

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

LIST OF BUSINESS

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

QUESTIONS

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

LAYING OF PAPERS

2. **PU LALSAWTA**, Minister to lay on the Table of the House the following :
 - i) Statement on Six Monthly Review of the Finance Minister on the Fiscal Position of the Government of Mizoram for the Second half of 2013-2014 (October, 2013-March,2014).
 - ii) Statement on Six Monthly Review of the Finance Minister on the Fiscal Position of the Government of Mizoram for the First half of 2014-2015 (April, 2014-September,2014).

PRESENTATION OF REPORTS

3. **PU T. SANGKUNGA**, to present to the House the following Reports of Subject Committee-II :
 - i) Third Report of Subject Committee-II relating to Border Area Development Programme under Rural Development Department.
 - ii) Fourth Report of Subject Committee-II on Action taken by the Government on the recommendations contained in the First Report of Subject Committee-II of the Seventh Legislative Assembly relating to Mizoram State Pollution Control Board under Environment & Forests Department.

- iii) Fifth Report of Subject Committee-II relating to Mizoram Houses (New Delhi, Kolkata and Guwahati) under General Administration Department.

LEGISLATIVE BUSINESS

Bill for introduction, consideration and passing

4. **PU R. ROMAWIA**, Minister to beg leave of the House to introduce “The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill, 2016”.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

5. **PU R. ROMAWIA**, Minister to beg leave of the House to introduce “The Indian Stamp (Mizoram 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.

6. **PU LALSAWTA**, Minister to beg leave of the House to introduce “The Mizoram Lokayukta (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

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SPEAKER : Finally Good-by. Aim for perfection, listen to my appeal, be of one mind, live in peace. And the God of love and peace will be with you.

(2 Korinth 13:11)

We will now take up starred question No. 166 from Dr. K. Beichhua.

Dr. K. BEICHHUA : Thank you, Pu Speaker. , Starred Question No. 166.

Will the Hon'ble Minister for Power & Electricity Department be pleased to state: "What is the present status of the MoU signed between Mizoram Government and NTPC Ltd. for the construction of Kolodyne-II, HEP?"

SPEAKER : The Minister concerned, Pu Lalthanhawla, House Leader may answer.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, the answer to Starred Question No. 166 is as follows:

Techno-economic clearance is already availed and forest clearance is still awaited. MoEF assigns NTPC Ltd. to revise about their application for forest clearance. It is proposed that GPS study should be done by MIRSAC. However, there is no development regarding forest clearance at the part of NTCP.

NTCP Ltd. has decreased its power expectation from this project to 1100 MU from 1800 MU due to environmental flow. The power production cost also increase to ₹11 per unit. According to the latest decision of the government, NTCP will seek to make Power Purchase Agreement with other party. If they fail to do so, it will be given back to the Government of Mizoram.

Besides, for our kind information, The agreement for the construction of Kolodyne II Hydro Electric Project for production of 460 megawatt is signed on 22nd December, 2008 between Mizoram Government and NTPC. NTPC are required to start the work within 18 months from the date clearance is availed. It is done in close cooperation with LADC and MADC. A meeting was held at Chief Secretary Conference Room on 1.12.2010. We have discussed about amendment of Clause 29 and 30 of MoA, free power, project affected families and shifting project Headquarters from Lawngtlai to Kawlchaw.

In a meeting held at Mizoram House, Vasant Vihar, New Delhi on 12.4.2012, the matters relating to Kolodyne Hydro Electric Project have been discussed. A review meeting on Progress Implementation on Hydro Electric Project undertaken by PSU private developers is also held at the Secreatry, Powe & Electricity office Chamber on 1.8.2014. Another review meeting was held on 24.2.2015, 6.5.2015 and 1.12.2015. Requirements for the project are also searched for. Another review meeting at the presence of the delegated from the two District Councils and Environment & Forest Department and Land Revenue & Settlement Department.

The project will be much benefitted by the local people. 1% out of the 13% free power supply is meant for local area development fund. Families of project affected area will be provided free power supply for ten years. Royalty of collecting natural resources like sand, stones, etc. will be given to the local people by NTCP which will increase the revenue sources of the District Council drastically.

The corporations will construct post office, schools and dispensaries in the project areas as the part of Corporate Social Responsibility Fund. 100% of the recruitment of workmen will also be done among the affected families. If there are no sufficient workmen from them, they will be recruited from other places of Mizoram. When the project is completed, the Lai Autonomous District Council and Mara Autonomous District Council will be able to use the reservoir for fishery, tourism or inland water ways. Proper arrangement will also be made in respect to compensation.

Techno Economic clearance has already been availed. Application for forest clearance has been submitted on 10th May, 2014 to the Ministry and it is expected to be availed soon.

SPEAKER : Now we shall go to the next question, as Pu Chalrosanga has not authorized anyone to ask Starred Question No. 167, we shall call upon Pu Vanlalzawma to ask Starred Question No. 168.

PU VANLALZAWMA : Thank you, Pu Speaker.

- a) Who arrange the places for installation of street lights in Aizawl?
- b) How much revenue was received by Power & Electricity Department from AMC for power bill of street lights during 2013-2014 and 2014-2015?
- c) Are there any service persons for maintaining work in electric poles?

SPEAKER : The Minister concerned may answer.

PU LAL THANHAWLA, CHIEF MINISTER : Pu Speaker, the answers are:-

- a) It has been arranged by AMC.
- b) The amount received are as follows:
 - i) 2013-2014 - `1,70,11,930.00
 - ii) 2014-2015 - `1,65,63,698.00
- c) There are no personnel recruit solely for maintaining work in poles. However, it is carried out cautiously.

SPEAKER : Supplementary Question from Pu Vanlalzawma.

PU VANLALZAWMA : Pu Speaker, I think that the places where street lights are fixed have been decided by local councils. I would like to ask if it is possible to fix in by roads or a little away from the main roads as well.

