

(i)

**NINTH LEGISLATIVE ASSEMBLY OF MIZORAM
STATE**

GOVERNOR

DR. HARI BABU KAMBHAMPATI

SPEAKER

LALBIAKZAMA

DEPUTY SPEAKER

LALFAMKIMA

**COMMISSIONER & SECRETARY
VANLALTHANTLINGI**

**ADDITIONAL SECRETARY
ZOTHANSANGA RALTE**

**JOINT SECRETARY
K. LALMUANTHANGI**

(ii)

MEMBERS OF THE NINTH MIZORAM LEGISLATIVE ASSEMBLY

Constituency No. & Name	Name of Members	Party	Address
1. Hachhek (ST)	Robert Romawia Royte	MNF	Chhing Veng
2. Dampa (ST)	Lalrintluanga Sailo	MNF	Luangmual
3. Mamit (ST)	H. Lalzirliana	MNF	Shivaji Tillah, Khatla
4. Tuirial (ST)	K. Laldawngliana	MNF	Dinthar, Aizawl
5. Kolasib (ST)	Lalfamkima	ZPM	College Veng, Kolasib
6. Serlui (ST)	Lalrinsanga Ralte	MNF	Dinthar
7. Tuivawl (ST)	Lalchhandama Ralte	MNF	Durtlang Leitan
8. Chalfilh (ST)	Lalbikakzama	ZPM	Chanmari West
9. Tawi (ST)	Prof. Lalnilawma	ZPM	Vaivakawn
10. Aizawl 'N'-I (ST)	Vanlalthlana	ZPM	Venghlui
11. Aizawl 'N'-II (ST)	Dr. Vanlalthlana	ZPM	Ramhlun North
12. Aizawl 'N'-III (ST)	K. Sapdanga	ZPM	Aizawl Venglai
13. Aizawl 'E'-I	Lalthansanga	ZPM	Zarkawt
14. Aizawl 'E'-II (ST)	B. Lalchhanzova	ZPM	Dawrpui Veng
15. Aizawl 'W'-I (ST)	TBC. Lalvenchhunga	ZPM	Laiputlang
16. Aizawl 'W'-II (ST)	Lalnghinglova Hmar	ZPM	Aizawl Venglai
17. Aizawl 'W'-III (ST)	VL. Zaithanzama	ZPM	Khatla
18. Aizawl 'S'-I (ST)	C. Lalsawivunga	ZPM	Bethlehem Vengthlang
19. Aizawl 'S'-II (ST)	Lalchhuanthanga	ZPM	Tlangnuam
20. Aizawl 'S'-III (ST)	Baryl Vanneihsangi	ZPM	Model Veng
21. Lengteng (ST)	F. Rodingliana	ZPM	Dawrpui
22. Tuichang (ST)	W. Chhuanawma	ZPM	Vaivakawn
23. Champhai 'N' (ST)	H. Ginzalala	ZPM	Hunthar
24. Champhai 'S' (ST)	Lt. Col. Clement Lalhmingthanga	ZPM	Electric Veng, Aizawl
25. East Tuipui (ST)	Ramthanmawia	MNF	Laiputlang
26. Serchhip (ST)	Lalduhoma	ZPM	Chawlhmun
27. Tuikum (ST)	PC. Vanlalruata	ZPM	Ramthar Tlangveng
28. Hrangturzo (ST)	Lalmuanpuia Punte	ZPM	Kanan Veng
29. South Tuipui (ST)	Jeje Lalpekhlu	ZPM	Durtlang
30. Lunglei 'N' (ST)	V. Malsawmtluanga	ZPM	Serkawn, Lunglei
31. Lunglei 'E' (ST)	Lalrinpuui	ZPM	Chanmari, Lunglei
32. Lunglei 'W' (ST)	T. Lalhlimpaia	ZPM	Venglai, Lunglei
33. Lunglei 'S' (ST)	Lalramliana Papuia	ZPM	Salem Veng, Lunglei
34. Thorang (ST)	R. Rohmingliana	MNF	Ramhlun North
35. West Tuipui (ST)	Prova Chakma	MNF	Nunsuri 'I'
36. Tuichawng (ST)	Rasik Mohan Chakma	MNF	Boropansuri 'I'
37. Lawngtlai 'W' (ST)	C. Ngunlianchunga	INC	Legislator's Home, Tuikhuahtlang
38. Lawngtlai 'E' (ST)	Dr. Lorrain Lapekliana Chinzah	ZPM	Chanmari, Lawngtlai
39. Saiha (ST)	Dr. K. Beichhua	BJP	Siaha
40. Palak (ST)	K. Hrahmo	BJP	College Veng-III, Siaha

