

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

LIST OF BUSINESS

FOR THIRD SITTING ON THURSDAY, THE 8th SEPTEMBER, 2022
(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.

PRESENTATION OF REPORT

2. **PU LAWMAWMA TOCHHAWNG** to present to the House Sixth Report on Action Taken by the Government on the recommendations contained in the Fifth Report of Committee on Papers laid on the Table relating to Finance Department, Home Department, Health & Family Welfare Department and Animal Husbandry & Veterinary Department.

LEGISLATIVE BUSINESS

Bill for introduction, consideration and passing

3. **PU LALRUATKIMA, Minister** to beg leave of the House to introduce The Mizoram (Land Revenue) (Amendment) Bill, 2022.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

H. LALRINAWMA
Commissioner & Secretary

SPEAKER : *For God is not the author of confusion, but of peace, as in all churches of the saints.*

- I Corinthians 14:33

We shall begin with Question Hour. Let us call upon Hon. Member Pu C. Lalsawivunga to ask Starred Question No. 41.

PU C. LALSAWIVUNGA: Thank you, Pu Speaker. May the Hon. Minister for Higher & Technical Education be pleased to state:

- a) Is student loan made easier for Mizoram's higher education students? If so, can you tell us the details of how it is easier than before?
- b) Are college lecturers recruited under SEDP? How many of them are recruited? Does the Government float advertisements for the same?
- c) How much efforts have been made to establish MZU Southern Campus?

Thank you.

SPEAKER : The hon. Minister concerned Dr. R. Lalthangliana may reply.

DR. R. LALTHANGLIANA, MINISTER: Pu Speaker, the answers are as follows:

- a) Student loan is not made.
- b) College Lecturers are not recruited under SEDP.
- c) MZU Southern Campus land has been finalized and land-lease certificate has been handed over to MZU. Mizoram Engineering College building, Pukpui, Lunglei is scheduled to be used temporarily during the preparation of MZU Southern Campus. Detailed Project Report (DPR) for the construction of the project was submitted by Mizoram University to Govt. Of India Ministry of HRD.

SPEAKER : Hon. Member Pu C. Lalsawivunga may ask his Supplementary Questions.

PU C. LALSAWIVUNGA: Pu Speaker, thank you.

The Election Manifesto of MNF party states, 'Student loan for Mizoram's higher education students will be made easier and scholarships will be paid in the right manner.' Did the Government forget its Election manifesto that easier loan system is not yet provided for the students?

Secondly, regarding MZU Southern Campus in the 2020 Budget Session, The Hon. Minister informed the august House that classes will start from 2020-2021 session. Thus, I would like to ask if classes at MZU Southern Campus being started.

Thirdly, on 9th July, 2022 the Hon. House Leader while visiting Lunglei, Pukpui said that grants for construction of roads connecting MZU Southern Campus and water supply have been allocated. It is also published by DIPR on 9.7.22. Is there any action taken in this connection, when will it be completed?

Besides, Pu Speaker, *east.mojo.com* on its website on 2 August, 2022 writes ‘Now, MHRD tells Mizoram to self-finance MZU Campus extension.’ Does the Government have any knowledge about this? Thank you.

SPEAKER : Let us call upon Pu Lalchhuanthanga to ask Supplementary Questions.

PU LALCHHUANTHANGA: Thank you, Pu Speaker. ₹ 6 crore has been allocated under Human Resources Development for strengthening the 24 out of 26 college libraries last year. Book scanner seems to be an immediate need for them. So, I would like to ask if there is any plan to buy a Book Scanner, and how much progress is being made in digitization.

In addition, only nine regular librarians are employed in 26 colleges. MHRD has already sent a letter in this regard. So, are there any plans for creation of more posts?

Besides, regarding Lunglei MZU Southern Campus, it seems that the central government directs that Southern Campus to be self-sufficient. What is the State Government's intention in this regard? What is its progress at present? Thank you.

SPEAKER : Let us call upon Pu Vanlalhlana to ask Supplementary Questions.

PU VANLALHLANA : Pu Speaker, my supplementary question is “Why is Pukpui Engineering College building not functioning presently? Thank you.

SPEAKER : Let us now call upon Dr. R. Lalthangliana to give a reply as possible.

DR. R. LALTHANGLIANA, MINISTER: Pu Speaker, Pu Sawivunga's question is correct. However, Higher & Technical is not the only institution to implement the manifesto. MYC and other departments are also concerned. There will also be successful ones.

I would like to explain a little bit, Pu Speaker, the reason why we cannot attend classes for MZU Southern Campus. On January 17, 2020, Govt. Of India, MHRD sent a letter to the Vice Chancellor. Self-financing was not mentioned there. It was only written that the state should provide the land. Recently, however, self-financing has become a problem. This is what they did not mention at first and it is very difficult for a state.

In the case of unoccupied Engineering College infrastructure, we have manpower problems. When we thought we had been allowed to occupy the engineering college through stop-gap arrangement, they created some problems. That is the true reason.

Library issues were discussed with the CM, DP & AR Department and Finance Department also. I cannot give detailed reply today. However, we did not give up and the best plan will be chalked out.

SPEAKER : Let us call upon Pu VL Zaithanzama to ask Starred Question No. 42.

PU VL. ZAITHANZAMA: Thank you, Pu Speaker. Starred Question No. 42- Will the Hon. Minister for Public Works Department be pleased to state :

“Are road construction workers in Mizoram dumping soil in places that are not designated for dumping?”

SPEAKER : The hon. Chief Minister, Pu Zoramthanga may reply.

PU ZORAMTHANGA, CHIEF MINISTER: Pu Speaker, the answers to Hon. Member Pu VL. Zaithanzama’s Question is –

“Soil disposal arrangements are made in consultation with contractors and land owners.”

SPEAKER : Supplementary Questions from Pu VL Zaithanzama.

PU VL. ZAITHANZAMA: Thank you, Pu Speaker. The contractors did not dispose of the soil only in the designated spoil banks but in several places. This has caused severe damage to land and rivers, and trees and soil have suffered greatly. Will the government punish these people? What kind of punishment does the government intend to impose? If not, what is the reason?

SPEAKER : Pu K.T. Rokhaw may ask Supplementary Questions.

PU K.T. ROKHAW : Thank you, Pu Speaker. Kawlchaw - Serkawr PMGSY road pavement was constructed 20 years ago. The pavement is very bad and it is very difficult to walk. This road is the road leading to Saikao, the missionary's settlement. There were many visitors. Visitors face a lot of difficulties. Therefore, I urge the pavement to be repaired.

Pu Speaker, the quality of pavement construction along Chakhei - Siasi Road is very poor for which I request reconstruction. Besides, I implore that pavement construction to be continued at Siasi – Beino road which span only 400 metres. Thank you.

SPEAKER : Let us call upon Hon. Member Dr. Vanlaltanpuia.

DR. VANLALTANPUIA : Thank you, Pu Speaker.

The ATL road at present is quite damaged. How is this intended to be resurfaced? Is there any recent plan for resurfacing? The construction of this road lasted only for a very short time. It seems the quality of construction is really poor. I would like to ask, if necessary, steps could be taken for better quality of road construction.

SPEAKER : Let us now call upon Hon. Chief Minister zahawm tak Pu Zoramthanga to give his reply.

PU ZORAMTHANGA, CHIEF MINISTER: Pu Speaker, firstly regarding Pu Zaithanzama's question, soil dumping became a matter of importance since road construction took place through ADB fund so that it may not destroy our Environment. As such, steps are taken for proper disposal of soil. In fact, there may be some incidents where such disposals may not be good enough, we shall pursue those matters as necessary. Besides, complaints against companies who do not comply with the norms will be made to higher authority also.

Regarding Pu Rokhaw's question, steps were taken for reconstruction of Kawlchaw - Serkawr PMGSY road through Shashi Special Assistant Scheme. Reconstruction work of Chakhei - Siasi road pavement is also under process.