Besides, if there are no particular experts for their maintenance, is it possible that the local council could deploy convenient persons for the maintenance works of street lights?

SPEAKER : The Minister concerned may answer.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, there are certain measures to be followed in the maintenance work of street lights. The places are decided in cooperation between AMC and the Local Councils as they are supposed to. It is against the law to touch or tempered with the power lines without proper the authority.

SPEAKER : We shall now go to Starred Question No. 169. Let us call upon Pu Ngurdingliana.

Dr. NGURDINGLIANA : Thank you, Pu Speaker. , Starred Question No. 169. Will the Hon'ble Minister for Agriculture Department be pleased to state: -

What is the present status of the proposed upgrade of Phullen AEO Circle to a post of SDAO?

SPEAKER : The Minister concerned Pu R. Lalzirliana may answer.

PU R. LALZIRLIANA, MINISTER: There is a huge shortage of manpower of field staff. The present SDAO Offices are also not sufficiently manned. Besides, new recruitment could not be done. As a result, the said upgrade could not be materialized at the moment.

SPEAKER : If there is no Supplementary Question, Starred Question No. 170 from Pu Lalthanliana.

PU LALTHANLIANA : Thank you, Pu Speaker. , Starred Question No. 170.

Will the Hon'ble Minister for Power & Electricity Department be pleased to state: How much power has been produced from Serlui Hydel Project at present?

SPEAKER : The hon. Chief Minister may answer.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, 8 megawatts of power has beengenerated.

SPEAKER : Supplementary Question from Pu Rinawma.

Er. LALRINAWMA : How many units have been installed and how many units have been utilized at the moment? Secondly, are the catchment areas properly maintained?

SPEAKER : Chief Minister Lalthanhawla may answer.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, there are three units installed for Serlui B Hydel Project. Two of these units are functioning at present, one is under maintenance. It is expected that it will be fully run very soon.

Regarding the catchment areas, it has been preserved. The reservoir is utilized

by Fisheries Department. Besides, Tourism Department also proposed to develop it for tourism purposes. The Kolasib District administration takes the authority for its preservation.

SPEAKER : Starred Question No. 171 from Pu Lalruatkima.

PU LALRUATKIMA : Thank you, Pu Speaker. , Starred Question No. 171. Will the Hon'ble Minister for School Education Department be pleased to state:

- a) How much is the expenditure incurred for providing free text book during 2011-2016 year-wisely?
- b) How much is incurred by the State Project Office for its distribution to different Districts?

SPEAKER : Pu H, Rohluna.

PU H. ROHLUNA, MINISTER : Pu Speaker, the answers are:

- a) The total expenditure is ₹14,35,61,800. The year-wise expenditure is as follows:

Year	Receives in ₹	Expenditure in ₹
2011-12	3,20,45,450/-	3,20,45,450/-
2012-13	3,19,72,500/-	3,19,72,500/-
2013-14	32,91,24,560/-	32,91,13,240/-
2014-15	2,46,33,200/-	2,46,33,200/-
2015-16	21998200/-	In Progress
TOTAL	14,35,61,800/-	12,15,62,490/-

- b) The distribution cost incurred is ₹5,02,0,326/-. The year-wise expenditure is-

Year	Free text book	Management	Total
2011-12	0	47,916/-	47,916/-
2012-13	15,90,001/-	2,57,409/-	18,47,410/-
2013-14	0	16,75,000/-	16,75,000/-
2014-15	8,16,183/-	6,33,817/-	14,50,000/-
2015-16	In Proress/-	In Progress	In Progress
TOTAL	24,14,142/-	24,06,184/-	50,20,326/-

As the fund available for transportation and distribution cost is not sufficient, additional fund used to be drawn from State Project Office management fund.

- c) If the text books are purchased from suppliers, it takes around one and a half month for its distribution. It takes around three to four weeks if it is bought directly from the printers. The students could generally receive in time if there is no problem at the part of suppliers or printers.

I would like to add that we are granted additional funds for free text books. This shows the priority given by the Hon. Chief Minister and the Hon. Finance Minister towards education. Meanwhile, the parents also need to aware if the importance of education. I would like to implore them to provide the needs for their children besides those provided free by the government.

SPEAKER : Supplementary Question from Pu Ngurdingliana.

DR. NGURDINGLIANA : Pu Speaker, I am glad that text books could be timely prepared even though many new books were printed. Meanwhile, I think that the works done through Printing & Stationery Department is very less. I urge this could be improved in the future.

I would also like ask text books of which classes are prepared based on NCERT.

PU LALRUATKIMA : Pu Speaker, the Hon. Minister has said that the students receive text books in time. The new session is starting next week. I would like to ask if they will receive it at the beginning of that session.

Besides, in the new syllabus, are improvements made in the light of the our discussion in this House in the past regarding the content as well as the paper quality?

I have learned that free text book in Bengali Medium is provided within Lungsen Sub-Division. However, no school in this area learns in Bengali Medium. Will the Minister pleased to clarify this matter? What is the purpose of collecting old text books while new ones are distributed? Are the refugees at Tripura Camp are given free text books?

SPEAKER : Pu Zoram Sangliana.

PU ZORAM SANGLIANA : Pu Speaker, will it be possible to continue providing free text books to students from Class I – Class V as it is done this year?

SPEAKER : The Hon. Minister concerned, Pu H. Rohluna may answer.

PU H. ROHLUNA, MINISTER: Pu Speaker, the reason why printing works of text books are not done through Printing & Stationnery Department is that the machines they have does not comply with the standard size of text books prescribed by SCERT. However, the printing work was given to them as far as possible.

The contents are the same in Mizo Medium and English Medium. Regarding the question from Pu Lalruatkima, all possible efforts were made to provide text books in time. 64% has reached State Project Office. We hope that it could be distributed in time. The best paper quality which our financial condition permitted us is used in printing text books.

