

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

LIST OF BUSINESS

FOR FIRST SITTING ON WEDNESDAY, THE 27th JUNE, 2018
(Time 10:30 A.M. to 1:00 P.M. and 2:00 P.M. to 4:00 P.M.)

OBITUARY

1. **PU LAL THANHAWLA**, Hon'ble Chief Minister to make obituary reference on the demise of Pu P.B. Nikhuma, Former Member of Mizoram Legislative Assembly.

PRESENTATION OF REPORT

2. **THE SPEAKER**, to present to the House the Seventeenth Report of the Business Advisory Committee.

LAYING OF PAPER

3. **PU LALSAWTA**, Minister to lay on the Table of the House a copy of the Mizoram Lotteries (Regulation) Amendment Rules, 2016.

LEGISLATIVE BUSINESS

Bill for introduction, consideration and passing

4. **PU R. LALZIRLIANA**, Minister to beg leave of the House to introduce "The Sinlung Hills Council Bill, 2018".

ALSO

***to introduce the Bill
to move that the Bill be taken into consideration AND
to move that the Bill be passed.***

S.R. ZOKHUMA

Commissioner & Secretary

....

SPEAKER : A good man brings good things out of the good stored up in him, and an evil man brings evil things out of the evil stored up in him.

Matthew 12:35

We will observe Obituary Reference in respect of the departed Member Pu P.B. Nikhuma, Ex-Dy. Minister and I request Pu Lal Thanhawla, Hon' Chief Minister and leader of the House to deliver the eulogy.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, it is sad that today we are compelled to observe obituary reference in respect of the departed former member, Pu P.B. Nikhuma.

Pu P.B. Nikhuma, Ex-Minister died at the age of 89 on 11th April, 2018 at 7:30 PM in Aizawl Civil Hospital. He was born at Hnahlan in 1929 to be the third child of Pu Chhunbura and Pi Chhingzovi among his 6 brothers and 4 sisters. He married Pi Chuaubangi d/o Pu Kamlova at Lunglei on 31st July, 1953 and had 6 sons, 2 daughters and 34 grandchildren.

He passed his Matric from Residential High School, Imphal and he was a Manager at Pu Buangthanga's business in 1952 and then settled at Lunglei. He entered politics and joined Mizo Union in 1963 and was elected a Secretary at Divisional Headquarter (Lunglei) the very same year. He was elected as a representative of Buarpui Constituency through Mizo Union party in 1972, April (the first UT election). He was the Dy. Minister and was allotted Medical & Family Planning Department and Local Administration Department under Pu Ch. Chhunga's Ministry. He was also the General Secretary when Mizo Union merged with Indian National Congress and the party leaders appointed him as MPCC Lifetime General Secretary for his regularity and hard work.

He was the first President at TKP Rahsi Veng Unit and was also the first life member at YMA. He was the first Managing Board Chairman at Aizawl West College and he was also the Chairman of ZENICS in 1995-1998. He was also among the pioneers who established Dinthar high School.

He was a healthy and happy man but he became sickly at the end of 2017. He was admitted at CARE Hospital on 26th Feb, 2018 and then at Aizawl Civil Hospital ICU since he made no progress even after a week. Investigations showed that he had a brain tumor and a fluid in his lungs. He made progress

and he was discharged from ICU and admitted to cabin on 9th March, 2018. However, he died on 11th April, 2018 at 7:30 PM.

Pu P.B. Nikhuma started his business career at Buangthanga & Bros at Lunglei and then settled in Aizawl after he was elected as an MLA. He was a friendly, hardworking and eloquent person and he was also involved in many society and church activities. Pu Speaker, losing him is a great loss and I pray that God be with his family.

PU LALRUATKIMA : Pu Speaker, Pu P.B. Nikhuma's parents were teachers and they were blessed with many children. They celebrated their Diamond jubilee in 2013 as well.

Pu P.B. Nikhuma finished his matriculation from Imphal and settled at Lunglei for a job and then got married. He started his political career and became the Mizo Union General Secretary at Divisional headquarters. He was an eloquent person and he was elected as a representative of Buarpui Constituency in UT election, 1972. He was elected Dy. Minister on 26th July, 1972 under Pu Ch. Chhunga's ministry and looked after Medical & Family Planning and LAD. He was also handed the charge of MPCC lifetime General Secretary and he was the first Life member at YMA. He was a hard working man and gave his best for the state and society. He was the first Managing Board Chairman of Aizawl West College and was among the pioneers who established Dinthar High School.

He was the Chairman of ZENICS in 1995-1998 and he was a studious person. He became sick at the end of last year and had a brain and lung tumor. He received many support from the Church community, friends, family, party etc but his illness deteriorated and died on 11th April.

We deeply mourn the loss of Pu P.B. Nikhuma and we pray that God be with his family. Thank you.

SPEAKER : Pu Romawia.

PU R. ROMAWIA, MINISTER: Pu Speaker, Pu P.B. Nikhuma was among the best leaders of Mizo Union from the southern region and he was also a hardworking and down to earth person. He set a great example for us and losing him is a great loss. Thank you.