*3rd Session of the 9th Mizoram Legislative Assembly
(20th – 21st Aug, 2024)*

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**NINTH MIZORAM LEGISLATIVE ASSEMBLY
(THIRD SESSION)**

LIST OF BUSINESS

FOR FIRST SITTING ON TUESDAY, THE 20th AUGUST, 2024
(Time 10:30 A.M to 1:00 P.M. and 2:00 P.M. to 4:00 P.M.)

OBITUARY

1. **PU LALDUHOMA, hon. Chief Minister** to make obituary reference on the demise of **PU KAPOOR CHAND THAKURI, Ex-MLA.**

QUESTIONS

2. **QUESTIONS** entered in separate list to be asked and oral answers given.

ANNOUNCEMENT

3. **THE SPEAKER** to announce Panel of Chairmen.

LAYING OF PAPERS

4. **PU K. SAPDANGA, Minister** to lay on the Table of the House a copy each of the following:
 - i) The Lunglei Municipal Council Licensing Regulations, 2024
 - ii) The Lunglei Municipal Council (Control of Parking and Collection of Parking Fees) Regulations, 2024.
 - iii) The Lunglei Municipal Council (Display of Advertisement and Hoarding) Regulations, 2024.
5. **PROF. LALNILAWMA, Minister** to lay on the Table of the House a copy each of the following:
 - i) The Mizoram Water Supplies (Control) (Amendment) Rules, 2024.
 - ii) The Mizoram Ground Water (Control and Regulation) Rules, 2024.
6. **PU B. LALCHHANZOVA, Minister** to lay on the Table of the House a copy of the Mizoram Consumer Protection (Salary, Allowances and Conditions of Service of President and Members of the State Commission and District Commission) (Amendment) Rules, 2024.

PRESENTATION OF REPORTS

7. **THE SPEAKER** to present to the House the Third Report of the Business Advisory Committee for the current session.
8. **PU LALCHHANDAMA RALTE** to present to the House the following Reports of Public Accounts Committee:
 - i) First Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Public Health Engineering Department.
 - ii) Second Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Labour, Employment, Skill Development and Entrepreneurship Department (MYC).
 - iii) Third Report on Actions taken by the Government against the re-commendations contained in the Thirteenth Report of Public Accounts Committee (2021-2023) relating to Sports and Youth Services Department.

LEGISLATIVE BUSINESS

Bills for introduction, consideration and passing

9. **PU K. SAPDANGA, Minister** to beg leave of the House to introduce "The Mizoram Prisons and Correctional Services Bill, 2024".

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

10. **PU C. LALSAWIVUNGA, Minister** to beg leave of the House to introduce "The Mizoram Public Records (Amendment) Bill, 2024".

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

VANLALTHANTLINGI
Commissioner & Secretary

SPEAKER : *Be not quick in your spirit to become angry, for anger lodges in the heart of fools.*

-Ecclesiastes 7:9

Greetings to all members and I thank God for bringing us together today to hold the Ninth Mizoram Legislative Assembly (*Third Session*).

OBITUARY:

We have an *obituary* today and we will be paying homage to our former leader Pu Kapoor Chand Thakuri, a former Member of Mizoram Legislative Assembly. I request the Hon' Chief Minister to deliver the eulogy.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, Pu Kapoor Chand Thakuri, aged 83 passed away due to hypertension at Nepal Mediciti Hospital, Kathmandu on July 15 (Monday) at 10:00 PM. He was the youngest child of Pu Gopi Chand Thakuri and Pi Kalawati Thakuri and he was born on September 9, 1940 at Maubawk, Aizawl. He married Madhu Rani in November 1973 and they had three sons, two daughters and ten grandchildren. He completed his PUC (Pre-University Course) and completed Hindu Visharad in 1962.