It is a fact that Bengali Medium is used within Lungsen SDEO area. This continues for a long time. As a result, we are just assisting them instead of distributing English or Mizo text books. The collection of old text books is done with a view that it might be of useful purpose. It is not mandatory.

The distribution of text books at Tripura Refugee Camp is not funded by us. However, we sold our text books as per their requirements to them.

According to Pu P.C. Zoram Sangliana's question, I could not say if it could be continued in the future. The Government will look forward for the betterment and welfare of the students as much as possible in the future also.

SPEAKER : We shall now take Starred Question No. 172 from Pu Vanlalzawma.

PU VANLALZAWMA : Pu Speaker, as this question has been answered

by the Hon. Chief Minister during demand discussion, I would like to skip it so that more questions could be taken.

SPEAKER : Let us call upon Dr. Ngurdingliana to ask Starred Question No. 173.

Dr. NGURDINGLIANA : Pu Speaker, I would also like to withdraw my question as it has already been answered.

SPEAKER : Starred Question no. 174 from Dr. K. Beichhua.

Dr. K. BEICHHUA : Thank you, Pu Speaker. Starred Question No. 174.

Will the Hon'ble Minister for School Education Department be pleased to state: Are there school teachers who use school computers for personal purposes? If yes, how many are there?

PU H. ROHLUNA, MINISTER: Pu Speaker, there is no report of such uses as far as our knowledge.

SPEAKER : Is there any Supplementary Question?

Dr. K. BEICHHUA : Pu Speaker, it has appeared in the Vanglaini newspaper that the Hon. Minister mentioned about school computers being used for personally. However, his stance is now changed today. Does this mean that such uses are all stopped?

PU H. ROHLUNA, MINISTER: Pu Speaker, it is correct that some teachers used to use school computers in their homes in the past. I have mentioned about this matter in a meeting at SCERT. My speech is in cautionary sense. However, we are now more careful in our practices. We have no report of such uses at present.

SPEAKER : Let us now take Starred Question No. 175 from Pu Lalruatkima.

PU LALRUATKIMA : Thank you, Pu Speaker. , Starred Question No. 175, Will the Hon'ble Minister for Soil & Water Conservation Department be pleased to state:

- a) How much is the year-wise allotment of NLUP Fund during 2011-2015?
- b) Which trade are undertaken and how many beneficiaries are there in each trade?
- c) How much money is granted to each beneficiary and what other kinds of assistance are given?
- d) How much income has been made from broom production under NLUP?

SPEAKER : The Hon. Minister concerned may answer.

PU LALRINMAWIA RALTE, MINISTER : Pu Speaker, the answer to Starred Question No. 175 is as follows:

- a) The year-wise allotment of NLUP fund is as follows:

2010-2011	-	₹14,15,80,000.00
2011-2012	-	₹26,86,54,000.00
2012-2013	-	₹33,05,00,000.00
2013-2014	-	₹31,50,0,000.00
2014-2015	-	₹24,27,30,000.00
TOTAL	-	₹1,29,84,64,000.00

- b) The trades and number of beneficiaries in each trade are:

1. Broom	-	8402 beneficiaries
2. Rubber	-	1456 beneficiaries
3. Coffee	-	1598 beneficiaries
TOTAL	-	11456 beneficiaries.

(This statistic is given as it is till 9th March)

- c) Financial assistance are given to each beneficiaries as follows, there are no other assistance given.

1. Broom	-	₹88,000.00 each
2. Rubber	-	₹1,00,000.00 each
3. Coffee	-	₹88,000.00 each

- d) The amount of broom production during 2014-2015 as per the record is 85968.21 quintals. Calculating at minimum rate of ₹30 per kg, the total income is ₹25,79,04,630.00.

SPEAKER : Supplementary Question from Pu Lalruatkima.

PU LALRUATKIMA : Thank you Pu Speaker. Firstly, I would like to ask if the beneficiaries need assistance regarding marketing of their produce. Secondly, how are the productions under NLUP verified at the check gate? Thirdly, do the three trades like broom, rubber and coffee receive funds from RKVY Scheme? How do Coffee Board and Rubber Board work together with the government?

SPEAKER : Pu Rinawma may also ask Supplementary Question.

Er. LALRINAWMA : Pu Speaker, here it was written as 'Water-shed Daleswari'. Why was the River Tlawng written like this. It is a river within our state, why was it written in other language?

SPEAKER : The Hon. Minister may answer.

PU LALRINMAWIA RALTE, MINISTER: Pu Speaker, there is no marketing problem regarding broom production. It could be calculated at the minimum rate of ₹30 per kg. The total revenue from broom is more than 25 crore till today. It is a great achievement. Meanwhile, the need for better marketing system still remains. There is a proposal for regulated marketing but not yet finalized. We hope that there will be improvement in the future.

As far as my knowledge, the rubber plantations under NLUP are not yet harvested. Therefore, its marketing is not yet considered yet it is considered not to be a problem.

Regarding Coffee, the Coffee Board has an office at Kolasib. There are also considerable amount of production from my constituency. There is not much problem in its marketing. However, the farmers have faced some problems regarding their payments. The government helps them as necessary and as a result, they could get their income in cash in the same year.

Identification of NLUP beneficiaries in broom trade are identified from the Directorate. They can avail their identification from there.

I have no knowledge of separate assistance from RKVY for NLUP beneficiaries. However, they may benefit the assistance given for preparation of land, soil preservation from erosion, construction of water reservoir, etc.

I do not know when the name of that river mentioned by Er Lalrinawma was written. We will try to edit the name as requested. Thank you.

SPEAKER : Starred Question no. 176 from Pu Lalthanliana.

PU LALTHANLIANA : Thank you, Pu Speaker. Starred Question No. 176. Will the Hon'ble Minister for Agriculture Department be pleased to state:

How many plastic pipes are purchased during 2014-2015? How many of those were distributed among the farmers?

SPEAKER : The Hon. Minister for Gariculture, Pu R. Lalzirliana may answer.

