUSINESS

Bill for introduction, consideration and passing

- 6. **PU JOHN ROTLUANGLIANA**, Minister to beg leave of the House to introduce “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016”.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

NGURTHANZUALA
Secretary

....

SPEAKER : Be on your guard; stand firm in the faith; be courageous; be strong. Do everything in love.

1 Corinthians 16:13-14

I request the hon. Minister, Pu R. Lalzirliana to lay on the table of the House, a copy of “The Twenty Fourth Annual Report 2014-2015 of Mizoram Public Service Commission”.

PU R. LALZIRLIANA, MINISTER: Mr. Speaker, Sir, I lay on the Table of the House a copy of “The Twenty Fourth Annual Report 2014-2015 of Mizoram Public Service Commission”. Thank you Sir.

SPEAKER : Let the copy be distributed. I request the hon. Finance Minister, Pu Lasawta to lay the following Reports on the Table of the House:-

- i) The Mizoram Entry Tax Rules, 2015.
- ii) Report of the Comptroller and Auditor General of India on General, Social, Economic, Revenue and Economic (PSUs) Sectors for the year ended 31 March, 2015.
- iii) Annual Technical Inspection Report on Rural Local Bodies and Urban Local Body for the year ended 31 March, 2015.

PU LALSAWTA, MINISTER: Mr. Speaker, with the recommendation of His Excellency, the Governor of Mizoram and with your permission, Sir, I laid the following Reports in respect of the Govt. of Mizoram on the Table of this august House: -

- i) The Mizoram Entry Tax Rules, 2015.
- ii) Report of the Comptroller and Auditor General of India on General, Social, Economic, Revenue and Economic (PSUs) Sectors for the year ended 31 March, 2015.
- iii) Annual Technical Inspection Report on Rural Local Bodies and Urban Local Body for the year ended 31 March, 2015.

Thank you, Sir.

SPEAKER : Let the copy be distributed. I request the hon. Chairman, Pu N.K. Chakma to lay on the Table of the House, a copy of statement on

“Actions Taken by the Govt. against Committee on Public Undertakings further recommendations contained in the Fourth Report, 2016 relating to Zoram Industrial Development Corporation (ZIDCO) for the year 2007-2008 and 2008-2009 under Industries Department”

PU NIHAR KANTI CHAKMA: Mr. Speaker, Sir, with your permission, I lay on the Table of the House a copy of statement on “Actions Taken by the Govt. against Committee on Public Undertakings further recommendations contained in the Fourth Report, 2016 relating to Zoram Industrial Development Corporation (ZIDCO) for the year 2007-2008 and 2008-2009 under Industries Department”. Thank you.

SPEAKER : Let the copy be distributed. I request the hon. Chairman, Pu N.K. Chakma to present to the House the following Reports of Committee on Public Undertakings:-

- i) Fifth Report on Action Taken by the Government on the Recommendations contained in the Second Report of Committee on Public Undertakings on the Report of C&AG of India for the year 2007-2008 relating to Zoram Industrial Development Corporation (ZIDCO) under Commerce and Industries Department.
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PU NIHAR KANTI CHAKMA : Thank you Pu Speaker. With your permission and of the House, I hereby present to the House: -

- i) Fifth Report on Action Taken by the Government on the Recommendations contained in the Second Report of Committee on Public Undertakings on the Report of C&AG of India for the year 2007-2008 relating to Zoram Industrial Development Corporation (ZIDCO) under Commerce and Industries Department.
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- ii) Sixth Report on Action Taken by the Government on the Recommendations contained in the Third Report of Committee on Public Undertakings on the Report of C&AG of India for the year 2010-2011 relating Zoram Industrial Development Corporation (ZIDCO) under Commerce and Industries Department

Thank you, Sir.

SPEAKER : Let the copy be distributed. We can proceed to the next business. A motion was moved yesterday for the election of 3 Financial Committee in which not more than 7 nominations being filed for each committee. The elected members are as follows: -

Public Accounts Committee- Pu Nihar Kanti Chakma MLA, Pu T. Sangkunga MLA, Pu Lalthanliana MLA, Dr. Ngurdingliana MLA, Dr. K. Beichhua MLA, Pu R. Vanlalvena MLA and Pu Lalruatkima MLA.

Committee on Estimates- Pu J.H. Rothuama MLA, Pu P.C. Zoram Sangliana MLA, Pu K. Sangthuama MLA, Pu Lalrobiaka MLA, Pu John Siamkunga MLA, Pu Chalrosanga Ralte MLA, and Er. Lalrinawma MLA.