Regarding the damaged road mentioned by Dr. Vanlaltanpuia, construction of road at that area is very difficult as there are many heavy vehicles passing the area. It is the most important road looked after by PWD, the state road management department. Expenditure allotted for it is also huge. New initiative for that road will be taken once the monsoon season is over.

SPEAKER : Let us now call upon Pu Lalduhoma to ask Starred Question No. 43.

PU LALDUHOMA : Pu Speaker, Starred Question No. 43 - will the hon. minister be pleased to state -

- a) How many Self-Help Groups are there under MzSRLM under PMFME? How many members are registered?
- b) When did the government receive funds for this? How much did he get?
- c) When was the fund released from the Government to the department?
- d) Have the funds been paid to the SHG? If so, the date and amount of payment? If not, why not?
- d) What percentage of SMS is provided by the Mizoram Government? Are beneficiaries required to provide SMS?

SPEAKER : The hon. Minister Dr. R. Lalthangliana may reply.

DR. R. LALTHANGLIANA, MINISTER: Pu Speaker, the answers to Starred Question No. 43 are –

- a) There are 967 SHGs under MzSRLM under PMFME. 1038 members registered. This is the data we got from the RDs.
- b) For this purpose, on 17.9.2021, the Ministry of Food Processing Industries (MoFPI) released the revenue of ₹378.99 lakh.
- c) The fund was paid in full to the department on Dt. On 21.7.2022.
- d) The funds shall be paid to the SHG on Dt. On 29.8.2022, ₹378.99 lakh was paid to MzSRLM.
- e) The SHG component of the Project Implementation Plan (PIP) 2020-2021 for PM-Formalization of Food Processing Enterprises is 100% central funding and State Matching Share is not required.

SPEAKER : Supplementary Questions from Pu Lalduhoma.

PU LALDUHOMA : Pu Speaker, it seems the Deptt. withhold the fund for nearly one year. Besides, did the Self-help Groups received the money in reality? If so, on what date did they receive?

Under Prime Minister Vandhan Yojana, the beneficiaries agreed to pay the matching share by themselves so as to get the grant from the central government. However, they still do not get the money. I would like to request the hon. minister to clarify the matter.

SPEAKER : Dr. Vanlalhlana, Hon. Member may now ask his supplementary questions.

DR. VANLALTHLANA : Thank you, Pu Speaker.

Firstly, there seems to be many encroachments of the industrial estate land at Zuangtui. Does the department conduct inspections of this? If yes, what actions have been taken? Besides, the approach road of Lunglei Industrial Estate is very bad. Will it be possible to do the resurfacing soon?

Secondly, DIC Aizawl is located in our constituency. It is said that shopping complex is planned to be constructed in that space. Does the Department have knowledge about this? What steps are planned to be taken next in this regard.

Thirdly, what initiatives are taken under Commerce & Industries Deptt. through SEDP policy?

SPEAKER : Pu Lalrintluanga Sailo may ask his Supplementary question.

PU LALRINTLUANGA SAILO: Pu Speaker, ka lawm e. Does the Mizoram government have any plans to establish a market in West Phaileng through the Commerce & Industries Department? If so, when will the work begin? And can you tell me the funding source?

Is there any Ginger Processing Center in this Department of Commerce & Industries? When can the work begin?

SPEAKER : Let us now call upon Hon. Minister Dr. R. Lalthangliana.

DR. R. LALTHANGLIANA, MINISTER: Regarding Pu Duha's Question, I am not sure the exact reason because it concerns multiple departments. The Commerce & Industries Department used to transfer every fund without delaying even a day. However, other departments may be needed to be checked in that regard.

The second question is also an important one. However, I could not give reply as it is not the purview of my department.

Regarding Dr. Mathlana's question, it is true that there are several encroachments in the industrial estates. It is the first problem we are facing as a Minister also. A committee with higher authority is established to see about into the matter. We are trying our level best to solve this problem. ₹40 crores worth DRP is prepared for construction of approached road to these industrial estates recently.

The government have other plan for the utilization of the said DIC Complex. However, it is not the State Government's responsibility. I thought shopping center may

also be included. In addition, it may also include training centers for the youth. In fact, we have a plan, but it is difficult to implement it at the moment.

There are many SEDP-specific initiatives under Commerce & Industries Department. Recently, we received ₹33 crore for Commerce & Industry. There are 10 different types of trades that we have selected.

Regarding Ginger processing plant, while we are about to succeed, COVID-19 has caused difficulties. It is not meant to be done through state government funds. However, it is still under process.

SPEAKER : Let us call upon Pu C. Lalsawivunga to ask Starred Question 44.

PU C. LALSAWIVUNGA: Thank you. Pu Speaker. Will the hon. minister for Public Health Engineering Department be pleased to state:

- a) Can clean drinking water connection be provided to several households in Maumual?
- b) If not, what is the reason?
- c) Is there a way to act quicker?

SPEAKER : The hon. minister concerned, Pu Tawnluia, Dy. Chief Minister may reply.

PU TAWNLUIA, DEPUTY CHIEF MINISTER: Pu Speaker, the answers are as follows:

- a) Connection of clean drinking water will not be provided.
- b) Distribution Pipe Line has not yet reached the area.
- c) There is no plan yet.

SPEAKER : Supplementary Questions from Pu C. Lalsawivunga, Hon. Member.

PU C. LALSAWIVUNGA: Pu Speaker, MNF Returnees- are very pitiful. They suffered for the country. They were given a place to live in Maumual. but they have no clean water. Their drinking water is very dirty. The Minister replied that connection cannot be provided. Clean water is essential for human health. I would like to ask if special priority could be given for MNF Returnees as they deserve special consideration.

SPEAKER : Hon. Member Pu C. Ngunlianchunga may ask Supplementary Questions.

PU C. NGUNLIANCHUNGA: Thank you, Pu Speaker. My questions are:

Under JJM, GI pipe was used to supply drinking water to rural households in the past. However, plastic pipes are given at present. What is the reason for this? Will it be possible to use GI pipe again.

SPEAKER : Dr. ZR Thiamsanga may ask his Supplementary Questions.

DR. ZR. THIAM SANGA : Thank you, Pu Speaker, Construction of Dam Reservoir and Development of Recreation Centre project was started at Keilungliah during the time of MNF Ministry which is still going on. It seems 98% of the work has been completed. When will this project be completed? Besides, Zote and Tualcheng villages face huge water shortage at the moment. Will it be possible to construct additional water reservoir tank for them. Thank you.

SPEAKER : Hon. Dy. Chief Minister Pu Tawnluia may answer.

PU TAWNLUIA, DEPUTY CHIEF MINISTER: Pu Speaker, regarding MNF settlement at Maumual, the main reason why water connection is impossible is that even the nearest reservoir is around a kilometre away. It takes a long channel for its distribution at the moment. However, it does not mean that they will be left out forever. What I said is that it is not possible just for the time being.

Regarding the question from Lawngtlai West constituency, the fact that plastic pipes are distributed through JJM scheme is true. However, in view of the problems faced by the beneficiaries, GI pipes have been re-introduced under the scheme. Meanwhile, I would like to mention that there is no breach of norms due to usage of plastic pipes and it is also approved by the central government also.

Regarding the need of water reservoir as mentioned by hon. Member from Champhai North Constituency, the said reservoir is set to be constructed. Estimates for the project is under process. I cannot state the exact time for commission of dam at Keilungliah. However, we are trying our best so that it could be completed as soon as possible. Thank you.

PRESENTATION OF REPORT:

SPEAKER : We shall now move to our next business which is *Presentation of Report*. Let us call upon Pu Lawmawma Tochwang, Chairman, Committee on Papers laid on the Table to present 'Sixth Report on Action Taken by the Government on the recommendations contained in the Fifth Report of Committee on Papers laid on the Table relating to Finance Department, Home Department, Health &

Family Welfare Department and Animal Husbandry & Veterinary Department' in the House.