He was a Middle School (M.E) teacher under the Seventh Day Adventist Mission and he was also a teacher at Gorkhali ME School, Aizawl in 1960-1961. He then started his business career. Pu Kapoor Chand Thakuri was once a Treasurer of Gorkha Panchayat and a President of Gorkha Sangh. He was appointed as a Nominated Member of the First Mizoram Union Territory Legislative Assembly on behalf of the Gorkha minority in the Mizo Union Government in 1972. He then settled in Kathmandu after growing old. We had 30 seats in the Assembly at that time and two nominated seats- one from Gorkhali and one from Bru. Our previous leaders were very caring to the minorities. I was the PA to Chief Minister at the time and I was also quite close with Pu Thakuri. Mizoram Government and Mizoram Legislative Assembly are deeply saddened by the death of Pu Kapoor Chand Thakuri and the government is proud of his services to the nation. Thank you.

SPEAKER : I request our *Opposition Leader*.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, it is sad that we need to pay homage to our former member Pu Kapoor Chand Thakuri. As mentioned by our House Leader, he was appointed as a nominated member of the First Mizoram Union Territory Legislative Assembly in 1972 and he was among the first to administer the state government. He was invited to attend the Assembly Golden Jubilee but he could not attend due to physical infirmity. We the younger generation have not seen his face nor his performance in the House but he worked hard and made a good contribution

in this House and represented the Gorkhali community. Their family is a Thakuri tribe which is a great tribe and it was said that his grandfather was a Gorkhali soldier in the British war. His mother's brother Zaibil Sahi was also a British soldier. He was appointed by the British as a leader and tax collector among the Gorkhas due to his great service. So, it is said that he came from an exemplary family. He also started his business quite early and it is said that he started Panama Sikret shop at Bazar Bungkawn near traffic point. He was also involved in newspaper and created the Gorkha star. He was a remarkable man and it is unfortunate to lose him and we extend our deepest condolences to his family.

SPEAKER : I request hon. Minister Pu Vanlalhlana.

PU VANLALHLANA, MINISTER: Pu Speaker, I was one of the few members who met Mr. Kapoor Chand Thakuri. They lived near Pu Thangkima watch house. They owned a shop and they were the agents of the famous Panama cigarettes. I heard that he was born at Derugon which is now known as Tuikual. Pu Thakur was a great leader in Nepali society and he was among the first scholar. He joined the Mizo Union Party. Pu Ch. Chhunga was the Chief Minister and he was appointed to the MLA nominated seat. He dedicated himself to Mizoram and I believe that also reflects the situation of the Nepalis. The Nepalis followed the British during the Mizoram expedition and he was the descendant of these early followers. They are a good tribe and they accept his leadership. He joined the Mizo Union Party and did his utmost for the state. Till today, Gorkha brothers and sisters have joined political parties such as Congress, MNF and ZPM because of their love for Mizoram. Therefore, we should appreciate their dedication to the state. We are deeply saddened by his death and we pray that God be with his family.

QUESTIONS & ANSWERS:

SPEAKER : Are there any family members of Pu Kapoor Chand Thakuri present today? The House will now rise for a minute of silence. We will proceed to *Questions and Answers*. Questions and answers will be taken if the owner has any *Supplementary questions* and if there are other *Supplementary questions*, two more questions will be taken. *Starred Question No.1* to be asked by Pu H. Ginzalala, representative of Champhai North constituency.

PU H. GINZALALA : Thank you, Pu Speaker. Will the Hon. Horticulture Minister be pleased to state-

- a) If the fruits and vegetables imported from outside the state are inspected for safety.
- b) If not, is it rational to establish a Chemical Testing Laboratory for the livelihood of the youths?

SPEAKER : Hon. Horticulture Minister, Prof. Lalnilawma to answer the question.

PROF. LALNILAWMA, MINISTER: Pu Speaker, my answer is-

- a) The Horticulture Department has no knowledge of the inspection of fruits and vegetables from outside the State since the import and inspection of fruits and vegetables from outside the State is not under the jurisdiction of the Horticulture Department.
 - b) Pesticide Analysis Laboratory for imported fruits and vegetables is a good idea.
- Thank you.

SPEAKER : *Supplementary question* from Pu H. Ginzalala.