SPEAKER : He was a good and kind neighbor when he was a Dy. Minister and I was a Dy. Speaker. He is lucky that all the members are present today and the House may now stand in silence for a minute as a mark of respect to the departed leader. (*The members stood in silence for a minute*)

We will proceed to another business. Business Advisory Committee had a meeting on 20.6.2018 and a programme was prepared for this session. The copy is distributed and the House needs to approve BAC Report. Can we all approve it?

PU LALRUATKIMA : Pu Speaker, before distributing the BAC Report.

SPEAKER : Let the copies be distributed.

PU LALRUATKIMA : I have something to say before approving it. Pu Speaker, the Governor issued summons on 11th June but I received the notification on 12th June at 8:00 PM. Our rule book Chapter-2, section III said “the date and place for session of the House, at least 15 days before the date of commencement of the session” and Chapter-8, section-36 said “unless the Speaker otherwise directs not less than 15 clear days notice of a question shall be given”. So, we are not given the time to submit questions and it seems that the members do not have privilege.

SPEAKER : This was mentioned before.....

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, our leaders are quite careful and this session is an emergent because we are afraid that we might look for someone to blame on Lotteries Amendment Bill. Sinlung Hills Development Council Bill also is an urgent matter because an agreement was made and a bill needs to be passed so as to confirm the agreement. We have no idea when election will be held or the next session but 6 months should not fall in between the 2 sessions.

PU LALRUATKIMA : Pu Speaker, the Memorandum of Settlement between the Govt. of Mizoram and Hmar People’s Convention Democratic was held on 2nd April, 2018 and almost 2 months had passed. No time is given for questions and it is not notified as an emergency.

SPEAKER : Counting from 12th to 26th, the 26th was exactly the 15th day and the Chief Minister had also mentioned that it is an emergent even if the word ‘emergency’ is not written.

Dr. K. BEICHHUA : Pu Speaker, the word ‘emergency’ is not written and no questions could be made. This looks intentional and it seems the ruling ministry is afraid that we would make questions.

PU LAL THANHAWLA, CHIEF MINISTER: Pu Speaker, we are not afraid and we are eager to give answers on the mishaps.

SPEAKER : It may be a mistake but there is nothing to be afraid of. I have presented Business Advisory Committee Report and do we all agree? (*Members: Agreed*). Let the copies be distributed.

PU VANLALZAWMA : We have not yet receive the copy, are we not supposed to approve it after seeing the copy?

SPEAKER : We will proceed to Laying of Papers and I request Hon. Minister, Pu Lalsawta.

PU LALSAWTA, MINISTER: Pu Speaker, on the recommendation of the Governor and with your permission, I lay on the Table of the House, “The Mizoram Lotteries (Regulation) Amendment Rules, 2016”.

SPEAKER : Let the copies be distributed. I request Pu R. Lalzirliana, Hon. Minister to move the House to introduce “The Sinlung Hills Council Bill, 2018”.

PU R. LALZIRLIANA, MINISTER : Pu Speaker, I move the House to introduce “The Sinlung Hills Council Bill, 2018”.

SPEAKER : Do we all agree? Let it be introduced and be moved for discussion.

PU R. LALZIRLIANA, MINISTER: Pu Speaker, Chapter 36, clause ‘c’ states “is not registered as a voter in the electoral roll of the Village Council within the State”. The ‘state’ refers to Mizoram because this bill is to be used in Sinlung Council and not outside the state. Section 43, clause 4 states “The

following shall be deposited to the general council fund and 'b' states "All receipts on account of the nation rates". Here, 'rate' is used to define tax and fees.

I beg the House for a correction on sec 53 and add 'The Chief Executive member, Executive Member, Officers and Employees'. It is impressive that this bill is introduced and I beg the members to take note of what I am saying.

We had conflicts with our Hmar brothers for a very long time and Hmar Peoples' Convention (HPC) was found in 1986 with a demand for Autonomous District Council. Memorandum of Settlement was signed between Mizo Govt. and HPC on 27.7.1994 and the Govt. also gave rehabilitation package to HPC as per the agreement. Sinlung Hills Development Council was later established and Govt. offices were opened within the Council. Interim Council was also established to look after Sinlung Hills Development Council.

Unfortunately, Hmar Peoples' Convention Democratic (HPCD) was formed in 1996 at Cachar District by some leaders who were not satisfied with the terms of the agreement and continued with their demand for a separate autonomous district council under the 6th schedule. HPCD continue to battle the Govt. and terrorize the people. A spate of violence was also experienced in the state resulting in the deaths of Mizoram policemen and even ambushed Mizoram Legislative Assembly Subject Committee at Zokhawthiang on 28.3.2015. It is impossible today to mention all the actions carried out by HPCD and the Govt. opposed autonomous district council because it is possible that the brotherhood among several ethnics could be destroyed.

The Village Council Coordination Committee within Sinlung Hills Development Council requested Pu Lal Thanhawla in 2009-2010 to take measures for agreement and the CYMA, Hmar Students Association and Hmar youth Association also requested the Govt. to have a peace talk.