PU LAWMAWMA TOCHHAWNG: Pu Speaker, with your kind permission I present the "Sixth Report on Action Taken by the Government on the recommendations contained in the Fifth Report of Committee on Papers laid on the Table relating to Finance Department, Home Department, Health & Family Welfare Department and Animal Husbandry & Veterinary Department" in this august House.

LEGISLATIVE BUSINESS:

SPEAKER : Let the copies be circulated. If so, let us now move *Legislative Business*. Let us call upon Pu Lalruatkima, hon. Minister to beg leave of the House for introduction of "*The Mizoram (Land Revenue) (Amendment) Bill, 2022.*"

PU LALRUATKIMA, MINISTER: Pu Speaker, with your kind permission, I beg leave of the House to introduce "*The Mizoram (Land Revenue) (Amendment) Bill, 2022.*"

SPEAKER : Can the House give consent for the introduction of the bill? Thus, let us call upon the hon. Minister to introduce the Bill and also to move for discussion.

PU LALRUATKIMA, MINISTER: Pu Speaker, "*The Mizoram Land Revenue Act, 2013*" was published on June 7, 2013 in the Official Gazette. The Mizoram Land Revenue Act, 2013 is a law that needs to be amended. I had made several suggestions to this House for its amendment also during the previous ministry also.

This is my third time that I moved for amendment of an *Act* during this ministry. In fact, there are many acts that need amendments at present. Acts need to be change from time to time to meet the changing scenarios of the society.

One of the most prominent changes in this amendment is the introduction of '*Swamitva*'. It is 'survey of villages, a body and mapping with improvised technology in rural areas scheme'. This scheme is among the major schemes of the Prime Minister of India launched on 24, April, 2020. The scheme is being implemented by the Ministry of Panchayati Raj. The aim is to get rural people to have what we call a '*valid pass*' property card for their residence. These property cards are not very different from the LSCs. They will be able to get bank loans or financial assistance using that property card. Tax can also be collected from these passes. It will also generate good revenue for the government. In addition, there will be an easy way to collect property taxes.

Under this scheme, property cards are issued to rural residents (*not yet declared as town areas*). States that do not have property card issuance laws have been asked to

amend their laws. Property cards have been distributed in the past under the Swamitva Scheme in Central India. Under this scheme, surveying will be conducted jointly by the Survey of India and the State Government. We have signed a MoU with Survey of India on July 7, 2021. The survey will be conducted in two steps. The first step is to take pictures of the village with a drone camera that includes all the coordinates. This is the responsibility of the Survey of India. The latter will be used for ground-truthing survey of the drone camera images. This is the responsibility of the Mizoram Government, Land Revenue & Settlement.

After the two steps of survey is completed, a public hearing will be held with the village council, after which the property cards will be distributed to the property owners.

Pu Speaker, amendment section-2 should have included that explanation. In the definition section, we have added the definition. In addition, section-17(a) of the Act is included in this regard. The phrase '*as far as practicable*' is added in Section 17(a).

Section-21 of the Act states that house pass, residential LSC, periodic patta, agricultural LSC, shop pass, stall pass and land lease can be issued. House pass or residential LSC can be issued for residential purposes within the town area. Pu Speaker, village councils can provide land within the village perimeter in areas where settlement operations have not yet been announced. However, it does not include the right to give gardens and farmland.

Village Council pass is not valid for application of loans which causes huge problems for the people outside notified towns. It is expected that this bill will bring about significant convenience for them.

The Ministry of Panchayati Raj introduced Swamitva Scheme in 2020-21 which requires rights of property card holder, village site plan map and status of property card holder.

Section- 75 (a) includes the clause '*share of government on acquisition of land*'. This clause revealed that '*The Mizoram Land Revenue Rules, 2013*' is not sufficient. It was amended on 21st May, 2019. Due to this, '*Land Acquisition Act, 1894*' was repealed by '*Right to Fair Compensation and Land Acquisition, Rehabilitation and Resettlement Act, 2013*'. Those were challenged and sub judice by the court. Before '*Land Acquisition Act, 1894*' was introduced, land value was not given to temporary pass and periodic pass. After this rule was established, those passes can be given land value.

'*Land Acquisition Act, 1894*' was replaced by '*Right to Fair Compensation and Land Acquisition, Rehabilitation and Resettlement Act, 2013*' on 1st January, 2014. Since Mizoram did not adopt this act, all land acquisition was stopped. '*Mizoram Land Acquisition, Rehabilitation and Resettlement Act, 2016*' was introduced for the state of

Mizoram. However, this was challenged by court and all cess taken by the government was ordered by the court to be given back.

We were advised that appealing the decision would be futile and as such decision was taken to amend the rules.

I, therefore, move this bill before this House for discussion. Thank you.

SPEAKER : The hon. Minister has moved his bill and has given explanation. We will start discussion for this Bill with 5 minutes assigned to each member.

Let us call upon Pu Zodintluanga Ralte to start the discussion.

PU ZODINTLUANGA RALTE: Pu Speaker, thank you. The main objective of this bill is to levy 15% tax on compensation which was not included in the main act. The government is introducing this bill to pave the way for them to levy tax on the people. I regret that this bill is being discussed here today. If the act and rules do not coordinate, this means that the rules itself is not accurate.

This ministry aims to generate revenue by inflicting poverty and suffering to the people of Mizoram. Since the beginning of this term, water bills and electric bills have increased exponentially. The hon. Chief Minister and Sports Minister has spoken frequently of the funds available. However, almost every other Minister has spoken of the hardship suffered due to the pandemic. Which one should we believe?

This ministry has done everything they could to enhance the suffering of the less fortunate. As mentioned by the hon. Revenue Minister, the main purpose of this bill is to amend the act to enable the government to levy tax on compensation received by the people. I would like to emphasize that the compensation will be paid by Central government and it appears to me that the government merely desire a slice of this. Will the members of this House be able to pass this bill today? Thank you.

SPEAKER : Dr. K. Pachhunga.

DR. K. PACHHUNGA : Pu Speaker, thank you. Today, we are discussing an important bill which will regulate the land ceiling in rural areas. Rural areas in Mizoram account for 97% while urban areas include just 3%.

I have been a consultant of Ministry of Road Transport and I experience firsthand how difficult it is to start a project for development. Every empty land or plot of land is owned by someone else and it is extremely difficult to even lay the foundation for projects.

We are fortunate that Central Ministry is willing to develop our land and this bill will not be a burden to the less fortunate. Those with the most lands are the wealthy ones and it is wholly justifiable to levy 15% cess on those lands.

Pu Speaker, I would like to make a suggestion for the government to introduce '*Robin hood Land Tax*'. Those who have excess untouched land will pay more tax and lands that are in use will be levied less tax.

Lastly, I would like to mention that the amendment that has been proposed today is a blessing for the less unfortunate. Thank you.

SPEAKER : Pu B.D. Chakma

PU B.D. CHAKMA : Pu Speaker, thank you. Land dispute is the most common cause of dispute in the world. I believe *Swamitva Scheme* will be advantageous if properly implemented.

I have some queries regarding this bill and I kindly request the hon. Minister to react during windup. Periodic property card holder was mentioned in Amendment *Section 21*. Will this property card also include agricultural land and not only house settlement?

Under amendment *section 38 (sub-section 4)*, will it be too difficult and expensive to conduct land survey as it will be in rural areas? Will the government be able to bear the expense?

Amendment *section 75(a)* states that '*out of land value paid under sub-section 1, the 15% share of the government shall be deducted by the district collector*'. I believe 15% is excessive since this is only for temporary land holders.

Section 75(a) sub-section 5 include the clause '*share of the government shall also be deducted from our not yet pronounced*'. Where will the 15% be deducted from as it is not yet pronounced?