PU R. LALZIRLIANA, MINISTER: During the year 2014-2015, two type of pipes 75mm and 25 mm were purchased under different central schemes like RKVY, NFSM and NMSA (RAD). The district-wise distribution are as follows:

District	Pipe Size	
	75mm (Nos.)	25mm (Rolls)
Aizawl	169	132
Lunglei	649	223
Saiha	90	37
Champhai	597	228
Kolasib	840	210
Serchhip	660	174
Lawngtlai	660	117
Mamit	760	191
Central Store	709	131
TOTAL	5494	1443

The total cost for this is ₹ 85,53,500. The supply permit was given to Zonun Enterprise, Khatla as they are the lowest bidder to the tender. It is distributed to the farmer at 50% subsidy.

SPEAKER : The Question Hour is now over. Our members, Dr. BD Chakma, Minister, Pu Hmingdailova Khiangte, Parliamentary Secretary, Pu TT. Zothandanga, Pu Chalrosanga Ralte and Pi Vanlalawmpuii are granted leave for today as they applied for.

Let us now call upon Pu Lalsawta, Finance Minister to lay papers under his portfolios.

PU LALSAWTA, MINISTER : Thank you, Pu Speaker. I hereby lay the following papers in this august house:

1. Statement of Six Monthly review of the Finance Minister on the Fiscal Position of the Government of Mizoram for the Second Half of 2013-2014 (October, 2013 - March, 2014)
2. Statement of Six Monthly review of the Finance Minister on the Fiscal Position of the Government of Mizoram for the First Half of 2014-2015 (April, 2014 - September, 2014)

SPEAKER : Let the copies be distributed. Let us call upon Pu T. Sangkunga, Chairman, Subject Committee - II to present three reports he has to present.

PU T. SANGKUNGA : Thank you, Pu Speaker. I am going to present these reports with your permission and as a Chairman of Subject Committee - II. The other members of this committee are Pu PC. Zoram Sangliana, Pu Nihar Kanti Chakma, Pu R.L. Pianmawia, Pu Vanlalawma and Pu Lalruatkima.

Among the reports, Third Report is relating to Border Area Development Programme under Rural Development Department. The main problem found regarding this programme is its system. All the funds for each financial year are sanctioned at one go at the end of a year. It is inevitable to draw the funds before the

works are started. As a result, there are some lapse between the department and Finance Department as well as auditing. We have discussed the system with Finance Department also so that solutions would be met.

Regarding Fourth Report, it is titled 'Actions taken by the Government on the Recommendation Contained in the First Report of Subject Committee II relating to Pollution Control Board'. It is under Environment & Forest Department. 10 people run a factory producing tuibur at Lungli River. This causes huge pollution problem. It kills most of the living beings in the river. We requested the department to stop the factories and they had also pursued the matter. After a long process, the committee in this report suggests that Aizawl DC and SP should take initiative to stop this serious problem.

Besides, a committee was formed by both Environment & Forest Department and Health Department under Bio Medical Waste Management & Handling Rule, 1998. Even though their creation was valid, the two committees were made dormant. We suggest that the committees would be merged into a single committee. As a result,

The State Advisory Board on Pollution Control was formed under the leadership of Princial Secretary, Environment & Forest Department.

The other report is regarding Mizoram Houses in Delhi, Kolkata and Guwahati. Mizoram House building at Balygunge, Kolkata is very old now. It is in a very dangerous condition. Recommendation was made for its reconstruction as soon as possible. The Secretary, PWD pursue the matter immediately. It was suggested that GAD and PWD should jointly pursue the matter.

Mizoram House at Salt Lake, Kolkata also needs reconstruction. We recommended that funds should be allotted for reconstruction of Mizoram Houses in Delhi and Kolkata. As a result, we have seen that ₹80 lakh for Delhi and ₹84 lakh for Kolkata has been kept. It is also suggested that the one at Old Balygunge should be further examined.

Recommendation was also made that Drivers, Grade IV and Cook at Mizoram House should be taught at least basic Mizo language. I have also personally found improvements among the employees after this.

Thus, with your kind permission, Pu Speaker, I hereby lay these Reports in this august house. Thank you.

SPEAKER : Let the copies be distributed. We shall now go to legislative business. Let us call upon Pu R. Romawia to beg leave of the house for introduction of "The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill, 2016".

PU R. ROMAWIA, MINISTER: Pu Speaker, i beg leave of the house for the introduction of "The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill, 2016".

SPEAKER : If the house permits, let us now call upon the Hon. Minister to introduce the bill and to move the same for discussion in the house.

PU R. ROMAWIA, MINISTER: Pu Speaker, I hereby introduce "The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill, 2016" in this august House.

As the copies are already distributed among the members, I will discuss the contents of the bill in few sentences. The history of this bill goes back to Land Acquisition Act, 1894. Bengal Resolution I of 1824 was enacted to be the first Land Acquisition Act within British-India. Act VI of 1857 was later enacted for the whole of British India. Act X of 1870 was again enacted superceding the former act. This act was again replaced by the Land Acquisition Act, 1894 which continued till 2013. It can be said that there is a very weak concern for welfare of the citizens in these acts.

Initiatives were started to have fair resettlement policy as a result of pressure from some civil society organisations. After a long period of 19 years, the Rehabilitation and Resettlement Policy was published by Ministry of Rural Development, Government of India in 2004. Another draft policy was made in 2006 by the National Advisory Council. Later on, the Ministry of Rural Development published in the Gazette of India the National Rehabilitation and Resettlement Policy 2007. Even though this is a policy, it is adopted in our state also.

The displaced people due to Indo-Bangladesh Border Fencing as well as Serlui B project were rehabilitated under this policy.

Later, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Central Act No. 30 of 2013 RFCTLARR Act, 2013 was passed on 1.1.2014.