The HPCD also requested a political level talk in 2010 and the two teams had their talks and signed the Suspension of Operation on 11th Nov, 2010 for a period of 6 months. The relation between them experienced a rough weather and the two teams signed an agreement for SoO for 6 months duration on 31st Jan, 2013. However, the talk was terminated because HPCD insisted on demanding autonomous district council under the 6th schedule and the state Govt. rejected the condition. The peace talk was held again on 10/6/2016 under

a pleasant environment and the HPCD also did not insist on autonomous district council anymore. However, the peace parley had culminated in an agreement with more autonomy to the existing SHDC and MoS between Mizoram and HPCD was signed on 2/4/2018. An agreement requires give and take where we lose some and gain some. The following are a few provisions that we came into terms –

- a. There shall be a Council to be called the Sinlung Hills Council within the state of Mizoram comprising of the areas of the Village Councils as may be notified by the Govt. from time to time in the official Gazette.
- b. The General Council shall consist of 14 members of which 12 shall be directly elected and 2 shall be nominated by the Govt. in consultation with the Council.
- c. The Chief Executive Member will nominate 4 members to be appointed by the Govt. as Executive Members from amongst the Members.
- d. The term of office of the General Council shall be 5 years
- e. Every Member of the General Council shall be entitled to such allowances as may be fixed by the General Council and approved by the Govt.
- f. The General Council shall meet at least once in every 4 months for transaction of its business.
- g. There shall be a Secretariat for the SHC Headquarters headed by a Secretary to be posted by the Govt. in consultation with the Chief Executive Member.
- h. The General Council may prepare in each financial year a Supplementary estimate providing for any modification of its budget for the year and may submit to the Govt. for approval.
- i. The Govt. shall make rules for the purpose of holding election to the General Council.
- j. The Govt. shall, as soon as possible, take steps for the constitution of an Interim Executive Council by nomination until the General Council is constituted under this Act.

Thank you Pu Speaker and I beg the House to agree with me.

SPEAKER : We will start the discussion and each member will be given 10 minutes. Pu Piana.

PU R.L. PIANMAWIA : Thank you, Pu Speaker. It is impressive that “The Sinlung Hills Council Bill, 2018” is introduced and we remember the lives that were lost.

The Home Minister was wrong when he said Subject Committee and it is the Assurance Committee that was ambushed. There may be different opinions today but this agreement was made on trust and it is appreciating that peace talks and agreements are settled despite all the disputes.

CID leaders and our policemen also gave their best and I would like to thank them for their hard work. The people of Mizoram also need to work together in order to strengthen this agreement and I beg the people to continue their prayers as well. So, I beg the House to unanimously passed “The Sinlung Hills Council Bill, 2018”.

I suggest changing the number of member of the General Council with 12 members to be nominated directly and 2 members to be nominated by the Govt. However, 3 members were nominated by the Govt. before. So, there are 3 MLAs in HPCD area and things can be a little complicated. Thank you, Pu Speaker.

SPEAKER : Pu Z.S. Zuala.

Lt. Col. Z.S. ZUALA : Pu Speaker, it would be impressive to know the areas and boundaries and let us hope that the taxes, royalty and forest products to be shared with the Govt. are soon settled. The council has power to acquire and Tuirial Hydel Project might be within their area; I hope the rules are enforced accordingly. It seems it will also has power on moveable and immovable property and the delimitation needs to be made carefully. It would also be appreciated to know if the fund will be of direct funding and if higher authority will be given. Traders are often free within the district council area and we need to be careful as well. This is an excellent Rule which leads towards peace and I support it to be passed. Thank you.

Er. LALRINAWMA : Pu Speaker, I thank for the opportunity to discuss about passing the Sinlung Hills Council Bill here today.

With the upcoming anniversary of ‘Remna Ni’, I think it is quite a coincident to have discussion on the Sinlung Hills Council Bill which also

concern for peace. Numbers of Bills had already been passed since we have been here in the House as a member in which most of such bills were laid with a specific jurisdiction. However, section 1 of the Bill bluntly stated that “it shall extend to areas as may notify by the Govt. from time to time” but without the area being specified. I do not understand why it is done like this or if there is something undisclosed in the process. I opine it is unbecoming for the House to take up incomplete bill to be passed.

Regarding the nominated seat which is proposed as 2 seats, I think it should clearly be specified to whom such nominated seats will be given. Whereas the same is clearly specified in the Council Bill of other states that such seats may be filled in by the like woman, a religious leader or a member from minorities. I am afraid this may entail some sorts of confusion when allotment of such seats is determined unless the case is clearly specified beforehand.

Regarding the term of appointment of the Secretary, I am concern as to whether the term for extension of this important post is clearly underlined. I opine the point given in Section 16 of this Bill is vague as only the term of such extension is given but not of when it will be applied and for how long.

Regarding Section 36, Disqualification for Members of the General Council, I do support the opinion that just 18 years of age as inappropriate. As of the point in sub-Section C, it seems that there is no clear definition as to whether such Member should be of those who enrolled his or her name in the electoral roll of a Village Council within the state or if only those who is within the area of such council. As pointed out earlier, this could be interpreted as anyone from outside also has the right to contest in the election of such Council. In that case, I believe it is more specific if the term “within the state” is changed as “within the Council” for it will forbid anyone from outside the Council area to contest for the same. It will be much appreciated if the Hon. Minister later defines the meaning of ‘Village Council’ refers here. I appreciate that concerned MLA is not appointed as ex-officio of the Council or AMC as it is done in other states.