In order to implement this act, cadastral survey needs to be performed as well as digitalized scientific instrument; I believe it will be impossible for the government to not bear any additional financial implications.

SPEAKER : Pu C. Lalsawivunga

PU C. LALSAWIVUNGA: Pu Speaker, thank you. It is high time that *Apartment Act, 2013 (Chapter 10)* is implemented as there is no provision for purchase of floor system/flat system.

Also, would it be possible to implement Section 90 Second Appeal for revenue tribunal?

75 (A) sub no. 2 states, 'Out of the land value paid under sub-section (1), the 15% share of the government shall be deducted by the District Collector or Competent Authority for Land Acquisition as the case maybe which shall remit to the State Government Account as revenue'. If this is the case, then those who live in rural areas who are compensated for loss of their own home or land will be short of 15% from their compensation. Due to this, I have some reservation about this bill.

The term 'award' was mentioned in 75(A) sub no. 5. It states that compensation will be given to the owner according to the value of the land. I feel it is very unfair that even before *Land Acquisition Act* notification was issued, the government will be deducting 15%.

Therefore, I suggest that this bill be revised and amended. Thank you.

SPEAKER : Pu Lalrinsanga Ralte

PU LALRINSANGA RALTE: Pu Speaker, thank you. The hon. Minister has introduced and gave an explanation for this bill. If the bill will be implemented as mentioned by the hon. Minister, I believe it will be of great assistance to owners especially in rural areas. If this amendment bill will enable those with temporary pass to claim compensation for their land value, I wholly support this bill.

Pu Speaker, Kharzawl and Keicham from my constituency are currently facing a problem relating to Revenue Department. They are both situated near Bilkhawthlir and we have filed a request for town extension. The request is under discussion and we are waiting for the final verdict. However, the occupants of these areas are facing problems and are unable to even secure a loan for construction of churches. Would it be possible to skip *Swamitva* process and accelerate the request? Thank you.

SPEAKER : Pu Nihar Kanti Chakma

PU NIHAR KANTI CHAKMA: Pu Speaker, thank you. Personally, I am in favor of "*The Mizoram Land Revenue (Amendment) Bill, 2022*". If this bill has been introduced before, Mizoram would not be in this state.

I have mentioned this countless times, the issues faced by my constituency due to border fencing. Had the government carried out land assessment before the project was started, we would not be in this situation. I am hopeful that this Bill will pave the way for solving this issue.

Currently, my constituency is again facing a major issue due to '*Riverine Forest Reserve Act*'. This act is for the implementation of National Highway No. 30 which runs through Lunglei-Tlabung. The government is unable to give land value to the owners, what is the reason for this? Why is it that evaluation and social impact assessment not carried out for such a big project?

Lastly, Pu Speaker, I personally felt that 15% for government share is a bit excessive. It should be at least 10%. Thank you.

SPEAKER : H. Biakzaua

PU H. BIAKZAUA : Pu Speaker, thank you. The hon. Minister has introduced and explained in detail of "*The Mizoram Land Revenue (Amendment) Bill, 2022*". This amendment bill is made to serve us better and to pave the way for better land management.

I believe this bill will solve the many issues and matter relating to border disputes. I, therefore, wholeheartedly support this bill. Thank you.

SPEAKER : Pu Lalrindika Ralte

PU LALRINDIKA RALTE: Pu Speaker, thank you. It seems to me that there is some confusion regarding this bill. If the bill is about tax collected from land owners, then 15% is acceptable. However, if it is about collecting 15% from compensation received for their lands, then this is not acceptable.

Swamitva Scheme is an excellent scheme by itself. However, the success of it depends on the implementation of the scheme. I hope that the government will make arrangement in this regard.

My personal opinion is that this bill must be given more thought and requires some alterations. It is advisable to take note from the public as it is them that we are serving. I believe we should proceed with this bill only if they are supportive of this bill. Thank you.

SPEAKER : Pu C. Ngunlianchunga

PU C. NGUNLIANCHUNGA: Pu Speaker, thank you. There are pros and cons in regards to "*The Mizoram Land Revenue (Amendment) Bill, 2022*". The hon. Minister has done an outstanding job of explaining the details of this bill. Although, I approve of land owners giving taxes, 15% is too big a sum.

As mentioned before, I believe that it is advisable to create awareness to the public first and listen to their advice and suggestion. Collecting 15% from compensation is too big a sum and will be a burden to most land owners. Thank you.

SPEAKER : We will now break for lunch and continue our session at 2:00 PM.

2:00 PM

SPEAKER : Let us call upon the Dy. Govt. Chief Whip Pu Lalrintluanga Sailo.

PU LALRINTLUANGA SAILO: Pu Speaker, thank you. I want to emphasize that "*The Mizoram Land Revenue (Amendment) Bill, 2022*" is not a novel bill. It was introduced and passed by the previous ministry. The current ministry is only responsible for the amendment.

It is a significant and important bill and I pledge my support to this bill. Thank you.

SPEAKER : Pu C. Lalmuanpuia

PU C. LALMUANPUIA : Pu Speaker, thank you. As mentioned before, this bill was already established in 2013 and was recommended for amendment due to several issues. I believe it will serve the public favorably.

We, the people of Mizoram are fortunate that we do not pay taxes. Other states in India paid taxes and these taxes are utilized for development. I believe it is high time that the people of Mizoram pay tax for the development of Mizoram. Thank you.

SPEAKER : Dr. Vanlalhlana

DR. VANLALHLANA : Pu Speaker, thank you. To my recollection, this is the third time that the hon. Minister has presented his bill for amendment. Revenue is one of the most common topics addressed by him. What comes to mind is that do these amendments really make a difference?

One of them is Progressive Taxing which comes under Land Reforms. Land reform played an important role in the development of a country and I am hopeful that it will come in the next amendment.

Lastly, demanding 15% is too high a number as separate administration cost will also be deducted. Will it be possible to change this and reduce the percentage of tax to be deducted? Thank you.

SPEAKER : Prof. F. Lalnunmawia

DR. F. LALNUNMAWIA: Pu Speaker, thank you. “*The Mizoram Land Revenue (Amendment) Bill, 2022*” is an important bill especially for rural areas. This bill will provide systematic surveying of lands and will be beneficial to the public.

Consensus cannot be reached due to deduction of 15% for cess. For the time being, I believe it is good enough. If the amount is higher than the public can afford, we can always lower the amount. Thank you.

SPEAKER : Pu Ramthanmawia

PU RAMTHANMAWIA : Pu Speaker, thank you. As mentioned before, “*The Mizoram Land Revenue (Amendment) Bill, 2022*” is an important bill especially for rural areas. This bill will enable them to possess property card and will further permit them to use their land against bank loans.

There is some confusion regarding levying 15% tax from lands. This bill only includes collecting 15% tax from lands owned by the government. This means that 85% of compensation will still go to the temporary pass holder.

Lastly, I will go a little bit off topic as I’d like to mention the plight of those victims from Laipuitlang and Ramhlun Govt. Complex landslides. Several families have relocated to lands provided by the government. However, LSC for these lands have not been issued by the government and these families are desperate as they are unable to avail bank loans. I kindly request the government to accelerate this process. Thank you.

SPEAKER : Pu Vanlalhlana

PU VANLALHLANA : Pu Speaker, thank you. “*The Mizoram Land Revenue (Amendment) Bill, 2022*” was established in 2013 by Congress ministry and amendment is carried out by MNF ministry.

We are all aware that this amendment bill is submitted due to the fact that the High Court has ruled against deduction of 15% cess by the government is illegal and not sustainable by law. I find it hard to understand why this bill is presented at this House as there is already a ruling by the High Court. Even if this bill is passed, its implementation is still in doubt due to the ruling of the High Court. Thank you.