This new act shows a close resemblance of MRRP, 2007 and Land Acquisition Act, 1984 with more advantage for the citizens. It gives huge advantage for rural people regarding solatium rate providing them at hundred to two hundred percent as fixed by the government. However, the solatium rate as fixed by RFCTLARR Act, 2013 could not be followed in Mizoram due to certain differences with other states of India. It is also advised that direct purchase should be made in case of requirement for land acquisition for the time being.

Started in 2014, the Government of Mizoram started to enact a separate Land Acquisition law for the state as provided in Article 371G (1)(4) of Indian Constitution. A Drafting Committee of Mizoram Land Acquisition Act, Rehabilitation and Resettlement Act was then formed under the leadership of Revenue Minister after seeking the advice of Mr. Kapil Sibal, Senior Advocate, Supreme Court of India. The new draft bill was completed in November, 2015. On the advise of Council of Ministers, the Governor of Mizoram approves the promulgation of the ordinance of "Mizoram Land Acquisition Act, Rehabilitation and Resettlement Act, 2015" on December, 2015.

The new Mizoram LARR Ordinance, 2015 takes immediate effect. However, in the process of its legislation for an act, the need for amendment was found. The Drafting Committee finalized the amended form on 15th February, 2016.

This bill contains provisions not to provide compensations to those land parcels which are not registered under the government. The solatium rate will also continue to be 30% which is still the same as Land Acquisition Act, 1984. There are also provisions on how social impact assessments would be held transparently. Section 80 also contains punishment for wrongdoings and corrupt practices.

The introduction of this bill states, "to ensure a humane, participative, inform and transparent process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provision for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Sixty – Seventh year of the Republic of India under the protection guaranteed under the provisions of Article 371G of the Constitution of India, since the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(Government of India Act No.30 of 2013) has not been adopted by the Legislative Assembly of the State of Mizoram.

Pu Speaker apart from the new Act which was introduced, there are 13 chapters, 105 clause and 3 schedule, in this section there is an ‘Application of Act.’ Under Chapter – II, Determination of Social Impact and Public Purpose is given priority by NRRP, 2007 and RFCTLARR Act, 2013. Pu Speaker, later on I will introduce Stamp Act but for now I will conclude by requesting all my fellow members to pass this Act. Thank you.

SPEAKER : The hon’ble Minister had introduced the Bill and we will now start our discussion and each member will have 10 minutes. Pu Nihar Kanti.

PU NIHAR KANTI CHAKMA: Thank you, Pu speaker. I thank the hon’ble Minister for introducing “The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill, 2016. Pu Speaker, 80 % Indo – Bangladesh border fencing have to be completed which destroyed the livelihood of many families. Some of them own an LSC while some does not which makes it complicated and hence they are unable to receive the full amount of compensation. The Award of Solatium, which means “out of the collector having determined the total compensation to be paid, may to arrive at

the final award, impose solatium not exceeding thirty percent of the compensation amount may result in the suffering of many under privileged, so, I request our government to review this matter once again.

Pu Speaker, we also face many problems in the Procedure and Manner of Rehabilitation and Resettlement. It is written in the Second Schedule that, "Each Family which is displaced from the land acquired shall be given as monthly subsistence allowance equivalent to the ₹ 3000 per month, Pu Speaker, considering the cost of living which had become very high, it is impossible to manage on a meager sum of ₹ 3000/- per month, so I suggest this should be increase to ₹ 10,000/- per month. Pu Speaker, it has been decided that Rehabilitation & Resettlement Committee should be established and that the member should consist of the Member of the Legislative Assembly of the concern area, so, I suggest this committee should be established soon since fencing is expected to be completed in 2018 and the people under my constituency had suffered to a great extend in their livelihood, their assets, buildings, playground etc. With that I will further conclude by saying I give my support in passing this Bill. Thank you.

DEPUTY SPEAKER : Pu K.Sangthuama.

PU K. SANGTHUAMA : Pu Deputy Speaker, as mentioned by the hon'ble Minister I believe we do not have much time to go through our Bill thoroughly, so, I suggest we should review this very carefully. We should also bear in mind that there are instances where we cannot implement all the Acts in the whole of Mizoram. "Solatium" as mentioned in No. 30 page 24, it is written that, "The Collector having determined the total compensation to be paid, may, arrive at the final award, impose "Solatium" not exceeding 30% if the compensation amount"

As for one time financial assistance and transportation cost for displaced families, which will amount to ₹50,000/- as written, is much too less and I think providing ₹3000 per month for a period of one year is also much too less to support families considering the cost of living nowadays. I believe we should reconsider and have a thorough study in this matter. There are many under privilege families who have lost their homes and settlement area, so I think it is best that we should have a thorough review before passing this Bill.

We should also consider No .43 and give a more detail explanation where it

stated that, “Where land proposed to be acquired is equal to or more than 100 acre, the Govt. shall constitute a Committee under the chairmanship of the Collector to be called the Rehabilitation and Resettlement Committee to monitor and review the progress of implementation of the Rehabilitation and Resettlement scheme and to carry out post-implementation social audits in consultation with the public of the concerned village in rural areas and Municipality in urban areas.” Thank you Pu Deputy Speaker.

DEPUTY SPEAKER : Dr. K.Beichhua

Dr. K. BEICHHUA : Pu Deputy Speaker, those who resides in the 6th Schedule area have legislative, judicial and executive power. The Central government preserves their rights and land rights had also been clearly stated in, “The Constitution 107th Amendment Bill, 2007 & 6th Schedule to the Constitution Amendment Bill, 2007”

Pu Deputy Speaker, there is a Special Provision for Schedule Caste & Schedule Tribe under section 41, new acts 15 where it stated that, “ as far as possible now acquisition on land shall be made in the Scheduled areas” and under Section 42, it is written that,”...all benefits including the reservation benefits available to the Schedule Tribe and Scheduled Caste in affected areas shall continue in the re-settlement area, wherever the affected family’s belongings into the Schedule Tribe were residing in the scheduled areas referred in the fifth schedule of the tribal areas referred to the sixth schedule to the Constitution re-located outside those areas. Then all the statutory safeguard entitlement & benefits being enjoyed by them under this Act shall be extended to the area, which they are resettled regardless of whether the resettlement area is scheduled area, referred to the said fifth schedule of tribal area in the said sixth schedule or not.” So, I believe 30 % of the Solatium may prove to be a burden rather than a system of alleviation for the under privileged. So, I suggest we should consider having a review on this Bill. Thank you.