Committee on Public Undertakings- Pu Lalrinliana Sailo MLA, Pu R.L. Pianmawia MLA, Pu Vanlalzawma MLA, Pu S. Laldingliana MLA, Pi Vanlalawmpuii Chawngthu MLA.

The Speaker will make an appointment for the Chairman. We will proceed to Legislative Business and I request Pu John Rotluangliana to beg the House to introduce “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016”.

PU JOHN ROTLUANGLIANA, MINISTER: Pu Speaker, I beg leave of the House to introduce “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016”.

SPEAKER : Let it be introduced and moved for discussion.

PU JOHN ROTLUANGLIANA, MINISTER: Pu Speaker, I hereby introduce “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016” in this august House. The reason for its introduction is because the Ordinance that we make is valid for only 6 months and it should be introduced before the end of the 6th month.

“The Mizoram Vehicles Taxation (Amendment) Bill, 2015” was introduced and passed on July, 2015 and “The Mizoram Motor Vehicles Taxation (Amendment) Act, 2015 was implemented on 8th Feb, 2016. This Bill fixed the tax at 6% of the cost with a compulsory payment of lifetime (15 years) payment but the payment was changed to 1st, 2nd and 3rd installment on the request of the Commercial Vehicle Joint Action Committee. So, “The Mizoram Motor Vehicles Taxation (Amendment) Ordinance, 2016 was released on Official Gazette and this Ordinance was implemented from July, 2016. Since this Ordinance is valid for only 6 months and should be made into a Bill, I, hereby introduce “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016” to be passed by the House. Thank you.

SPEAKER : This Bill was passed by the House but some slight changes are made and so the time is available for questions and clarifications.

PU K. SANGTHUAMA : Pu Speaker, it would be appreciated if a time is open for discussion as we still have the time.

SPEAKER : Do we all agree? Each member will be given 10 minutes.

PU K. SANGTHUAMA : Thank you, Pu Speaker. I do not agree with the

lump sum payment of tax for 15 years as there will hardly be any person who could own a well functioned 15 years old vehicle. Besides taxis, it would be impressive to include all vehicles including Govt. vehicles on the rotation system to reduce traffic congestion.

All the private vehicles still need to pay taxes for the next 15 years even though we will not be using the same vehicle for 15 years. Pu Speaker, 15 years is a lot and even if the year is not reduced, it would be appreciated if the taxes are paid in installment. Thank you.

SPEAKER : Dr. K. Beichhua.

Dr. K. BEICHHUA : It is impressive that the Hon. Minister presented “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016”. I did not agree when it was passed in 2015 and I still do not agree to it.

The Minister had mentioned the reason of this amendment but this 15 years Lifetime tax is not even in accordant with our roads. Ordinance will last from 21.7.2016 to 20.1.2017 and it is unnecessary to call an emergency session if this is the case.

Pu Speaker, the word ‘operating’ and ‘Amendment of section 4(a)’ are absent on the Principle Act and it would be appreciated if an explanation is given. Thank you, Pu Speaker.

SPEAKER : Er. Lalrinawma.

Er. LALRINAWMA : Thank you, Pu Speaker. It is impressive that an amendment is to be made but this Lifetime tax is quite a problem. 6% is requested for one time tax (15 years), 4.2% for two time tax (10 years) and 2.2% for three time tax (5 years) and here, the tax percent has increased to 6.6% on the three time tax (15 years). So, it seems that advantages are taken to increase the tax on this installment process.

Apart from this, replacements will be done after 10 years and yet we charge taxes for 15 years. So, it seems that we are taking the 5 years tax in advance and this seems inappropriate. it would also be impressive to include each and every vehicle on

the rotation system and not only taxis. Anyway, since this Bill will lift the burden of the people, I agree it to be passed and would be appreciated if the lifetime tax is collected equally. Thank you.

SPEAKER : Pu Lalthanliana.

PU LALTHANLIANA : Thank you, Pu Speaker. In regard to replacement, there are many who paid a lump sum of lifetime tax (15 years) and since the replacement is for 10 years and above, will the amount paid be refunded?

As mentioned by the previous member, some of the vehicle owners are made to pay the lifetime tax within 5/10/15 years while some are within 3/4 months and some within 1 year. So, it would be appreciated if this tax is collected equally and I support this Bill. Thank you.