SPEAKER : Dr. Vanlaltanpuia

DR. VANLALTANPUIA : Pu Speaker, thank you. I am pleased that the hon. Minister has presented, “*The Mizoram Land Revenue (Amendment) Bill, 2022*”. It is a very technical and sensitive bill.

Our main asset and resource is land and we must be cautious in dealing with anything in connection to land.

Our Minister has introduced amendment bills twice since forming this government and the department is also quite active. Land is the destination of all development and there are things in this department that really affect compensation and people. Therefore, I believe amendments are coming along due to this.

The reason for this Act is that the compensation is not fair enough. For example, it is not about the compensation for crops and such, and property cards are issued under the *Swamitva* initiative. Pu Speaker, we are required to tell the truth to the public. Compensation is our main topic here and the 15% government share from the compensation should be clarified due to court cases. The law makers are trying to authenticate what is not in the Act and this is the main reason why it is presented.

Temporary pass holders were not allowed to withdraw their money before 2013 but they will be able to withdraw them now. It was also withdrawn during the previous ministry but the court ruling said that this should be returned. So, it is important to know that this will not be a burden for the people but public friendly and public centric. This system will be much more efficient compared to the past such as making it more convenient for the public and only permanent pass holders can take solatium. In addition to the 12% benefit which is now available to withdraw, they are now able to withdraw the other compensation which they could never. Here, the government who is the owner will receive 15% and the borrower will receive 85%. It is important that the people understand this laws correctly.

We need to be more careful about our land rather than all the technical issues. It is important for the people to understand this as well and so, I am substantiating this. Thank you.

SPEAKER : Pu Laldawngliana

PU K. LALDAWNGLIANA: Thank you, Pu Speaker. ‘*The Mizoram (Land Revenue) (Amendment) Bill, 2022*’ was introduced by Minister Pu Lalruatkima and we discussed its technical side a lot. This affects every family and it is an important matter for the state. The heritage of every family is usually their house and land and we are

talking about the impact of that. The rules passed by the previous Government are amended to be an amendment act and it seems that we are more concern about the 4 lane road and that we only have compensation in mind. Therefore, the Bill is clearly intended to ensure that the land lease of the government have values.

However, if this is passed, it will surely have an impact on the future. I truly support it if it benefits us all and thank you Pu Speaker.

SPEAKER : Members Pu Rintluanga Sailo and Pu Zodintluanga Ralte requested to leave the House due to some necessary matters and I request Dr. ZR. Thiamsanga.

DR. ZR. THIAM SANGA : Thank you, Pu Speaker and it is impressive that this Bill is presented today. We do not have enough surveyors due to financial difficulties and they are overworking. This is not a new bill and it was carefully passed by the previous government. It is then implemented but our ministers decided to amend it since it is not perfect.

We should know that this Bill does not prohibit VC pass and it can still be issued. There is no land value on VC pass but here, property card is a meaningful card that can be used for housing loans and other purposes and it will have a land value. The 15% tax we had mentioned is not a tax but it is a share which should be given to the government. Periodic patta and land lease are the properties of the government and we actually borrow from the government. So, the 15% of the government share is not bothersome at all.

This amendment bill is very important especially for the rural people. For example, a cadastral survey at Hnahlan could not be performed till today due to lack of staffs and man power and I am impressed that we will have this easily. So, I support this Bill to be passed. Thank you, Pu Speaker.

SPEAKER : Pu Lawmawma Tohhawng.

PU LAWMAWMA TOCHHAWNG: Thank you, Pu Speaker and I would like to make a suggestion to pass this “*The Mizoram (Land Revenue) (Amendment) Bill, 2022*”. We amend this Bill today and it will still be amended in the future. However, I believe this amend will be the best for our state for now. So, Pu Speaker, I will not talk about the technical aspects but I want to talk about the principle.

There is nothing new in the amendment bill that will cause any inconvenience to the citizens. Instead, I believe the purpose of this Act is to ensure that the land occupied by the citizens of the state is protected and that the land is used properly and effectively.

Their rights and freedoms will also be ensured in the interest of the people without any loss of their rights and privileges even if their lands and taken away by necessity.

Our main subject is about the rights and privileges of those who could get compensation and it seems that paying 15% is a burden for those who will receive more than 1 lakh for compensation. This amendment bill will give authority to the rural residents who do not have compensation to own their land and property cards can be used for development, house renovation and other purposes. In addition, it will add a lot of value. For those who have compensation to receive, 15% seems to be a burden issue but for the majority of the people who do not have compensation, this is a welcome bill and I think that is the appearance and purpose of the bill. I support this amendment bill in the interest of the people. Thank you.

SPEAKER : Hon. Member Pu Zothantluanga.

PU ZOTHANTLUANGA: Thank you Pu Speaker. *'The Mizoram (Land Revenue) (Amendment) Bill, 2022'* which was introduced by the Revenue & Settlement Minister today has been discussed a lot.

The Bill is imperfect and the reason why we appealed to the court is because there are some things that are not on the Act but are on the Rules. The Act was passed in 2013 and the Rules were passed the same year. This amendment is very important because it will prevent compensation payers from being able to complain. Therefore, the Minister has introduced the Act today to make it effective.

The compensation for NHIDCL is a matter of much discussion and it seems that some of the members will also receive a lot of compensation. However, periodic means the fee payment period or the validity and then it is owned by the government after the validity expires. Land lease also belonged to the government after the lease expires. VC Pass is not included where they can take property and there is no land value. However, compensation payers have no reason to pay compensation when the periodic expires (*a valid expiry*) and is not renewed and they can say that it is the government's property. Therefore, this Act is important for the safety of periodic pass holders and for the rewards of their long-term care. Pu Speaker, I suggest that this amendment be passed unanimously. Thank you.

SPEAKER : Hon. Member Pu KT Rokhaw.

PU K.T. ROKHAW : Thank you, Pu Speaker. The Revenue Amendment Bill, 2022 introduced by the Revenue Minister is quite impressive. Here in Swamitva, villagers will have property cards, their land will have value and they will be able to take loans. And besides, there are a lot of border issues and I think it is a good idea to

use drones to solve the issues here. I believe that this law will resolve many of the misunderstandings between the neighbors due to the border dispute.

Tax payment is the responsibility of the people. Mizoram has been a state for 30 years now and we need to develop ourselves. Mizoram has little revenue collection and tax payment is a must for the people. However, 15% seems a bit much for the first time. Thank you.

SPEAKER : Hon. Member Pu Lalduhoma

PU LALDUHOMA : Pu Speaker, most of the amendments proposed in this amendment bill are good. However, the introduction of new *section 75(A)* is a serious matter. We are a lot less certain about this than I expected, and I am afraid we will make a mistake.

Mizoram has the Land Acquisition Resettlement & Rehabilitation Act, 2016 and 15% cess can be taken under Rule 47 of this Act. 15% of the compensation collected from the damage caused by the railway line between Bairabi and Sairang and the compensation received between Seling and Tuipang was taken by the government and the people appealed to the High Court, which ruled that it was illegal and that the government should pay them back within a month. Our Minister said that they had paid back the compensation which is half the truth. Only the petitioners were paid back and many of those people who did not attend are not yet paid back. The reason behind this bill is that the government is in financial difficulty so that the government can take 15% of the compensation in the future.

The government has replaced the old cess with 'share' and said that the government should have a 15% share of the compensation that an individual received. The funds are not Mizoram government funds, but company and Ministry of Roads and Transport & Highway funds. So, this bill is an intention to snatch 15% of the compensation from the people.

Such a law was passed by the Congress party and then implemented by the MNF party. Congress planted it and MNF tends to it. However, ZPM party wants the land owners to receive their rights and we wish the rightful owners the rightful ownership. Pu Speaker, we cannot support this amendment bill today for good reason.

The first reason is that according to the Central Land Acquisition Act, 2013 (*section 107*), State Legislatures can make laws in this regard. The State Government has the power to make laws only if we are going to give them a higher standard than the Central Law allows. Today's bill is an attempt to pass a worse law than the Central Law and this is impossible. The High Court had ruled that it is impossible and you all need to think about this carefully.