DEPUTY SPEAKER : Er. Lalrinawma.

Er. LALRINAWMA : Thank you, Pu Deputy Speaker. under section – 30, regarding the Award of Solatium which states that, ‘ The Collector having determined the total compensation t be paid, may, to arrive at the final awards, impose ‘Solatium’ not exceeding 30 % of the compensation amount,.’ Pu Deputy Speaker,

many own land which is inherited from their forefathers while others acquire land by purchasing the area. So, to provide Solatium evenly to all the landowners may not be the fairest decision. Under Section 40, sub- section- 2, it is written that houses should be acquired within 48 hrs but it will be very hard to find a vacant house within 48 hours only. The content of Section – 3 also crosses the content of Section – 30 and Sub- Section – 3 of Section 40 and sub-section 1 of Section 30 also opposes each other. There are also other points that need to be carefully reviewed. So, I suggest Select Committee should be established and should be carefully studied once again before we agree to pass this Bill. Thank you.

DEPUTY SPEAKER : Pu R.Vanlalvena.

PU R.VANLALVENA : Thank you, Pu Deputy Speaker. I respect the efforts made by the hon'ble Minster regarding this Bill and express my gratitude for the attention he has given regarding Higher Secondary Schools. As mentioned by my fellow members there may be some points in the Bill which needs to be reviewed. So, I suggest it is best that Committee be established and that the Bill be carefully studied once again. Thank you.

DEPUTY SPEAKER : Pu R. Romawia.

PU R. ROMAWIA, MINISTER: It is obvious that you have not studied the Bill thoroughly and it seems that Land Acquisition is not given much interest. Even if we establish a review committee I do not think much attention will be given.

Pu Deputy Speaker, is has been passed by the Central Government that this Bill should be implemented from 1st January,2014 in the whole country and since we have not implement this in our State, the High Court have given us notice regarding this issue. The Ordinance is active for only 6 months and if it goes through the session it is active for only 6 weeks. So, it means this Ordinance will be active for only 6 weeks since it had been placed and discuss in the House. If we do not pass this Ordinance, the Act passed on 1st January, 2014 will needs to be implemented which means we can no longer base ourselves on 371 G. So, Pu Deputy Speaker, since we have many doubts regarding this Bill, I suggest we should have a short break so we may discuss this during the break and continue after 2:00 PM.

DEPUTY SPEAKER : It is fitting that there will be some oppositions

regarding this Bill but we have to know that there has been many court cases because we do not adopt an Act which could justify problems relating land acquisition. So, the hon'ble Minister is proposing this Bill so we may be able to solve many of our land problems. Though we have implemented Land Acquisition Act from the time of District Councils the Central Government have introduced a new Act in 2013 and we should know that we either Adopt this Act or we can draft a new Act under 371G. As mentioned by the hon'ble members regarding the implementation of Compulsory Acquisition of Land, it is clearly stated in the 3rd para of the 6th Schedule which states that the Council cannot make any prevention regarding the acquisition of Land. If the value of the land increases the compensation they receive will increase. As the hon'ble Minister mentioned I do not think you will study the Bill more thoroughly if given more time. Anyway we will continue our discussion and Pu K.Sangthuama may have his time.

PU K .SANGTHUAMA : Pu Deputy Speaker, we do not oppose or disagree with the whole contents of the Bill but we merely want to more time before we pass this Bill since we believe there are some alternations to be made.

DEPUTY SPEAKER : If the concern Minister permits.

PU K. SANGTHUAMA : It is best that we consider this carefully and take more time to study this Bill.

DEPUTY SPEAKER : You are welcome to point out all the points which you think needs to be altered. Pu Zothangliana may have his time.

PU H. ZOTHANGLIANA : Thank you, Pu Deputy Speaker, since you are well aware of the difficulty of drafting a Bill and as we all know we can no longer practice the Land Acquisition Bill of 1894 it is only fitting that we adopt this new Bill for a better Land Acquisition Act for our State. For us Layman, it may be a bit difficult to understand the content of the Bill but we have to know that the Committee had carefully studied and ponder upon the advantage and disadvantages of this new Bill and the contents of the sections which can oppose each other.

My fellow members stressed on the Solatium a few times before but if we take a closer look it is clearly explained under sub – section – I, we should also bear in mind that our land acquisition system considering other areas are very different as mentioned by the hon'ble House Leader.

DEPUTY SPEAKER : It is already 1: 00 PM and I suggest we should let the hon'ble continue.

PU H. ZOTHANGLIANA : Thank you, Pu Deputy Speaker , as you commented earlier, if the compensation amount is high, 30 % Solatium will no doubt increase, anyway I am sure the decisions made by our experts who have deeper learning and knowledge about the Laws will be very reliable. Since we need to adopt a new Law regarding land acquisition, I suggest we should agree to pass this Bill and if amendments are needed, it can be amended by the Council of Ministers. Bearing this in mind, I suggest we should agree to pass this Bill. Thank you.

DEPUTY SPEAKER : We will have a short recess and resume our session at 2:00 PM.

2:00 P.M.

DEPUTY SPEAKER : Six members have reacted to our Bill and we will now continue with our discussions.

PU R. ROMAWIA, MINISTER: Pu Speaker, after our recent discussions, we concluded that it is best we provide more time to my fellow members to study this Bill more thoroughly. So, I appeal that, “The Mizoram (Land Acquisition, Rehabilitation and Resettlement, Bill 2016” should be place in the hands of the Select Committee.