SPEAKER : Pu Lalruatkima.

PU LALRUATKIMA : Thank you, Pu Speaker. It is impressive that “The Mizoram Motor Vehicle Taxation (Amendment) Bill, 2016” is presented. However, it would be appreciated if our rules are discussed without ordinance.

This Lifetime Tax of 15 years needs to be amended and the mode of lifetime tax payment as well as the replacement should also be implemented equally since it creates a burden to the owners. We once lack HSRP (High Security Registration Plate) for two months and we need to put more efforts here since it is now illegal to obtain registration plate from private firm. I support this Amendment Bill though it is slightly flawed. Thank you.

PU K. LALRINTHANGA : Pu Speaker, this tax is necessary even though some members disagree to it. Mizoram is a hilly state and the roads are not lasting due to incompact soils. The Govt. has no budget for repairing the roads and the funds are often provided by the Central which usually takes time. So, paying of this tax is necessary if a person owns a vehicle.

I would also like to mention that pickup vehicles cannot be registered as private cars and it would be appreciated if this is given a concern. Private and public vehicles are not the same and there will be no means of transport for the villagers if

Maxi cabs follow the rotation system like taxis do.

We should keep in mind that not every car is driven everyday unlike taxi which is a source of income for some people. I would also like to mention that a vehicle may last for 15 years if it is taken good care of it. Thank you.

PU T.T. ZOTHANSANGA: Pu Speaker, Dr. K. Beichhua finds it necessary to call an emergency session but I assume that the session was called yesterday due to the amendment of the Indian Constitution and we laid the ordinance today because of the convenient time. This session is not called for today's issue. Pu K. Sangthuama, being the former Transport Minister has prefer the taxi owners a lot and as published on the Zozam newspaper, 3600 Nos. taxi permits were issued in 2004 and 400 Nos. in 2005.

Commercial and private vehicles are not the same and ordinance also happens a lot in the Central and the Parliament. In regard to replacements, buses should be replaced with a new one but not with old. We should keep in mind that Seling, Saitual, Thingsulthliah etc. are all under DTO Aizawl and they all use MZ-01 registration. So, we need to cover such places and I would also like to mention that Vehicle Act cannot be applied equally. Thank you.

SPEAKER : Col. Z.S. Zuala.

Lt. Col. Z.S. ZUALA : Thank you, Pu Speaker. It seems that we are not encouraging ourselves to pay taxes as some members disagree with increasing the tax. Replacement is quite necessary because a well functioned vehicle is needed for public transport. The members, being the public leaders should also take part on the rotation system and set example to the people. This system should also be applied to private vehicles. Thank you.

PU P.C. ZORAM SANGLIANA: Pu Speaker, it is important to keep in mind that the session was called since the validity of the ordinance is about to end and when ordinance is released, it is compulsory to present it at the House on the 1st session. It is impressive that the Transport Minister had introduced this Bill though our opinions may differ.

Pu Speaker, I appreciate the idea of our Minister on reducing traffic

congestion despite increasing motor vehicles and I support this Bill to be passed. Thank you, Sir.

PU VANLALZAWMA : Thank you, Pu Speaker. It is impressive that the Bill is to be amended. However, I was wondering if the mode of Lifetime tax payment could be equal among all commercial and private vehicles. We released an ordinance and I do not understand why we are in a hurry; I find it unnecessary to do it in between the sessions.

Aizawl Taxi Owners Union disagrees with the Lifetime Tax and it would be appreciated to know how the discussion ends. However, there are also some people who are content in the mode of payment. Vehicle insurance is a problem as it is needed every year and it would be impressive if the vehicles could be insured for 5 years in advance. Motor vehicles are increasing everyday and this also connects with Pollution Control. Thank you.

SPEAKER : I request the Minister to wind up the discussion and beg the House to pass the Bill.

PU JOHN ROTLUANGLIANA, MINISTER: Thank you, Pu Speaker. Ordinance is made legally and this does not belittle the members. The mode of payment of Lifetime tax is changed on the request of the Commercial Vehicle Joint Action Committee and the ordinance is made since it is needed to be applied as early as possible.

The 15 years Lifetime Tax cannot be amended as it instruction of the Central and the mode of payment therefore is amended. There is no final decision for replacement and the STA are currently making a decision. The rotation system is not applied by our Department but by the Traffic Management Committee under the Chairmanship of the Hon. Home Minister and we have no responsibility on this matter.