Further, under section 30 of the central Law, a solatium is provided which is 100%. If I was to take ₹100 lakhs compensated, I should get another ₹100 lakhs from solatium which is the central way. In our law, however, we have divided it into three categories, category one - 100%, category two - 50% and category three - 30% and we have passed a law to pay a small amount, which is not allowed by the central law. Article 254 of the Indian Constitution states that if the laws of the State Legislature and the laws of Parliament are in conflict, the laws of Parliament shall prevail and the laws of the State shall be “repugnant and void”. This Act is inconsistent with the parliament Act and the High Court had already made a decision. So, it will be useless to pass it as it can be appealed to the Court and that is why we need to think carefully.

The Land Acquisition Act, 2016 has not been approved by the President of India nor is assented by the Government. Therefore, I don't think we will get the assent of the President of India because these are inconsistent. Pu Speaker, this is an important matter and I'm afraid we will make a mistake and so, I want to ask you for a little more time.

Our main excuse for this Bill is that the DC office is required to make measurements and spot verification for dealing compensation and we do not have budget for that. However, the Secretary of the Ministry of Road Transport & Highway sent a letter to the Chief Secretary on 11.12.2017 saying that they will pay for all the expenses and we need not worry about this anymore. We approved the application on 1.8.2019 and the expenses were already paid. So, this Bill is introduced only for the sake of money and this unacceptable.

Pu Speaker, MADC also passed a law where 10% of the compensation is charged. This matter will be appealed to the Court and the plaintiffs will surely win the case. The law was passed during the Congress government in MADC and the BJP District Council enforced it when they joined the BJP. MNF and Congress coalition government is formed today and this law is still enforced.

Therefore, even if we pass this bill, it will have no meaning if someone sues us in court. So, we should not pass such things today and it should be withdrawn. We the legislature party cannot support this act if 75(A) is inserted. Thank you.

SPEAKER : I request the hon. Chief Minister Pu Zoramthanga.

PU ZORAMTHANGA, CHIEF MINISTER: Thank you, Pu Speaker. Many (and all) of the issues we are discussing today are quite technical. There are things that have come a long way, things that we are fighting for, and these things need to be considered today.

As Dr. Mathlantea had mentioned, our land should be assessed and LSC, periodic patta and other land holdings should be registered so that taxes can be paid as required.

However, we are short on surveyors and Revenue Department employees. While we were having difficulty in filling up the vacancies, 20 surveyor posts were requested and we plan to fill 16 posts. We prioritise the Revenue Department more than the others because it is quite complicated and the people suffer too much. Meanwhile, the central government has ordered a survey to be conducted for property card holders where LSC is not compulsory and land lease can also be used. Drones are now used for measurements and this is also applied at the Pu Mawitea's constituency. The central government has ordered us to do so and since LSC is difficult, the people will be quite pleased with the central government's decision if we can use it as much as LSC. However, the land is being borrowed and so they will receive 85% of the land value and the government will keep the 15%.

This is not a new initiative of the MNF government and it has been done since 2013. It would be another matter if the central government removed it. However, this has been done since 2013 and the MNF party agrees with this. We want the process to go directly to the public rather than to individuals. It was implemented since before our ministry and we want to continue this. However, we have no power if the central government disagree with it. Our mistake is that we add it only to our rules and we did not add it to our act. However, the court grants us to amend it by presenting as an act. Therefore, it is fair that the state who is the owner will get 15% and the tenants will get 85%. We should agree with what we had agreed for the past 13 years and if the people are given a choice, I believe they would want to be able to go according to the values of the land. Therefore, I believe that the people of Mizoram want us to pass this Act today and we should pass it unanimously. Thank you.

SPEAKER : Minister Pu Lalruatkima should wind up the bill and beg the House to pass it.

PU LALRUATKIMA, MINISTER: Thank you, Pu Speaker. The Land Revenue & Settlement Amendment Bill has been discussed three times and as mentioned earlier, 23 members expressed their views and opinions. Land law and Land Administration is very difficult, so I feel that I have a lot to learn and know more, and I hope the other members also learn from our discussions.

The Revenue Act, 2013 provides for permanent settlement of land allocation and the permanent settlement is called 'LSC' and 'Agriculture LSC'. Temporary allotment is all under Section 75(A) of the Constitution and it includes Periodic pata, land lease, shop pass, house pass and stall pass. The owner of these temporary passes is the government and it is not the same as the LSC. Therefore, even if all these were violated during the lease period, the Government needs to have full authority.

Some members talked about Swamitva and here, 17(A) to 21, 23(A) and 23(B), 38 and 48 are inserted which need to be explained due to Swamitva. Swamitva is a

central project and the financial memorandum states that the funds will be spent by the central government and not by the state. However, when they have a property card, they can do mortgage like that of LSC. We will own the property rights and it will be quite important in Court cases and other matters. Taxes will have to be paid according to the law, and it is clear that the government will earn a lot of money. Therefore, it is also desirable for the owners. People from various villages requested their VCs and MLAs to measure their plots of land but we cannot do as we wish due to lack of staffs. In the meantime, the Swamitva project came up and we almost complete the drone survey in 48 villages, but the ground truthing is the most difficult part where physical labor is needed and this takes extra time. We are very grateful that the House Leader has acknowledged our needs and problems and I also believe that he will solve many of our problems.

In conclusion, we had rules on July 17, 2013 and we are facing a problem because 47 (sub-Section 4) contained 75(A). There was no Act in the rules. Thus, several meetings were held with the Law Department and our lawyers. The opposition group leader said that they cannot make a law against the Central Act and the State Legislature cannot implement it in such way. However, as we know, according to 371(G), sub-section 4 on Ownership and transfer of land, we are the owners and without us, the Central Act cannot be implemented in that manner. Therefore, the land belongs to us.

PU LALDUHOMA : Pu Speaker, 371(G) was not used at the right time. When the central act and 2013 and 2016 acts were passed, the Government never said that Section 371 should not apply to the current Ownership and Transfer of Land Act. Later in High Court, the compensation issue was not mentioned by the Mizoram government. In addition, a court ruling has already been issued that this is not an ownership and transfer of land but a compensation matter. So, this is not a good excuse.

You have proposed 9 amendments and we agree to 8 amendments which are all prepared by the central government. We do not agree with no.9 which is the charging of '15%' and this will not survive. It will soon be appealed to the court and the reason why it has been implemented for 13 years is because no one appealed to the court. It has already been filed in the High Court and we should pass this act without this particular amendment.

PU LALRUATKIMA, MINISTER: Pu Speaker, the state has the authority on land transfer where it basically means, we will be transferring the land to the NHIDCL. The government has the power to transfer the land and it is approved by the government. The Land Acquisition Act, 1894 was outdated and so the Central Government passed 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act' in 2013. The Mizoram Land Acquisition Act, 2016 was passed in the previous government because our law was not good enough and not practicable

in our state. At present, this is subjudice and cannot be used because of the court case. It seems that we mistook this with our current subject. We are talking about 'The Mizoram Land Revenue (Amendment) Act, 2013' and we have the power to amend it. Therefore, Pu Speaker, it is improper to confuse this with that of 2013 that was subjudiced. This all took place in 2013 and the current members were members of the House at that time. We carelessly made the rules without any Act in 2013 and we are now seeing the consequences. This matter was carefully considered and discussed with the legal experts and members should think openly about all these issues and 75(A).

PU LALDUHOMA : Pu Speaker, Land Acquisition Act amendment should be introduced since this is a land acquisition issue. Charging of 15% is to deprive the people's share under Land acquisition. Therefore, it cannot be separated from the Land Acquisition Act.