Pu Speaker, from my experiences as a member of various Legislative Committees such as PAC and the Estimate Committee, I suggest any fund of the Council as refers in Section 42 is issued through Treasury of the state Govt. since it is often a problem to deal with financial management of any of the

autonomous body. It may as well be suggestive to provide proviso for any financial sanction which may be made to the Council to simplify the process of previewing any sanction already made.

I truly appreciate this peace settlement. However, I believe it is important for the leaders of both sides to have trust in each other so as to achieve the peace settlement in practical. If the Council is leading not as expected, I am afraid some sorts of grievances may arise.

Last, but not least, I would like to stress the need for the government to exercise any rule as it is supposed and not to pass any which we will not dare to put into practice. In this connection, it is a shame that NLUP fund for Aizawl West-I constituency is handed over to the defeated contestant and not to the elected one, Pu K. Sangthuama; we should know that it is an act of ignorance of NLUP guideline. Likewise, while discussing passing of rules which concern Sinlung Hills District Council, we should consider beforehand if it will be used in practical. I appreciate this bill and give my support so that it is passed by the House unanimously. Thank you.

SPEAKER : Next is, Pu Lalthanliana.

PU LALTHANLIANA : Being the victim of the ambush near Sakawrdai village in the process of the demand of HPC (D), I think I have known to a certain extents the hardship of achieving this peace settlement. Pu Speaker, I appreciate the decision of the government in dealing with the process and I truly support this Bill to be passed by the House.

As stated by other members, I also give my thought as to how to make restriction and demarcate the area. Regarding the quorum, it is proposed as 2/3 of the Members excluding the Chairman which means at least 10 Members out of 15 is necessary to run the Council. I opine the proposed size is too much and may therefore be reduced otherwise it is possible for the Council to cancel the committee due to shortage of quorum.

Regarding qualification of the membership of the General Council, I supposed one who has the right to vote has the right to contest in the election for this Bill defines that “registered as voter in any of the electoral rolls as defined in sub-Section 1 of Section 32 of this Act”. Yet, I opine the minimum of 18 years of age is quite less and may therefore be reexamined.

Regarding the autonomy, it underlines “...within the state of Mizoram with autonomy to some extents under the state government” I opine this as a bit updated and the term ‘to some extents’ is not specific.

Above all, Pu Speaker, I am glad that the dreams of many concerned people has now becomes reality, and I am happy for them. So, I support for passing of this Bill. Thank you.

SPEAKER : Now, Pu T. Sangkunga.

PU T. SANGKUNGA : Pu Speaker, Peace Settlement is indeed, a great thing. It is appreciative to attain peace once again for the only remaining area in our state which is regarded as a disturbed area. I appreciate the efforts of both of the consignees such as HPC (D) and the government. As stated by the Hon. Home Minister, it is a ‘give and take’. They have once demanded a Sixth scheduled status but the government find it difficult to oblige. However, they have now agreed to take offer of the District Council having its own CEM thanks to the efforts of leaders of both sides.

However, as already stated, the Constitution and Conduct of Business Rules, 2008 of Sinlung Hills Development Council underlines the minimum age for the Member as 25 years of age but it is now appears as 18 with the opportunity for anyone even outsider having their names in the electoral roll to contest in the election of their Council Members. For instance, one who has completed 18 years of age by the month of January but his name not enrolled as yet in the electoral roll also has the right to contest in the election and even the right to claim the highest post i.e. CEM. Pu Speaker, most heads of a country generally are older than 30 and thus is unbecoming for 18 years of age to head the Council. The Hon. Minister may therefore clarify the case later. I opine it is more preferable to use the previous rules of 2008.

The point which strikes my thought even before studying the detail of this Bill is absence of act for repeal and saving. After enquiring the case to the official of the Assembly Secretariat, it is learned that the previous Rules had been passed without Act. It is true that there is no act to repeal if the Sinlung Hills development Council has been running merely with Rules but without Act. However, since it is being set up by the Rule, there will be 2 rules for this concern unless we repeal the first one. Likewise, there will be 2 Rules for Sinlung Hills Development Council unless we repeal the previous one i.e.

Sinlung Hills Development Council/Constitution & Conducts of Business Rules, 2008. I am saying this out of concern for the need to deal this matter with utmost care.

Regarding qualification to contest in the District Council election, I opine there is the advantage and disadvantage on inclusion of outsider. By including outsider, it means there is a chance to those from another districts to contest in the said election and I think this inappropriate to those living within the given area. On the other hand, inclusion of outsider is in a way evocative for there is a chance for the people to have ideal leaders to lead the council strongly and effectively. Anyway, the best is to make restriction only for those living within the area.

It is appreciative that we are able to achieve this peace settlement despite shortage of time to deal with the case and our leaders and the officials truly deserve the credit. I support passing of Bill in the House. Thank you.