PU H. GINZALALA : Thank you, Pu Speaker. My question might be for the Health Department and I apologize for that mistake. Anyway, I would like the other concerned Departments to consider this as well since it is a necessity. Cancer is quite common in our state and this might be from our vegetables and meat since some are medically treated. So, it would be appreciated if the concerned Departments take this seriously.

My Supplementary question is- We plan to propose horticulture related activities in every constituency and we need several saplings for the next year. Depending on the saplings we receive, we will determine the amount of crop to be harvested this year and it would be appreciated if the Minister could give us such assurance.

Firstly, we are trying to increase the production of oranges and we will need at least 200000 orange saplings. We also plan to implement this at Vaikhawtlang, Tualcheng and Selam. Apple sapling is also planned at Hnahlan and its surrounding areas where we will need about 20,000 saplings. Kiwi cultivation is also planned at Khuangphah, Hnahlan and Diltlang areas. MLA Fund is also used to start this process and we also imported from Arunachal Pradesh. We will need five thousand kiwi saplings and about 20,000 valencia saplings. We plan to carry out cardamom at Tualpui and its surroundings and we will need 50,000-60,000 saplings. The same goes with banana and passion fruit and we plan to carry out passion fruit at Ngur, Khawbung, Hmunhmeltha, Champhai and its surrounding areas. We also plan to carry out lemon at Aiduzawl. So, Pu Speaker, will the hon. minister be able to consider this? Thank you.

SPEAKER : *Supplementary question* from Dr. K. Beichhua.

DR. K. BEICHHUA : Thank you, Pu Speaker. *My Supplementary question is-*

- i) Is there any research on how many households are growing ginger, chilli, broom and turmeric?

- ii) Do these farmers form a Society? Is there any research?
- iii) Does the Government implement research based on these crops?
- iv) Will the Government buy all these crops after the farmers produce them?

SPEAKER : *Supplementary question* from our Woman Legislator, Pi Baryl Vanneihsangi, representative of Aizawl South-III constituency.

PI BARYL VANNEIHSANGI: Thank you, Pu Speaker. Our Minister's answer to (b) is that it is logical. There are many great things to achieve in our state and yet, we see no signs of success and the people are becoming frustrated. Therefore, since our Minister said that it is a great idea to accomplish this, will he be able to take steps and accomplish this for the sake of our youth's livelihood? Thank you.

SPEAKER : Horticulture Minister, Prof. Lalnilarawma to answer the question.

PROF. LALNILAWMA, MINISTER: Thank you, Pu Speaker. The questioner is working hard for his constituency as seen on his *Supplementary question*. While we recently occupied the office, he said he needed that much of saplings. However, this year's program was planned since last year and we will not be able to accomplish his needs this year. It is difficult to give assurance but it should be noted that it is our initiative. We will take notes on the number of oranges, apple, kiwi, valencia and cardamom saplings and we will send them to the central for next year's plan. We will try to include them depending on the amount we received. Order of 15,000 cardamom saplings were received at Tualpui recently. This is not included on our budget but we supplied them for a test since it is said that it grows well. Banana is also included in our proposal.

In response to Dr. K. Beichhua, ginger is currently cultivated by 25,102 households according to our records and we are currently taking measures at several constituencies. We believe that Multipurpose Farming Cooperative Society has been established in every village and the list has been submitted and we are entering it in the Data Bank. The data entry is a bit complicated and we are working on it. The government is planning to purchase them all but this does not mean that the government will purchase vegetables in cash, the government will be the facilitator in the purchase of vegetables. The Government will not directly buy the products but the Government will facilitate the purchase between the society and the buyers. (**Dr. K. Beichhua:** Pu Speaker, my questions are not fully answered. Are chilli, turmeric and broom conducted in research base?) Yes, a research based was conducted as much as possible. We are estimating the number of new productions and also looking for buyers based on research. However, research can also include lab stage research and we have not yet reached this stage but we hope to continue to do so. The government has fixed the rate of other crops as well. *(Interruption)*

PU ROBERT ROMAWIA ROYTE: Pu Speaker, *point of clarification* as this is important. The Horticulture Minister has made an explanation but it seems that we are not planning to buy any products and we will be its facilitator. The CM said that grade A and B will be purchased without discrimination. If ginger is bought for `50, does it mean that the government bought it?