PU LALRUATKIMA, MINISTER: One of our members will be getting compensation in regard to the National Highway and we will not cut any amount. There is no cut in the current process and some of you thought that we will be taking the peoples shares. In addition, we believe that our rules will protect us and there are many things to be said about the amendment of our act. The Government is the land owner and here we are the lessor and they are the lessee. We confuse this with cess where cess is levied for a purpose like solving the problem or to alleviate it. However, the High Court ruled that cess cannot be levied here and the use of cess is not specified. There were only rules and no acts and that was the reason why we were sued and they won the case. So, we just want the government's share to be 15% and the lessee will have a share of 85%. We casually use the term compensation in regards to land acquisition and it should be taken only from this land value. Apart from the land value, they will also receive a solatium which amounts the exact land value according to the 2013 Act. In addition, the government does not intend to take away the 12% interest of the lessees.

For example, if a lessee is to receive ₹1 lakh compensation from the land value, the government will receive ₹15000 and the lessee will receive ₹85000. Since the solatium is 100%, the amount will be ₹1 lakh which will add to ₹185000 and then the lessee still has 12% interest to receive which is ₹12000 totaling ₹197000. Therefore, the government's share is only ₹15,000/. We are a bit confused here thinking that the government will take away 15% of the total amount and this is not it. The government is paying much more and we need to keep this in mind. There is much to say and it might be difficult to react to every discussion.

Pu Zodintluanga said that that it is not a great idea to amend an act in accordance to the rule. Rules were made without an Act and this is the reason why it is failing. This happened during their ministry and they are now seeing clearly. (**Speaker** : His friends sided with you) Pu Speaker, he might be too worried and he should know that he will not be cut off from the rights he is currently receiving from CALA. He also asked why

no action is taken on the road excavation for two years and my answer is that, it is not the state government's authority to excavate the road and NHIDCL shall select the contractor which is the right way. There are those who thought that the government is the compensation provider in land acquisition. However, NHIDCL will provide the compensation if it takes a land, Railways will provide the compensation if it takes a land and University Ministry of Human Resources will provide the compensation through MZU if it takes a land for university. This is the way it should be. It is not the state government's responsibility to provide it and there are various steps that must be taken to legally acquire. Therefore, the land is still in long possession after compensation and forest reserved issues and road side reserved issues are still present. However, we hope to resolve them soon.

Pu Vanlalhlana mentioned about the 4 lane 3rd package and the government is also taking this seriously. However, NHIDCL has a Project Management Unit in Silchar, while in Kolasib we have a CALA who is the Addl. DC. PMU in Silchar will look after package 1 & 2 and the rest 3,4,5 & 6 will be looked after by Kolasib. No. 6 may not be included and some of it might be by Aizawl District. Upon learning that Package 2 covered Vairengte areas, the government sent a letter to the General Manager, NHIDCL PMU (Seling) on September 1, 2022 asking to resolve the issue as soon as possible and that Mizo land owners in Mizoram should be included in package 3 and also, package 3 area should be extended and action should be taken. Such is our situation and, let us hope that it will be fixed in a short time.

In response to Pu BD Chakma regarding property card, this should only be given to village inhabited areas and we cannot provide for his farm. Property tax is collected by the AMC and it is not our duty to do so. Land tax is now being developed and made online. We are also hiring experts as required.

Pu C. Lalsawivunga said that the Apartment Act provision should be implemented as contained in the act as soon as possible and this can always be implemented. However, there will come a day when Rules will be amended since we do not know much about it. However, amendments had been made in this House. The Revenue Tribunal is also in our rule book but it is a bit tough since High Court judge needs to be the Chairman. Therefore, we still have problems since we do not have enough experts. Financial implication is not required in the current amendment since the Swamitva scheme is centrally funded.

The property card is like an LSC. The 75(A) is only a temporary pass and a property card is not needed. Therefore, as Member Pu Lalrinsanga Ralte said, the Revenue Department has separated revenue administration and town area where Bilkhawthlir was declared as a town area on 20.6.1989. Therefore, the area it covered should be upgraded as soon as possible.

It is difficult to react to everyone's discussion but in the meantime, there is a lot to discuss here. 75(A) amendment from the Swamitva project is for our development. Revenue Department is the government's financial department. However, it is our wish and the intention of this government to implement the project as painlessly as possible for the public. In the meantime, new things are happening and there are many revenue taxes to be reviewed and sometimes too many burdens for the people. We are in trouble since we do not have enough surveyors. We have a pending case at Kolasib District in 2008 and all the works will be impossible to carry out by the workers within two years.

In case of land allotment, House pass forms are applied by more than 50 people daily and we only have around 10 surveyors in Aizawl and they cannot carry out all their works. It is a long day job for surveyors when they survey a land and in addition, there are many things that need to be written, drawn, computerized, and GIS mapped. So, there is a lot of energy spent on issuing a pass to one person. Therefore, works cannot be expedited due to all these. House pass making and house pass application are restricted since the previous government because the pressures on revenue surveyors are too much. However, we gave it to everyone who came to ask for it.

There are many other issues that needed to be resolved, including allotment of land and settlement of land. There are lands that need to be divided and some needs verification. Building permission is required from AMC and there are many who asked for a survey. There are so many diversions that created more works to be processed. So, the people should also acknowledge this.

Permanent fencing could solve many of our problems if they were done when the owner first had the land. Most of the Aizawl people do not fence their land and this creates problems for us. It will create pleasure environment in the neighborhood if we fence our land well and it will also solve many problems for us. Currently, we have two Dy. Directors of Survey and here, one is retired and the other had to stay outside the state for a long time on medical referral. We also have 10 Assistant Directors of Survey, 8 of whom are retiring this year. Therefore, Surveyor-I (in-charge) is required in most districts. Swamitva property cards will not be available to rural residents and it is a good opportunity for the rural residents who want to keep their passes and take bank loans.

Drone survey has already been conducted in 48 villages and ground truthing is currently being conducted in 10 villages. So, if works are expedited, Mizoram's rural areas will be able to hold property cards, get bank loans etc. in 2 to 3 years. The government is not jealous of the Temporary pass holders under 75(A) at all but it favors them and provides them 85% instead. The government is the land owner and the temporary pass holder cannot transfer or inherit the land. However, it may be done through government's permission only and the pass holder has no authority. Land Settlement Certificate (LSC), on the other hand, can be sold, given or transferred. Since

the temporary pass holders under 75(A) have no powers to transfer, they will get solatium, land value and interests apart from their shares.

(...interruption..)

PU VANLALHLANA : Pu Speaker, if you please, can a temporary holder be replaced by a normal pass like LSC after 20 or 30 years?

PU LALDUHOMA : Pu Speaker, I would like to continue about that again. NHIDCL and Railway excavated the roads and compensated the landowners where the fund is theirs and it is not Mizoram government's fund. 15% of that was taken away by us and we were sued for that. The court then ruled to give the 15% back and we did. Nevertheless, we are still planning to do it again and it is not right to repeat the same thing where we had lost in Court. Even though we claim that it is the government's land, CALA, the individuals and NHIDCL decided on the amount of compensation to be paid. NHIDCL paid the compensation to the individual which is rightfully theirs. So, this is an intention to take away the 15% which the court had already disagreed.

PU LALRUATKIMA, MINISTER: Pu Speaker, they have no intention to understand this. Cess is what they had sued. Cess is used for specific purposes for example, 00.5% cess is taken for petrol, diesel or promoting sports etc. So, we are not clear enough about the meaning of 'cess' and that is why we do not use the term 'cess' anymore and replaced it with the word 'share'. Pu Speaker, as I have said, it is only from land value and the person will take solatium

(...Interruption...)

PU LALDUHOMA : That is not right either. Our Minister said that solatium is 100% but according to our Rule 2016, solatium is divided into three categories, 100%, 50% and 30%. The Central Land Acquisition Act states that solatium is '100%' and we cannot make rules that require less than the Central Government and less than the rights of land owners. The Central also ruled that this is not acceptable.