SPEAKER : Pu K. Lalrinthanga.

PU K. LALRINTHANGA: As known to us all, Pu Speaker, some of the villages within my constituency Serlui are included in the Village Council demanded area; and as a representative of this constituency, I think I am familiar with which portions need to develop and which portion does not. Thus, I think it is my concern to speak in regard to this Bill.

Mizoram had been under insurgency since 1960 and peace was achieved at last thanks to the efforts of the peace enthusiast hon. Chief Minister and other leaders. As known to us all, most of the political parties manifested Peace in Mizoram in every general election but remain ineffective until the present Chief Minister was elected for the first time in 1984. The reason is that we had no leaders who were willing to vacate their seat for the underground leaders at the cost of peace. I opine this truly is an act of sacrifice.

We now have a leader who prioritizes Peace in Mizoram. I am glad that I have also been elected as one of the three Members to represent Sinlung Hills Development Council in 2008 general election. We therefore know very well the condition of our respective constituency and that the prevailing problem is coming out of our willingness to develop our Council area. In fact, development could not be carried out as desired by the government within this

Council due to the said insurgency and the concerned VC members too are deeply concerned for the problem which obstruct our development. As for now, Peace Accord is existed and insurgent group within our Council area have now surrendered themselves for peace as a result of continuous prayers of the people. I, on behalf of the Members from this Council area extend my thanks to all concerned people and anyone who has given effort for peace.

I appreciate that the Hon. Home Minister has now laid an ideal Bill concerning our Council and I do not think it is necessary to get into the details. Yet, I do not agree with the opinion of the member who spoke before me of the possibility of external involvement for authority being given to this Council since we also have numbers of qualified personality being brought up in this area to take any responsibility of our District Council.

So, I appeal to the House that the Bill be passed today and that any weak point which may be included in the Bill may be amended later as necessary. Thank you.

SPEAKER : Pu Ngurdingliana is next.

Dr. NGURDINGLIANA : As stated by a member from Serlui Constituency, Pu Speaker, 9 villages out of 24 within my constituency also are in the demanded area. Words could not express how we feel for peace settlement with HPC (D) particularly of the people along this hill.

Any of the Development Councils movement emanated for wants of development and is generally carried out with the knowledge that India is a democracy in which any people enjoy the Right to equality. I truly appreciate peace settlement with HPC (D) inspired by the 'give and take' minds which instill in our leaders who are willing to sacrifice a valuable seat to Pu Laldenga and his party for the sake of peace. Three District Councils suddenly emerges during our UT and now is the first since our statehood which comes into being thanks to our able leadership of the hon. Chief Minister. As pointed out by the hon. Home Minister, the Mover of the Resolution, I extend my thanks to all concerned people for their valuable efforts, to all churches for their continuous prayer and to all the officials without whom this will never be achieved.

I would like to make a brief explanation regarding the context of the Bill which underlines 18 years of age and restriction for outsiders to contest in the election.

The Constitution of India which is said to be the most exhaustive constitution in the world covering the Union List, State List and Concurrent List further provides a special provision for tribal area. As in Lok Sabha, Rajya Sabha and MLA, this provision underlines the eligible age to contest in the election of MLC which is 30. Apart from this, the Constitution underlines the eligible age under all other Articles such as Municipal, Panchayat, Village Council etc. as 21 years of age. However, in the case of those under the Sixth schedule, it is 18 having the right to vote; yet, there is none of 18 years of age. Considering our situation, I agree with 18 for democracy concerns equality. As of having at least 3 nominated seats, I support the suggestion of a member from Tuivawl Constituency. Regarding appointment of concerned MLA as ex-officio, I do not think it is necessary for we will have Executive Officer of Joint Secretary level.

Lastly, Pu Speaker, I appeal to all the Members to unanimously vote in favour of “The Sinlung Hills Council Bill, 2018” so that it is passed in the House. Thank you.

SPEAKER : Now, Pu K. Sangthuama.

PU K. SANGTHUAMA : Pu Speaker, demarcation of the area here in the Bill is hardly appropriate or if the government has any other plan in this regard, it may be clarified later. Obviously there will be some disputes as soon as the area is demarcated and will not be an easy task to resolve such problem in case both sides are not willing to surrender in the decision of the authority. The best is to pass this bill as it is and any problem which may entail be resolved as necessary when the time comes.

Pu Speaker, I also agree with the proposed term of the Secretary which is 3 years; regarding the incumbent, I think MCS officer will be more appropriate to fill up the post of the Secretary and the same may also be done to the 3 Autonomous District Councils to improve their administration. Apart from this, partiality tends to evolve if appointment is made as per the choice of the ministry which may later hamper the administration.

This bill further underlines extension of the term of the Secretary by 3 years which in my opinion is a bit liberal; I think it is more appropriate if it is not less than 2 years. Regarding collection of taxes, it is necessary to deal with the case very carefully for any property should be dealt and classified as the

like movable and immovable properties and allotment of land will be placed under the jurisdiction of the district council. I opine we only narrow down the extent of our land by giving full authority to the district council where as allotment of land to none from outside will hardly be made. As such is the case, it is important for us to deal with the matter cautiously and very carefully. Regarding 18 years as the minimum age for the Counselor, I also find this less mature to take responsibility of the member. Thus, it is wise if it is made at least 21 years of age.