DEPUTY SPEAKER : The hon'ble Minister had appeal to place, “The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill 2016” in the hands of the Select Committee, so, do we all agree? It seems no objection is there, who will be the Chairman and the member of the Committee?

PU R. ROMAWIA, MINISTER: Thank you, Pu Deputy Speaker. As per our Rules, the Chairman will be the Minister – in- charge and if the hon'ble House permits, the following members are proposed as the members of the Select Committee –

- 1) Pu P.C.Zoram Sangliana.
- 2) Pu John Siamkunga

- 3) Pu T.Sangkunga
- 4) Pu Vanlalzawma
- 5) Pu R.Vanlalvena.

DEPUTY SPEAKER : Do we all agree to the proposal made by the hon'ble Minister?

PU LALRUATKIMA : Pu Speaker, I propose that another member from the opposition bench should be added among the select committee.

PU R. ROMAWIA, MINISTER: The number of members is not specifically mentioned in the Rules, so, I do not think there will be any difficulty in adding another member. Can you please point out the name the member?

DEPUTY SPEAKER : Dr K. Beichhua is added among the select committee and shall we decide on the duration?

PU R.ROMAWIA, MINISTER: The Ordinance had been laid on the table of the House and since we do not have much time, I suggest one month duration be given.

DEPUTY SPEAKER : The Select Committee had been established and the members will be the names mentioned earlier and the Minister-in-charge will be the Chairman of the Committee.

PU VANLALZAWMA : Pu Deputy Speaker, I request you kind consideration to be the member of the Select Committee and I propose that the hon'ble member Pu Lalruatkima should be appointed in my place.

DEPUTY SPEAKER : Pu Lalruatkima is appointed as a member of the Select Committee in the place of Pu Vanlalzawma. The hon'ble House now place , "The Mizoram (Land Acquisition, Rehabilitation and Resettlement) Bill 2016" in under the authority of the Select Committee and report will be expected within one month.

We will now move on to another subject and the hon'ble Minister may lay, "The Indian Stamp (Mizoram Amendment) Bill 2016" on the table of the House.

PU R. ROMAWIA, MINISTER: Pu Speaker, with your permission, I appeal to introduce, “The Indian Stamp (Mizoram Amendment) Bill 2016” in the hon’ble House.

DEPUTY SPEAKER : Do we all agree to his appeal? Since there are no objections, the hon’ble Minister may introduce, “The Indian Stamp (Mizoram Amendment) Bill 2016” for further discussions.

PU R. ROMAWIA, MINISTER: Pu Deputy Speaker, it has not been long since Mizoram adopted the Indian Stamp Act in 1995. It was implemented in such a way that it will not be a burden but at the same time act as an important factor to generate income and maintain a good record of land valuation. There has also been a proposal to establish a new section, Section 47(B) Constitution of Central Valuation Committee and to abolish Article 5(e) and Article 5 (g) since the content is covered by other sections. Article 23(a), 23(b), 23(c), 23(d) had been revised and we have been advised by Finance Department so we may be able to generate more income but at the same time there has been a proposal that, “ instrument of conveyance undervalued how to be dealt with’ should be added under 47(A) and under Section 47(B) “ Constitution of valuation committee” and likewise different States had also amended their Stamp Act for the benefit of their States. So, I request my fellow members to pass this Amendment Bill. Thank you.

SPEAKER : The hon’ble Minister had introduced, “The Indian Stamp (Mizoram Amendment) Bill 2016” and we will now start our discussion. Pu Lalruatkima.

PU LALRUATKIMA : Thank you Pu Speaker. Regarding The Indian Stamp (Mizoram Amendment) Bill, 2016 “Section 47 (b), under the Constitution of Valuation Committee, how many members will be in the Committee; and, what will be their level of Authority? I think it will be wise to place two high authorities where complains can be filed. I believe the points highlighted needs to be amended as mentioned by the hon. Minister.

SPEAKER : Since there seems there are no other members who want to react to this, I will now call upon the concern Minister to appeal to pass the Bill.

PU R. ROMAWIA, MINISTER: Pu Speaker, the post of the Chairman will be equivalent to the post of Inspector of Registration and Commissioner of State and the nature of his work is clearly stated which included estimation, publication, revision of market value guidelines, methodology etc. The Chairman will be appointed and to continue the work of registration and other duties efficiently we need a Central Valuation Committee which will also manage the rise and fall of different rates concerning the mentioned issue. So, with that I will conclude by saying that I appeal the hon'ble House to pass this amendment Bill. Thank you.

SPEAKER : The hon. Minister has moved the House to pass "The Indian Stamp (Mizoram Amendment) Bill 2016" and all in favor to pass this Bill may say 'Aye' and those who oppose may say 'No'. Since there are no objections, "The Indian Stamp (Mizoram Amendment) Bill 2016" is unanimously passed by the House.

PU R.ROMAWIA, MINISTER: Thank you, Pu Speaker.

SPEAKER : We still have one more Bill, I will call upon the hon'ble Minister Pu Lalsawta to introduce, "The Mizoram Lokayukta (Amendment) Bill, 2016."

PU LALSAWTA, MINISTER: Pu Speaker, with the recommendation of the Governor and your permission, I appeal to introduce "The Mizoram Lokayukta (Amendment) Bill, 2016" In the hon'ble House.

SPEAKER : The hon'ble Minister had appealed to introduce "The Mizoram Lokayukta (Amendment) Bill, 2016". Do we all agree? Since there are no objections, the hon'ble Minister may introduce his amendment Bill.