PU LALMUANPUIA PUNTE: Pu Speaker, point of clarification. When it was said that the previous government sold liquors, the government did not sell liquor but it was sold by individuals. It was permitted by the government.

SPEAKER : I request the Minister.

DR. K. BEICHHUA : Pu Speaker, *point of clarification*. He also said that the rates have been fixed and so, will it be possible to disclose the rates in this House?

SPEAKER : I request the Minister.

PROF. LALNILAWMA, MINISTER: Pu Speaker, I am afraid I will get the rates wrong. Ginger is to be not less than ₹50 and broom is divided into grade A&B where A is ₹100 and B is ₹80. (**PU Lalrintluanga Sailo:** Pu Speaker, how will the grade be divided? Will it be according to the length?) it will be according to the variety and the time of harvest. (*interruption*)

PU PC. VANLALRUATA, MINISTER: Pu Speaker, point of clarification. Marketing was never dealt by any previous government and therefore, this new government started dealing with the market and form a marketing committee. The government is currently working hard on it and the rates have been notified. The government has now notified all this and we will provide the copies to all the members later. The government will take measures if the price is not higher than the rate fixed by the government. Support prices have been provided and empanel buyers have been appointed. I am making this clarification because there were some questions that were not exactly the concerns of the Horticulture Minister. Thank you.

SPEAKER : I request the hon. minister.

PROF. LALNILAWMA, MINISTER: Pu Speaker, we should not worry much whether the government will purchase it or not and the purchase system will come in time. (**Dr. K. Beichhua:** Pu Speaker, I still get no answers regarding chilli and turmeric) The government's stand is that we will buy them according to the fixed rates. (**Dr. K. Beichhua:** How much?)

SPEAKER : The Agriculture Minister clarified that marketing is a separate subject and it is understandable that the Horticulture Minister could not provide every answer. We now heard that there is a separate marketing board for marketing and so, we should move on.

PROF. LALNILAWMA, MINISTER: Pu Speaker, in response to Aizawl South III representative, I spoke with the department officials on how to take measures about the imported vegetables as soon as I occupied the office but we are not sure whether it is the Department's purview or not. However, there is a promising initiative where Vety College has been working on the project for three years and sanction was issued in March, 2024 under RKVY. The Project is titled 'Strengthening of Pesticide and Residue Analysis Laboratory' and it will be designed to test all fresh vegetables imported from other states. The cost of the project is ₹11.8 crore and the 1st installment of ₹2.65 crore has already been received. A tender for the purchase of a large machine from ₹2.65 crore is being issued and we will be able to test the vegetables that need to be tested in the future. Thank you, Pu Speaker.

SPEAKER : *Starred Question No. 2* to be asked by Pu K. Laldawngliana.

PU K. LALDAWNGLIANA: Thank you, Pu Speaker. Will the Social Welfare, Tribal Affairs, Women & Child Development Department Minister be pleased to state-

- a) If the Central Government handed over the bills for the works carried out in several villages under PMAAGY (2023-2024) to the State Government.
- b) If so, what is the date on which the Finance Department received the money?
- c) When do you intend to pay the bill to the workers?
- d) Is it ready to be paid?

SPEAKER : Social Welfare, Tribal Affairs, Women & Child Development Department Minister Pi Lalrinpuui to answer the question.

PI LALRINPUUI, MINISTER: Thank you, Pu Speaker. My answer is-

- a) Yes
- b) The Ministry of Tribal Affairs has already submitted it to the State Government.
- c) It will be paid when Mizoram Treasury releases the money.
- d) The answer to (d) is the same as (c)

SPEAKER : *Supplementary question* from Pu K. Laldawngliana.

PU K. LALDAWNGLIANA: Thank you, Pu Speaker. My *Supplementary question* is-

- i) Is PMAAGY fund still available from Central?

ii) Is there any proposal to the Central to declare villages that need development as selected villages in addition to the 344 selected villages declared by the Central Government?

SPEAKER : *Supplementary question* from Dr. K. Beichhua.

DR. K. BEICHHUA : Thank you, Pu Speaker.

i) The Special Central Assistance to Tribal Sub-Scheme was renamed PMAAGY where 344 are selected villages. So, do we have any additional requests?

ii) The fund available for each selected village is ₹20.38 lakh and this is not enough for North-East. So, is there any pressure from the government to increase the rate?

iii) How many households have received the first installment? How many households have received the second installment? Is the work conducted according to the guidelines?