Regarding another qualification to contest in the election of the District council, I would like state as an instance that I might have also been elected as Member of any of the Autonomous District Councils if given a chance and enough effort being made. But such Autonomous Councils have made their own rules to safeguard themselves and prevent outsiders from contesting in such election and that only of person within the area is eligible. It is not possible to mention as to whether such system is good or not but the case need careful consideration.

As of administration, budget and financial management of this Council, no clear-cut definition is given yet may be amended later in their Session and with the approval of the State government. This Council could not be given the same status as of the 3 Autonomous District Councils, it may be important to make amendment to the extent that its power is enhanced for smooth functioning. It will have its own CEM and EM's yet less power than the Autonomous District Council where as the next step for them is the Autonomous District Council status, if approved by the Central and the State Government.

It is a fact that we all wants power as my party too was striving for Independent Mizoram for long 2 decades though many claims we were not. In this connection, I would also like to beg the House Leader not to repeat such allegation which often hurt our sentiment. The HPC too has now demanded Autonomous District Council but could not be fulfilled by the State Govt. as yet for it requires approval of the Central; this is how it goes and we must accept it. None can foretell whether or not it will be achieved someday as demand for the same may go on and on which is the ways of the world. As this is the case, it is of utmost important for the state government to prioritize equality of all the minorities within our state so that we all live peacefully in our respective areas.

As known to us all, Pu Speaker, it is difficult to resolve any problem unless peace and the Hon. Chief Minister too deserve much credit in the process of our peace settlement. It is a fact that the whole people of Mizoram yearned for peace all those times before 1986 as even many students had even observed hunger strike and all the churches prayed continuously for wants of peace. As a result, it is grateful that we are now able to live in a peaceful state. Much as well, it is delightful that we are now able to resolve peace settlement with HPC (D) regarding their demand for a separate District Council. But what is important for the government is to carefully determine what is good and what is not in dealing with such matter.

Speaking of District Council, Pu Speaker, I used to think if it is suggestive to set up a strong District Council with strong DC administration in the Bangladesh border area of Lunglei District so as to encounter infiltration of the Chakmas from outside effectively. I am not sure such idea is best for us but we may use our thought in that direction as well. (SPEAKER: You have spent up your time already.)

Lastly, it is my desire that this bill is unanimously passed by the House and I support for that. Thank you.

DEPUTY SPEAKER : Next, Pu B.D. Chakma.

PU B.D. CHAKMA : Pu Dy. Speaker, thank you. In sub-Section 2 of Section 7, the wording ‘provided that such registration.....’ in which the word ‘*registration*’ obviously is a patent error and may be changed as ‘*resignation*’. Again, in Section 42, sub-number (b) Power to make rules, regulation, election of members, there is another patent error in the sentence ‘The appointment of Returning Officers, Presiding Officers and Ruling officers’ in which the term ‘Ruling Officers’ should be changed as ‘Polling Officers’.

Being CEM and EM of CADC in the previous terms, I would like to mention regarding the appointment of the Secretary. As underlines in sub-Section 5 of Section 16, the term of appointment of the Secretary is for a period of 3 years but may be extended by the government in consultation with the Chief Minister. I believe it is appropriate to put the said appointment in the hands of the Executive Council as some sorts of difference tend to exist if the Secretary is not of the choice of the Executive Council. So, I opine it is preferable that the senior most Jt. Secretary is recommended by the Executive to fill up the post without mentioning term like 3 years term or else.

Regarding the minimum age for the Counselor, I also opine 18 years of age is less to take such responsibility but should attain at least 21 or 25 years of age. Then, I express my support for this Bill, Pu Dy. Speaker. Thank you.

DEPUTY SPEAKER : Next, Pu T.T. Zothansanga.

PU T.T. ZOTHANSANGA: Thank you, Pu Dy. Speaker. I am glad that peace settlement is once again accomplished under the Congress party ruling Ministry. The Congress party could now be acknowledged as a symbol of Peace and I appreciate it deeply.

Coming now to the point, sub-number 2 of section 18 of this Bill, it indicates that the General Council will summon a meeting at least once in every three months to monitor progress and implementation of the allotment of the work executed by the development of the State Govt. I find this appreciative. At the same time, I would like to mention that the Council itself may formulate, execute, examine and monitor the scheme in a minimal way but it seems no authority is there to check their performances to that effect. As such is the case, I am afraid the problem is intensified in the absence of monitoring authority. Thus, such Council will need assistance of the state government to monitor their performances.

As of this Bill, Pu Dy. Speaker, I find it quite appreciative and it may also be given in other areas as well. Yet, it needs careful manipulation in such a way not to leave the work unaccomplished. I congratulate the people of Hmar for that; and it is important for them to know that we are only beginning yet the first goal is being achieved. What occupies my mind in the mean time is if the government is heeding the demand of only those who deliberately pressurize the government. It is a fact that there are certain groups within my constituency as well demanding a separate area such as PTC and SDC. The situation is under control but their demand remains unprocessed which in a way indicate that only the obedient tend to lose. Since such people are anxiously waiting for the government to upgrade their status, I appeal to the House that the Govt. may as well concern with the demand for Sialkal Range Development Council to evade some sorts of pressure in the process.