PU LALRUATKIMA, MINISTER: Pu Speaker, we do not try to understand this. We have the Mizoram Land Acquisition & Rehabilitation Act, which is sub-judice in court

(....interruption....)

PU LALDUHOMA : Only the candidates under category-I are able to receive 100%

PU LALCHAMLIANA, MINISTER: Pu Speaker, the time is up and what shall we do?

SPEAKER : 5 seconds left.

PU LALRUATKIMA, MINISTER: Pu Speaker, the present Amendment is the Mizoram Land Revenue Amendment Bill.

(...interruption...)

SPEAKER : Our first session is over, shall we continue? (I am taking the advice of the House). The House agrees and we can continue.

PU LALRUATKIMA, MINISTER: Pu Speaker, I will not take much time anymore. We are to amend The Mizoram Land Revenue Act, 2013 and I was among those who categorized the solatium under “Mizoram Land Acquisition & Rehabilitation & Resettlement, 2016”. Our esteemed member Dr. K. Beichhua was also among us and then we reformed and categorized it. However, we were sued in court and we cannot implement it since it is subjudiced. So, NHIDCL was used under the National Highway Act and Railway Act was also used since Mizoram rules cannot be applied. Then 100% solatium is given by the Right to Fair, under the RFCTLARR Act. We have discussed about the solatium many times in committees and I am quite certain about the solatium, its drafters, and all those involved.

We would implement it if it could but since we could not do so, 100% solatium is preferable for landowners. The MLARR Act, 2016 is not applicable and the other rules are also confusing. We are to amend The Mizoram Land Revenue Act, 2013’ and we have the power to make rules. The Law Department has studied the rules carefully and said that it is safe enough. Therefore, NHIDCL acquired the land under the National Highways Act, 1956 and CALA (Competent Authority for Land Acquisition) did preliminary notifications according to the Rules. We also have Railway Act and they made plans in accordance to this as well.

Anyway, the Government made plans for the best interest of the people and the government will not take the land value from those who are about to take compensations. So, if the law is passed by this House, only then the effective date will be set and it will be implemented. We all did our best even though Land Law is difficult to understand

(...interruption....)

SPEAKER : So, what you are saying is that cess was levied in the past since there is no Act. Does it mean that the government's addition of the Act will prevent the lawsuit?

PU LALRUATKIMA, MINISTER: Pu Speaker, this is a judgment order. We wrote it as the Land Acquisition Act, 1894 in the previous Rules and later we wrote ‘any law’ and ‘any act’ when we amended the 2019 Rules. However, it does not cover entirely because it is just a rule and cess is the money that is available for specific use. Anyway, we planned this for the interest of the state and rules can always be reviewed.

Under the previous Revenue Act, LSC holders could not do transfers for 10 years but we now have reduced it to 5 years. There are many things that need to be improved and I would like to ask the members of this House to help us. If you think about this carefully, you will understand that it is good for the government and good for the individual.

Pu Speaker, the government is making extreme effort for the state's development and therefore, I beg the House to unanimously pass "*The Mizoram (Land Revenue) (Amendment) Bill, 2022.*"

SPEAKER : The hon. Minister has begged the House to pass "*The Mizoram (Land Revenue) (Amendment) Bill, 2022.*" And we will take a vote. All those members in favor may say 'yes' (**Members:** yes) and all those members not in favor may say 'no' (**Members:** no). The sound produced is quieter.

The House has passed "*The Mizoram (Land Revenue) (Amendment) Bill, 2022.*"

PU LALRUATKIMA, MINISTER: Thank you, Pu Speaker.

SPEAKER : Our Business of the present 10th Session is successfully completed and we will listen to the Summary of Business transacted during the 10th Session of the 8th Mizoram Legislative Assembly- We have successfully completed the 10th Session of the 8th Mizoram Legislative Assembly arranged by the Business Advisory Committee on 24.8.2022 (Wednesday) and today is our last sitting.

Obituary:

Fortunately, we have no Obituary this session. Sometimes we would have 5 or 6 members who died.

Presentation of Reports:

The following three reports were presented to the House during this Session-

1. The Tenth Report of the Business Advisory Committee for the current session.
2. The First Report of Committee on Petitions relating to School Education Department.
3. Sixth Report on Action Taken by the Government on the recommendations contained in the Fifth Report of Committee on Papers laid on the Table relating to Finance Department, Home Department, Health & Family Welfare Department and Animal Husbandry & Veterinary Department

Panel of Chairman:

We appoint the same members as before since the duration is short-

- 1) Pu C. Ngunlianchunga
- 2) Pu C. Lalsawivunga

- 3) Pu L. Thangmawia
- 4) Pu Lalrinsanga Ralte

Questions & Answers:

No of Starred Questions received -188

No. of questions admitted - 184

No questions were rejected

No. of questions moved to List of Business - 60

No. of questions answered - 13

No. of questions unanswered - 47

Unstarred Question has 104 questions where 104 were admitted and there are no rejections.

Laying of papers:

14 papers were laid namely-

1. The Mizoram Private Security Agencies Rules, 2022.
2. Notifications issued under the Mizoram Good and Services Tax, 2017 (w.e.f. 21.03.2022 - 05.08.2022)
3. 11th Annual Report for the year 2018-2019 of the JERC for the State of Manipur and Mizoram.
4. 12th Annual Report for the year 2019-2020 of the JERC for the State of Manipur and Mizoram.
5. 13th Annual Report for the year 2020-2021 of the JERC for the State of Manipur and Mizoram.
6. Thirty First Annual Report of the Mizoram Public Service Commission for the year 2021-2022 (MPSC).
7. State Finances Audit Report of the Comptroller and Auditor General of India for the year ended 31st March, 2021.
8. Finance Accounts, 2020-2021 Vol. I.
9. Finance Accounts, 2020-2021 Vol. II.
10. Appropriation Accounts 2020-2021.
11. Annual Report of Mizoram State Commission for Protection of Child rights (Social Welfare Department).
12. Statement on Action Taken on the further recommendations of Committee on Government Assurances contained in the Fifth Report, 2021, relating to Public Works Department (Government Assurances No. 17).
13. Statement on Action Taken on the further recommendations of Committee on Government Assurances contained in the Seventh Report, 2022, relating to Public Works Department (Government Assurances No. 45).
14. Statement on Action taken by the Government on further recommendations contained in the 4th Action Taken Report of Committee on Papers laid on the Table relating to Excise and Narcotics Department.

Bill:

Two Government Bills were introduced during the present Session and both were passed. These are: -

1. The Mizoram Goods and Services Tax (Amendment) Bill,
2. The Mizoram (Land Revenue) (Amendment) Bill,

Before I conclude, we are now using NeVA (*National e-Vidhan Application*) this session and we have not used it as it is since we are just getting started and the fibre line that supplies power is also cut off. We are planning to proceed the sessions with paperless and session paper, List of Business and Questions are sent to members by email. Assembly works will be conducted through NeVA as much as possible and information, bulletins, committee calls and others will be sent to members through the NeVA application and email. Therefore, members are encouraged to use their iPads and check their emails. We will be enforcing this system and members can submit their questions and other session related matters through NeVA. Government departments can also reply to questions and submit bills through NeVA. Therefore, NeVA trainings will be provided to members as well as departments under Mizoram and Ministers and departments are also expected to be prepared in their own lines. This application is used in Parliament and is intended to be used in all States. It is also transparent and friendly.

Conclusion:

We have successfully conducted the last day of the Session and the lists of Business of the Session were conducted smoothly. I hope that the members' enthusiastic contribution to the state and nation throughout the session will yield fruitful results. I would like to thank all the staffs of various departments for making our Session a success and I wish you all the best in the future. This session is held for 3 days and yet many Assembly questions are submitted and the Session is successful and their efforts are appreciated.

We have completed our business and The House is adjourned *Sine Die*
(4:21 PM)