

NAGALAND LEGISLATIVE ASSEMBLY KOHIMA
7th SESSION OF THIRTEENTH ASSEMBLY

LIST OF BUSINESS
MONDAY, THE 15th FEBRUARY, 2021
(9:30 A.M)

1. QUESTIONS

Questions entered on a separate list to be asked and answers given.

2. REPORTING ON ASSENT TO BILLS

Commissioner & Secretary to report the assent of the Hon'ble Governor of Nagaland to the "**Nagaland Goods and Services Tax (Amendment) Bill, 2020**".

3. LAYING OF ANNUAL ADMINISTRATIVE REPORTS

(a) **SHRI NEIPHIU RIO**, Hon'ble Chief Minister, to lay on the Table a copy each of the Annual Administrative Reports of the following Departments:

- i) Nagaland State Mineral Development Corporation Ltd. (NSMDC) 2020-2021.
- ii) State Council of Educational Research & Training (SCERT) 2020-2021.
- iii) Youth Resources and Sports 2020-2021.
- iv) Industries & Commerce 2020-2021.
- v) Employment, Skill Development and Entrepreneurship 2020-2021.
- vi) Excise and Prohibition 2020-2021.
- vii) Chief Electoral Officer 2020-2021.

(b) **SHRI NEIBA KRONU**, Hon'ble Minister for Planning & Coordination, Land Revenue and Parliamentary Affairs, to lay on the Table a copy each of the Annual Administrative Reports of the following Departments:

- i) Planning & Co-ordination 2020-2021.
- ii) Land Revenue 2020-2021.

4. LAYING OF REPORTS/RULES

(a) **SHRI NEIPHIU RIO**, Hon'ble Chief Minister, to lay on the Table a copy each of the Reports and Rules of the following Departments:

- i) Annual Report 2017-2018 of the Nagaland State Mineral Development Corporation Ltd. (NSMDC).
- ii) Annual Report 2018-2019 of the Nagaland Information Commission.
- iii) Nagaland Food Security Rules 2016 of the Food and Civil Supplies Department.

5. PRESENTATION OF ASSEMBLY COMMITTEE REPORTS

(a) **Shri. Keneizhakho Nakhro**, Hon'ble Member of the Assurance Committee (2020 – 2021) to present, *Under Rule 214(1)* of the Rules of Procedure and Conduct of Business, a copy of the **Ninety Sixth and Ninety Seventh Reports of the Committee on Government Assurances (8th and 15th Sessions of the 12th Nagaland Legislative Assembly**.

(b) **Shri. Mhathung Yanthan**, Hon'ble Chairman of the Committee on Public Undertakings, to present a copy each of the following reports:

- i. 87th, 88th, 89th & 90th Reports on the Examination of the Audit Paragraphs contained in the Report of the Comptroller & Auditor General of India for the Years 2012-2013, 2013-2014, 2014-2015, 2015-2016 pertaining to the Nagaland State Mineral Development Corporation (NSMDC) Limited under the Department of Geology and Mining.

- ii. 91st Report on the Examination of the Audit Paragraphs contained in the Comptroller & Auditor General of India Report for the Year 2012-2013 pertaining to the Nagaland Handloom and Handicrafts Development Corporation (NHHDC) under the Department of Industries and Commerce.
- iii. 92nd Report on the Examination of the Audit Paragraphs contained in the Comptroller & Auditor General of India Report for the Year 2015-2016 pertaining to the Nagaland Handloom and Handicrafts Development Corporation Limited (NHHDC) under the Department of Industries and Commerce.
- iv. 93rd Report on the Examination of the Audit Paragraphs that appeared in the Report of the Comptroller & Auditor General of India for the Year 2012-2013 relating to the Nagaland Industrial Development Corporation (NIDC) Ltd. under the Department of Industries and Commerce.

(c) **Shri. K. Tokugha Sukhalu**, Hon'ble Chairman of the Public Accounts Committee, to present a copy each of the following reports:

- i. 123rd Report of the Committee on Public Accounts (2020-2021) on the Examination of the Report of the Comptroller & Auditor General of India for the year 2014-2015 on the State Finances Audit Report and Audit Reports on the Social, Economic, Revenue and General Sectors.
- ii. 124th Report of the Committee on Public Accounts (2020-2021) on the Examination of the Report of the Comptroller & Auditor General of India for the year 2015-2016 on the State Finances Audit Report and Audit Reports on the Social, Economic, Revenue and General Sectors.