So far, this bill is good; yet, we may find some points of weakness if we insist to. After using the bill in practical, then we will find which portion needs amendment and will be amended as necessary later on. I truly appreciate the

efforts made by the hon. Home Minister to achieve peace in our state; and, I support passing of the Bill. Thank you.

DEPUTY SPEAKER : Your time is well-spent. Next is, Pu Lalruatkima.

PU LALRUATKIMA : Pu Dy. Speaker, I am glad for giving me an opportunity to express my opinion in regard to the Bill which concern Sinlung Hills Development Council moved by the Hon. Home Minister. As known to us all, this bill has been moved in pursuance of the Memorandum of Settlement between the government of Mizoram and Hmar People's Convention Democratic of 2nd April, 2018. Likewise, Pu Dy. Speaker, the Memorandum of Settlement between the government of Mizoram and Hmar People's Convention had also been concluded in 27th July, 1994 and we have all seen as to whether it is achieved or not.

The Mover of this Bill has made the detail explanation by highlighting their Demand for the Autonomous District Council under the 6th Schedule. It is appreciated that we are now able to conclude the agreement as Sinlung Hills Council.

As known to us all, most the agreements being existed take a long and hurdle process where as the actual achievement depends on the consignees. There are many reasons for failure of the previous Memorandum of Settlement of 1994 and at the same time, we have "The Sinlung Hills Development Council Election Rules, 2008" and "The Mizoram Election to Sinlung Hills Development Council Rules, 2017" to repeal the same. When this Bill becomes Act, we will have Rule to that effect which may be amended as necessary from time to time.

While discussing this Bill, what occupies my thought is which department is best to administer the Sinlung Hills Council. If it remains under the maintenance of Home Deptt., will it be a problem in the long run as when the need to make amendment in the process of allocation of financial business? Since it concern administrative matter, I think it is more appropriate to place the maintenance under the General Administration Deptt.

It is appreciated that we now achieved peace settlement but I am afraid the memorandum is signed only with one of the three Commands of this group.

To enlighten the people of the actual condition, the Hon. Home Minister may later clarify if all such 3 Commands are ready to surrender their arms to the Government of Mizoram.

Regarding “the Electoral Roll of the Village Council” which also is underlines in Section 32 of this Bill, my understanding is that anyone who is included in the Executive Council should have his name registered in the Village Council Electoral Roll and so by any voters in the interim Executive Council of transitional period. Whereas considering the proposed members, they do not seem to have registered their name in the Village Council Roll but only in the Local Council Roll. Pu Dy. Speaker, I suggest the names of such persons may be registered in the Village Council Roll as well otherwise we will be defeated in court case.

Pu Dy. Speaker, another reason for the necessity to deal the Village Council Roll with utmost care is that there are numbers of non-mizos and non-tribals within the demand area and is thus possible that we only open the chance to such people to contest in the election. It is therefore necessary to include in ‘the Right to Vote’ or in ‘Disqualification for Membership of the Executive Council’ that one should be of scheduled tribe as we all knows that it is no longer safe merely with the Village Council Roll.

The Disqualification of Members of Section 36 further underlines the condition that “... is less than 18 years of age on such date as may be fixed by the Government or” which I believe is double as it is already seen in the Qualification of Section 35.

Regarding Section 48, “Protection of the right of the non-tribal and other ethnic groups”, I believe it also covers safety of the ethnic group of non-tribal within Chalfilh Constituency. I think it is also necessary to include those Paihte of our fellow Mizos in Section 52 which underlines Customary Laws and Procedure of Hmar Community.

Pu Dy. Speaker, peace is indeed valuable as it is also highly regarded throughout the world; yet, the result depends on the government, the people and the consignees. While this is the case, it is a common practice of some parties to take political advantage on such achievement. Anyway, it is important for the government to take full responsible of any step which is taken so far for peace for Sinlung Hills so that the area blanketed by dense problem

will then be able to enjoy a shiny atmosphere. Thank you.

DEPUTY SPEAKER : We will now have a recess, and we will resume our discussion at 2:00 PM.

2:00 PM

DEPUTY SPEAKER : To continue with our discussion, let me call upon Dr. K. Beichhua.

Dr. K. BEICHHUA : Pu Dy. Speaker, today is a remarkable day not only for the people of Hmar but for the entire Mizoram. Coming across Preamble to the Constitution, the term 'with autonomy to some extends' occupies my thought as to how far such authority will be effective and that it will be different from state to state. I think it is important to consider this portion very carefully. Is it appropriate to establish the Council without a specific delimitation of the area? If there is no specified area of the council, it may become a problem in the future. This is regarding Section 30 sub-section (2).

Regarding Section 35, qualification for membership of General Council, the lower age limit which is 18 years of age seems too much. I also opine the patent error mentioned by the Hon. Home Minister needs amendment.