SPEAKER : Minister Pi Lalrinpuii to answer the question.

PI LALRINPUII, MINISTER: Thank you, Pu Speaker. In response to Pu K. Laldawngliana, 269 villages have been sanctioned. However, releasing PMAAGY fund method is complicated and so, we decided to work in minority areas first. In response to Dr. K. Beichhua regarding the increasing of rates, I am not sure about this but I will find out and I will get back to you.

Dr. K. BEICHHUA : Pu Speaker, she did not answer all the questions. How many have received the 1st installment, 2nd installment and is the work conducted according to the guidelines?

SPEAKER : It might be difficult to provide the figures and quantity immediately since the questions were asked instantly and information data is not always available. I hope the Ministers will be able to inform the members in writing later. I now request the Minister.

PI LALRINPUII, MINISTER: Pu Speaker, in response to Dr. K. Beichhua, the guidelines are being followed and in response to Pu K. Laldawngliana, there is an intention to request more villages. Thank you.

SPEAKER : *Starred Question No. 3* to be asked by Pu Lalrintluanga Sailo.

PU LALRINTLUANGA SAILO: Thank you, Pu Speaker. You often called Dr. K. Beichhua a Siaha constituency representative and does this mean that the Election Commission of India (ECI) has changed the name Saiha Constituency?

Pu Speaker, Will the Home Minister be pleased to state-

- a) If the Government is aware of the measures taken by the Assam Government to excavate a road on Vairengte side.
- b) If so, what actions are taken?

SPEAKER : The Election Commission has entered it as Saiha but our member said that a notification was already issued to name it as Siaha. So, I addressed it as Siaha even though it is still clear on my mind. I request the Home Department Minister, Pu K. Sapdanga to answer the question.

PU K. SAPDANGA, MINISTER: Pu Speaker, my answer is-

- a) The 2 states have different acceptance of the border. The government is aware that the Assam government has taken measures to excavate roads towards Assam Police Camp in the area where we both claim to be the land owners.
- b) Kolasib District authorities inspected the road and found that the road is being constructed and they are ordered to suspend their activities immediately. Kolasib DC issued a letter on 31.07.2024 directing Cachar DC and Hailakandi DC not to violate the status quo and to stop their activities immediately.

SPEAKER : *Supplementary question* Pu Lalrinsanga Ralte.

PU LALRINSANGA RALTE: Thank you, Pu Speaker. Our esteemed Home Minister, while speaking to press persons at his office on July 29 said that no actions were taken on either side within the status quo of the border. On the same day, there was an excavation carried out at Vairengte Aitlang. Vairengte residents and Vairengte MNF issued press releases but the Home Minister said that landslides were cleared. However, I am pleased that he spoke the truth today in this House. They work on excavation and 200 meters of Mr. Samuel's garden was excavated. The government should be aware about the measures taken at Aitlang, Singkili phai and other areas.

As our Leader of the Opposition had said, we the Opposition will be the driving force behind the government and a helping hand when necessary and we do not intend to defame the government. It would also be appreciated if the Minister invited me to inspect the areas with him. Pu Chhandama's garden is located below the road where they excavate and they plan to widen they excavation. The reason why I am saying this today is because no party should use our border for political gain but the government should supervise the border more carefully for the sake of our state and nation. I would like to inform the Home Minister that on August 1st at 3-4 am, Assam Police visited Vairengte Auto-stand and asked for the documents of the auto drivers. So, is our Home Minister aware of this incident?

SPEAKER : *Supplementary question* from Pu Lalchhuanthanga.

PU LALCHHUANTHANGA: Thank you, Pu Speaker. How many vacancies are there in the Police Department and are there any proposals to fill these vacancies? 3rd MAP is located in my constituency where their buildings and quarters are in ruins and some of them are uninhabitable. So, is there any intention to renovate these buildings? Our retired Police Officers often recruited Grade-IV employees and is this still happening? Some of them still possess the vehicles and is this true?

SPEAKER : *Supplementary question* from Pu Lalrintluanga Sailo.