6. INTRODUCTION OF GOVERNMENT BILLS

(a) THE NAGALAND GOODS AND SERVICES TAX (FOURTH AMENDMENT) BILL, 2020

SHRI NEIPHIU RIO, Hon'ble Chief Minister, to move the following:

- (i) that leave be granted to introduce the "Nagaland Goods And Services Tax (Fourth Amendment) Bill, 2020";
- (ii) also to introduce the Bill.

7. DEBATE ON THE MOTION OF THANKS TO THE GOVERNOR'S ADDRESS

Discussion on the following motion moved by Shri. Namri Nchang, Advisor and seconded by Shri. H. Haiying, Advisor.

"That the Members of the Thirteenth Nagaland Legislative Assembly assembled in the Seventh Session are deeply grateful to the Hon'ble Governor for his address which he had been pleased to deliver to this august House on the 12th February, 2021."

(Before commencement of further discussion on the motion, amendment printed on separate list to be moved).

8. SHRI NEIPHIU RIO, Hon'ble Chief Minister and Leader of the House, to make concluding remarks and move for the adoption of the Motion of Thanks to the Governor's Address.

9. DISCUSSION ON MATTERS OF URGENT PUBLIC IMPORTANCE UNDER RULE- 50

- i) **SHRI NEIBA KRONU** to initiate discussion on matters of urgent public importance pertaining to "**SARFAESI ACT 2002**".

- ii) **SHRI TONGPANG OZUKUM** to initiate discussion on matters of urgent public importance pertaining to “*Power Reform in Nagaland*”.

10. INTRODUCTION OF GOVERNMENT RESOLUTION

RESOLUTION ON IMPLEMENTATION OF SARFAESI ACT, 2002 IN NAGALAND AND NOTIFICATION OF TOWNS UNDER CLAUSE (F) OF SECTION 58 OF THE TRANSFER OF PROPERTY ACT, 1882.

SHRI NEIPHIU RIO, Chief Minister to move the following Resolution:

- i. Whereas, the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act, 2002) empowers banks and financial institutions to take possession of the mortgaged assets against default in repayment of loan and realise their money by selling the secured assets without the intervention of Courts.
- ii. And whereas, Article 371A (1)(a)(iv) of the Constitution of India provides that no Act of Parliament in respect of ownership and transfer of land and its resources shall apply to the State of Nagaland unless the legislative Assembly of Nagaland by a resolution so decides.
- iii. And whereas, the Nagaland Land and Revenue Regulations (Amendment) Act, 2002 amended the Assam Land and Revenue Regulations, 1886 by inserting proviso after sub-section (2) of section 162 permitting transfer by way of mortgage in favour of banks, registered co-operative societies and financing institutions with the condition that such entities shall not transfer any land to a person other than the indigenous inhabitants of Nagaland except with the previous sanction of the State Government or an authority appointed in this behalf.
- iv. And whereas, at present Dimapur Municipality/Mouza under Dimapur District is the only town in the State notified as a town for the purpose of clause (f) of Section 58 of the Transfer of Property Act, 1882. Clause (f) of Section 58 of the Transfer of Property Act, 1882 permits mortgage of immovable property by deposit of title deeds in any town notified for the purpose by the State Government in the Official Gazette.
- v. And whereas, non-implementation of the SARFAESI Act, 2002 has been detrimental to the overall economic growth of the State as it has restricted flow of credit to the people. Banks have been reluctant to provide loans in the absence of secured assets and an effective mechanism for expeditious recovery of dues in case of default in loan repayment.
- vi. Now therefore, to facilitate loans against mortgage of immovable property within the existing land holding system in the State, the SARFAESI Act, 2002 may be implemented in Nagaland with the condition “provided that in case of sale of immovable property in the State of Nagaland, the provisions of the Nagaland Land and Revenue Regulations (Amendment) Act, 2002 shall apply to the person who acquires such property in the State”.
- vii. Further, to facilitate securing of loans by deposit of title deeds of immovable property in other parts of the State, in addition to Dimapur, District Headquarters and major towns in the State may be notified for the purpose of clause (f) of Section 58 of the Transfer of Property Act, 1882.
- viii. The proposal to implement the SARFAESI Act, 2002 in Nagaland with the condition that the secured assets taken over by the banks and financing institutions can be sold only to indigenous inhabitants of Nagaland, and to notify District Headquarters and major towns in the State for the purpose of clause (f) of Section 58 of the Transfer of Property Act, 1882 are in consonance with the provisions of Article 371A of the Constitution of India, and accordingly a Resolution to that effect may be passed by the Nagaland Legislative Assembly.

Dated Kohima,
the 14th February, 2021

(**Dr. P. J. Antony**)
Commissioner & Secretary