Pu Speaker, we own vehicles for different reasons where commercial vehicles are for a source of income and private vehicles are for making everyday life easier. So, the mode of payment cannot be applied equally and our today's issue includes commercial vehicles like auto-rickshaw, taxi, maxi cab and not trucks and buses. In response to Pu Rintluanga, a pickup vehicle is a commercial vehicle and so a private

registration cannot be applied for it.

As mentioned by Pu T.T. Zothansanga, Seling, Saitual, Thingsulthliah, Lengpui etc. are under DTO Aizawl and taxi vehicles are registered as MZ-01. So, to make things clear, we released an order to stick their respective town names on their vehicles like Saitual Taxi, Lengpui Taxi etc.

In response to Pu Zawma, Aizawl Taxi Owners Union is a new association and we recognize it only after we received their letter before our session. The issue of smokes from old vehicles is the purview of the Pollution Control and it is not included in our Bill.

In response to Dr. K. Beichhua regarding Principle Act, there is a slight mistake on the copy and our main Act is 2nd Edition, 2011. So, we have the 2015 Amendment Book and it can be given to the members after this session.....
(Interruption)

Dr. K. BEICHHUA : Pu Speaker, Point of Order. Can you assure that 'Opening', 'Schedule 3', 'Section 4A' do exist? (**MINISTER:** Yes) If not, it seems more like reconstruction rather than Amendment, Pu Speaker.

PU JOHN ROTLUANGLIANA, MINISTER: The missing 4A of the Principle Act is at the Amendment 2015, Page 3. It is a mistake and will be cleared when the copies are distributed.

PU LALRUATKIMA : Pu Speaker, It is a big mistake as it can misguide us. So, it would be appreciated if this does not happen again.

PU R. ROMAWIA, MINISTER: This Bill was passed in 2015 and I am sure we still have our own copy at home. We don't need to be alarmed and we need an understanding to each other for it seems like we are not familiar with the Bills that we had passed.

PU JOHN ROTLUANGLIANA, MINISTER: Pu Speaker, it was a mistake and we can provide the Amendment, 2015 after this session. In regard to Tax collection, TDC meeting (Transport Development Council) is a meeting among the Ministers of all the States and the Bill passed by this meeting is to be implemented instantly at

every state where buses and trucks are excluded.

In response to Pu K. Sangthuama, it is not necessary to pay for 15 years if the vehicle is damaged on the 10th year and the mode of payment here will be for 5 years and then another 5 years. If the vehicle is 2 years old and no Lifetime Tax and installment are paid, the owner has to pay for 3 years and then 5 years and then another 5 years if it is still in service. Likewise, if the vehicle is 7 years old, the mode of payment will be 3 years for the 2nd installment and then again 5 years for the last installment.

Our Ordinance is valid for only 6 months and I present it by a Bill since a session is currently held. Therefore, I beg leave of the House to pass “The Mizoram Motor Vehicles taxation (Amendment) Bill, 2016”

SPEAKER : Is there anyone who objects it? If so, the House has unanimously passed “The Mizoram Motor Vehicles Taxation (Amendment) Bill, 2016”

PU JOHN ROTLUANGLIANA, MINISTER: Thank you, Pu Speaker.

SPEAKER : This session is of the 7th Assembly, 10th session and an emergency session is called for the state needs to agree the Indian Constitution Amendment regarding GST. We have no time for Question & Answer since it is an emergency session. The Business Advisory Committee prepared a programme on 24.8.2016 which will be of two days.

The following are the business of this Session: -

1 Official Resolution was adopted, 2 Bills of the Transport Department and PWD were passed; 7 papers were laid on the Table of the House; 4 Reports were presented.

New Members were elected since the terms of the Election of the three Financial Committees such as PAC, Estimate Committee and COPU had ended.

I would like to mention that 37 Bills were passed during this 7th Assembly and the Assembly Secretary can be consulted anytime on the Govt. Bills and Rules which will be laid for discussion at the House. **(Dr. K. BEICHHUA:** I believe you have

granted me a Special mention regarding Pu L.C. Lalromawia who died in Lunglei prison) You are not granted; I would have given you permission if I did. The House should remember that a Special Mention and Zero Hour should be of recent occurrence that is before the matters become publicly known. The Special mention you had requested was of the 20th and 10 days had passed. So, we need your understanding. We have now finished our Session.

*(The House is adjourned **Sine die** at 12:15 pm)*