PU LALRINTLUANGA SAILO: Pu Speaker, my *Supplementary question* is- Since the formation of the ZPM government, has the Home Minister visited the Assam-Mizoram border conflict areas especially Saihapui-‘V’ and Aitlang border? On 9th August, 2024, the two states held talks in Aizawl city to resolve the border issue and what have they discussed about? The meeting for these two states regarding the dispute had been planned for quite sometime and does the Minister think that it is shameful to extend the time due to power shortage?

SPEAKER : *Supplementary question* from Pu Lalmuanpuia Punte.

PU LALMUANPUIA PUNTE: Pu Speaker, they only intend to excavate the road and they do not even carry out the excavation. So, is that not enough?

PU LALRINSANGA RALTE: Pu Speaker, I am aware of it. I mentioned that they had excavated more than 200 meters in Mr. Samuel's garden.

PU LALMUANPUIA PUNTE: Pu Speaker, he mentioned what they had excavated and he also mentioned where they will excavate more. So, I am just saying that is it not enough since they are not excavating it yet.

PU LALRINSANGA RALTE: This is not for the ZPM government but for the sake of the state and the nation.

PU LALMUANPUIA PUNTE: Pu Speaker, is it necessary to mention the areas that they had to excavate?

PU ROBERT ROMAWIA ROYTE: Pu Speaker, he will say so if there are any intentions. It is not right to keep quiet when there is an intention to excavate.

PU LALRINTLUANGA SAILO: You said that only 3 *Supplementary questions* will be taken and the Hrangturzo representative just stood up. Could that be disrespecting the Speaker?

PU LALMUANPUIA PUNTE: I was requested.

SPEAKER : I request the Leader of Opposition.

PU LALCHHANDAMA RALTE, OPP. LEADER: Thank you, Pu Speaker.

Does it mean that we handed the 200 meters excavated by the Assam Police to them?

SPEAKER : Home Department Minister Pu K. Sapdanga to answer the question.

PU K. SAPDANGA, MINISTER: Pu Speaker, you announced that there would be only two *Supplementary questions* but there was a lot of noise that I could not tell who was asking the question. We visited the outposts along the border on January 16.

PU LALRINTLUANGA SAILO: Pu Speaker, I was asking if he specifically visited Saihapui V and Aitlang?

PU K. SAPDANGA, MINISTER: We also visited Saihapui V and Aitlang in addition to 11 outposts. We could not contact the representative MLA to invite him during that time.

PU LALRINSANGA RALTE: Pu Speaker, point of clarification. It was during the session and he gave me an information letter that he was going. He told me verbally but I did not receive a single invitation. Let him speak the truth because I was not invited. It is my constituency and I would be appreciated if he asked for me. I will gladly follow him even if he insists tonight.

PU K. SAPDANGA, MINISTER: Pu Speaker, we will invite him if we are to visit again. It is not that long since we visited the places. I was simply saying that we were unable to find him during our visit.

PU LALRINSANGA RALTE: Our Home Minister should not tell a lie.

PU LALCHHANDAMA RALTE, OPP. LEADER: It is not right that the Home Minister could not find an MLA.

PU LALRINSANGA RALTE: I called him several times actually but he does not take calls.

PU ROBERT ROMAWIA ROYTE: Pu Speaker, point of clarification, how can the Home Minister find a criminal if he cannot find an MLA?

PU LALRINSANGA RALTE: Pu Speaker, our Home Minister should speak the truth.

SPEAKER : Let us listen to the Minister.

PU LALMUANPUIA PUNTE: Pu Speaker, this honorable House is not a place to lie* *(to be expunged as ordered by the Chair)** please find out the one who lied **(to be expunged as ordered by the Chair)**.

PU K. SAPDANGA, MINISTER: As I had mentioned earlier, we have different acceptance of the border and this often cause problems. There had been negotiations and the previous governments were commended for their negotiations. A new government is now formed and both the Chief Ministers of the 2 states agreed that the Boundary Development Minister and Mizoram Home Minister should meet each other. Assam then made a proposal to start Good-will Mission and that was their mission when they came to Mizoram recently. It was agreed that the minister level meeting should be held on 31st March, 2025 and before that, Secretary level and Official level meetings should be held as much as possible. Thank you.