Regarding Section 59, Power to make rules, does it mean that all the rules will be made by the state assembly without consulting the council? I consider this is quite questionable. Fixing of the term of the Secretary at three years also seems inappropriate.

Lastly, I congratulate the people of the new District Council. I hope this new District Council will bring development and prosperity to the people. Thank you, Pu Deputy Speaker.

DEPUTY SPEAKER : Pu Vanlalzawma.

PU VANLALZAWMA : Thank you, Pu Deputy Speaker. I am glad to participate in the discussion of Sinlung Hills Development Council Bill, 2018. In connection, what came to my mind is the memorandum of settlement signed on 27.7.1994. A memorandum similar to this one had been signed but was not

successful. I found this failure to be more responsible to the government. It is the same in case of Mizoram Peace Accord also. I am worried that this memorandum will also be a failure due to unaccomplished responsibility in the part of the government.

Besides, I opined that election of its own government is a must for this council. There used to be huge difference if the authority is elected for their own. Regarding Term of office of General Council, it is said that the term shall be five years from the first meeting as appointed by the Government. This may create huge difference in the term. In case the council could not meet for an extended period after its formation, it seems the term will be prolonged to a great extent. This needs further consideration.

Regarding quorum of the Council, it is proposed at 2/3 of the members. However, there is a chance that the council could not function in case oppositions do not want to participate in case they have more than one third of the members. This also needs to be considered. Thank you, Pu Speaker for giving me the precious time.

SPEAKER : Let us now call upon the Hon. Chief Minister before the Hon. Minister concerned takes his time.

PU LAL THANHAWLA, CHIEF MINISTER: Thank you, Pu Speaker. Firstly, regarding the agreement of 1994, it is the will of the government that no one from outside the area should interfere in the discussion but there are many foul plays from outside. The weapons surrendered also are not the actual weapons used by them. Even after the agreement, they have discord among themselves and they could not even held election. The agreement this time is quite different from the one in 1994. We witnessed trust and honesty from both parties this time and the persons involved are also quite respectable.

Besides, there is a problem that when some police personnel are posted in border areas, it is considered as a kind of punitive posting. This mindset needs to be changed. This is very important to check infiltration from outside the state.

In this connection, there are allegation about the leaders and members of the insurgency. However, it is obvious that many of them are fully sacrificed for their cause. It is my firm opinion that the issue of insurgency should not be

used for a matter of blame game. I never doubted even once that the members of Mizo insurgents are pure patriots; the problem is on the political leadership. I do respect the sacrifices and sufferings offered by them for this state. This is the reason why memorial place is constructed for the same. Thank you, Pu Speaker for letting me express my opinions.

SPEAKER : Let us now call upon the Hon. Minister, Pu R. Lalzirliana, owner of the bill to wind up the discussion and beg the House to pass the Bill.

PU R. LALZIRLIANA, MINISTER: Thank you, Pu Speaker. First of all, I would like to thank all the members who take part in the discussion of “The Sinlung Hills Bill, 2018”.

Regarding the eligible age for election to member of the council as mentioned by Pu Lalzirliana, it is our privilege to amend the contents of the bill. If we regarded the mentioned age too young, it may be amended to 25 years or 21 years or so.

Regarding the tenure of the Secretary, it means that if he attain the age prescribed for retirement, his tenure as a Secretary needs not to be extended. Besides, regarding the Power and Function of Sinlung Hills Council, it is said in the act that their expenditures will be audited by CAG. There is no possibility for misuse of money. Similarly, it is also clearly stated in Section 35 that the candidate for should be enrolled as a voter within the council area. There will be no chance for outsiders to candidate in the election of the council. Regarding the nominated seats also, it is fixed at two members at present which may be amended in the future if necessary.

It is said that there are two parties under the HPC (D) organization. The government entered into agreement with the terms which could only be fulfilled. I would also like to state that the government welcomes any party who could accept this agreement.

Regarding the area and boundary of the council, this is an important matter and we are also aware of it also. It is not included in the act as it may be different after it is being finalized. Regarding funding for the council, it will be funded from the state fund and they may avail additional fund from other sources through the government departments as normal procedure. There is

nothing to repeal in this act. The ones contained in MoU of 1994 are all repealed already.

Regarding the question if the administration will remain under Home Department, it will be the purview of the GAD after peace talks and all are finalized. All necessary efforts will be made so that the Council may be formed as soon as possible. I am very thankful that the HPC (D) also accepted the agreement even though some their demands could not be fulfilled. I would like to thank all the people who contributed for this agreement.

Pu Speaker, I beg this august House to pass the “Chhinlung Hills Council Bill, 2018”. Thank you.

SPEAKER : Now we shall take vote on the bill. Anyone who agrees to pass may say ‘Aye’. Anyone who opposes to pass the bill may also say ‘Nay’. If not, I therefore declare ‘The Chhinlung Hills Council Bill, 2018’ passed.

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

SPEAKER : We have now finished today’s business. The House will stand adjourned till the next sitting commenced at 10:30 Am tomorrow.

House is adjourned.