PU LALSAWTA, MINISTER: Pu Speaker, Mizoram Lokayukta Bill had been passed in the year 2014 and it had been the manifesto of our Party which we hope will be very effective to eradicate corruption in different spheres. In co-operation with different NGO's we have studied the advantages and disadvantages of Lokayukta and its history and we have finally concluded that 11 amendments have to be made which we believe will be the best for our State. I will stress on a few points

The Chairman with two other judicial members will form Lokayukta so in that

in the absence of the two members, the Chairman may also function as Lokayukta as mentioned in section 3 under Statement of Objects and Reasons and other amendments are also made under section 3. Under section – 5, instead of ‘appointment of Chairperson and members’ we believe ‘Appointment of Lokayuta’ will be a more appropriate word. Pu Speaker, we are proposing an amendment in such a way that only one or two members or three could perform their duties efficiently. Sub – Section – 2 is amended in such a way that if the office of the chairperson falls vacant due to reasons specified under Section – 9 and there is no member to fill such vacancy in accordance with the provisions of the said section, the governor may by notification, appoint a new Chairperson in accordance with the procedure laid down under this Act. There is a proviso in this section which states that, ‘provided that the office of the Chairperson shall not be vacant for a period longer than one year comprising of 12 months from the date of such vacancy’

Under amendment of section – 8, instead of ‘ the Chairperson and every member’ we propose that it should be amended as ‘ any member, if so appointed.” Under section 19, ‘a bench consisting of at least two members’ should also be omitted. With that few points, I introduce this Bill for discussion in the hon’ble House. Thank you.

SPEAKER : The hon. Minister had introduced the Bill and we will now start our discussion. Now, Pu K. Sangthuama.

PU K. SANGTHUAMA : Pu Speaker, I request the hon. Minister to give a more detail explanation on section – 3 regarding the qualification and appointment of the Chairman.

SPEAKER : Pu Vanlalzawma.

PU VANLALZAWMA : Pu Speaker, I believe the hon’ble Minister had not move No.10 and 11.

SPEAKER : Have you not?

PU LALSAWTA, MINISTER: Pu Speaker, as the hon. member mentioned I believe I have not mentioned Serial – 10, Section 56, the Whistleblowers Protection Act, 2011. The name of the Rules will be slightly different and under serial No.11, it

states that Amendment of Section – 57 Clause (a) sub- section 2 of section 7 shall be omitted. So, Clause 57 (a) of sub-section 2 will be omitted. I apologize for not mentioning this earlier.

SPEAKER : Is there any member who would like to take their time?

PU K. SANGTHUAMA : Pu Speaker, may I please remind him of my question before the hon'ble Minister appeals to pass the Bill.

SPEAKER : The hon'ble member may give a more clear explanation mentioned to the points made by the hon'ble member.

PU LALSAWTA, MINISTER: Pu Speaker, section – 3 contains the qualification of the chairman and member of Lokayukta. The qualification is described as follows, “who is or has been a Chief Justice of the High Court or and so,’ I further want to state that if the criteria of the chairman is the same with the judicial member we are not confident that we will not be able to find a qualified person for the post so, in 2-(a) we added ‘oblique’ ‘or if appointed.’ Under sub-section – 3, the qualification we altered is not from the Principal Act and we propose that the points we mentioned for amendments to be included under this section. Pu Speaker, we propose these amendments so that the Chairperson himself and also with only one member may also function efficiently. I hope I could provide information expected by the hon'ble member, thank you.

PU K. SANGTHUAMA : Pu Speaker, the explanation given by the hon'ble Minister very clear and satisfactory.

SPEAKER : The hon'ble Minister may now appeal to pass his Bill.

PU LALSAWTA, MINISTER: Pu Speaker, I thank the hon'ble members for their interest in our topic of discussion and I appeal the hon'ble House to pass, “The Mizoram Lokayukta (Amendment) Bill, 2016.”

SPEAKER : The ho'ble Minister had appeal to pass “The Mizoram Lokayukta (Amendment) Bill, 2016.” All in favor to pass this Bill may say

‘Aye’ and those who oppose may say ‘No.’ Since there are no objections, “The Mizoram Lokayukta (Amendment) Bill, 2016” is unanimously passed by the House.

PU LALSAWTA, MINISTER: Thank you, Pu Speaker.

SPEAKER : We have come to the end of our 7th Assembly 8th session and as we all know, our session takes 12 days and 339 number of Starred questions had been submitted and 304 are admitted. There are 182 list of Business and 79 had been answered in the House and there are 34 Unstarred Questions submitted and 30 had been admitted. There are 5 questions which are not answered and I request the concern department to provided answers to these questions where 4 questions are for GAD and 1 is for Health & Family Welfare Department.

On the starting day of our session which is the 15th of this month, his Excellency, the Governor of Mizoram address the hon’ble House and the Motion of Thanks is presented by Pu R.Vanlalvena and on the 16th it was unanimously passed by the House.

An obituary of Shri Mufti Mohammad Syed, Chief Minister of Jammu & Kashmir and Shri P.A. Sangma, member of Parliament and the former Lok Sabha Speaker. The hon. House Leader, Pu Lal Thanhawla and the Opposition Group Leader present and eulogy and a minute of silence was observed in the House.

The panel of Chairmen during this session are: - Pu John Siamkunga, Dr Ngurdingliana, Dr. K.Beichhua and Pu Chalrosanga Ralte. The hon’ble Minister Pu R.Romawia clarifies about the accusations made against him regarding the land given to two employees from Revenue Department.

The hon. Finance Minister Pu Lalsawta presents the Budget for the year 2016 – 2017 in the House and during this session there are 19 Reports presented in the House.

During this session 14 papers had been laid in the House and 4 Government Bills had been passed which is now an Act and 1 Bill is referred to the Select Committee.

During this session we receive 56 numbers of Private Member Resolutions

and all are admitted and among them the Resolution of Pu K.S Thanga was passed unanimously by the House.

After passing all the Demands, another important point which I cannot miss is the admirable conduct of all the hon. members and their presentable and decent attire in the House. So, I express my deep gratitude to all the hon. members which I believe is a good example for others.

I also thank all the staff of the Assembly Secretariat for their tenacious hard work and all the officers and staffs of all departments.

By the grace of the God, we have come to the end of our session and we should all be thankful to God for his guidance.

The House is adjourned *Sine die* at 2:55 PM