SPEAKER : *Starred Questions No. 4* to be asked by Hachhek representative, Pu Robert Romawia Royte.

PU ROBERT ROMAWIA ROYTE: Pu Speaker, Will the Home Minister be pleased to state-

- a) If the Ministry of Home Affairs informed the Mizoram Government that it has decided to evacuate AR.
- b) If so, what is the date, month and year?
- c) If the notification copy could be provided.

SPEAKER : Minister Pu K. Sapdanga to answer the question.

PU K. SAPDANGA, MINISTER: Pu Speaker my answer is-

- a) Yes
- b) The Ministry of Home Affairs issued notices on 19.2.2019 and on 11.3.2020
- c) The notification copy is ready.

SPEAKER : *Supplementary question* from Pu Robert Romawia Royte.

PU ROBERT ROMAWIA ROYTE: Thank you, Pu Speaker. Assam Rifles' evacuation from Lammual Area was announced on 19.2.2019 and 11.3.2020 by the Home Ministry and I appreciate that the notification copy is to be provided. The Memorandum of Understanding was prepared by the Assam Rifles according to the RTI

and we heard that the Union Home Minister called our Chief Minister Pu Lalduhoma where he told him that the MoU will be signed within a week. However, there were no words about MoU even after several weeks and so, the Home Department was questioned through RTI. The Home Department then answered that the ZPM government did not make any emergency request to sign the MoU with the Assam Rifle and this is quite unfortunate. They have been in government for 8 months and why are no measures taken? Are there any intentions to fulfill this mission?

SPEAKER : *Supplementary question* from Pu TBC Lalvenchhunga

TBC LALVENCHHUNGA: Thank you, Pu Speaker. Thorang representative accused the Home Minister of lying and can we erase this accusation? (**Pu R. Rohmingliana:** I did not accuse him of lying and it would be appreciated if it is changed to false information. I asked if it would be great to seek for the truth.) (**Speaker:** We will change it if there is a word containing 'lie'. Our time is over and shall we let him continue? You can continue.) *Point of clarification* is the reason why we spend so much time and there is no *point of clarification* anywhere in the House guidelines. Is it proper for us to stand up and raise our hands at any time and use points of clarification to interfere others statements? If not, why do we insist on doing it?

My question is- The Ministry of Home Affairs ordered the Assam Rifle to evacuate in 2020 but why have not they evacuated within the four years? Thank you

SPEAKER : The *point of clarification* that the member talked about is nowhere to be found but the point of order exists. A *point of order* is raised when a member believes that there has been a violation of *parliamentary rules, procedures, or etiquette*. Anyway, it would be impressive if members could be more restrained in that regard. I request Minister Pu K. Sapdanga to answer as much as he could.

PU K. SAPDANGA, MINISTER: Pu Speaker, the previous government knew secrets and we will ask them why they have not yet evacuated. As for our government, there is nothing but only this smooth conversation among us for now. Thank you.

PU ROBERT ROMAWIA ROYTE: Pu Speaker, point of order. This is a serious matter and it is no joke. The truth is that there were problems because of covid and we had serious political crisis with our neighboring states. I would like the government to know that this is not easy. I believe that the MoU which was previously drafted by the previous government and the comments they had given are good enough. However, the Mizoram government has been silent for eight months without saying whether the MoU will be supported or not.

SPEAKER : I request our House Leader.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, our leaders told us that they had evacuated which was not true. Separate MoU were drafted by both Assam Rifle and our former government but they were left untouched without any discussion. We then decided to discuss this matter and I held a meeting with all the concerned Departments and the Assam Rifle under my chairmanship. We discussed our point of differences which we could not solve it but many things were explained to one another. I mentioned that a tripartite meeting with Mizoram government and Assam Rifle should be held under the chairmanship of the Home Ministry regarding the pending MoU and solve our point of differences as soon as possible. Later, I was told that it would be solved within a week. However, the Assam Rifle wanted to draft the MoU again and that is why it could not be done again. A word from the Home Ministry was that a senior officer from Joint Secretary and IB will be sent in Aizawl for a talk but he was not sent till today. Therefore, the MoU discussion cannot be held yet and we are waiting for the initiative to be taken. We will then continue to push forward as necessary.

There are several farmers at Zokhawsang area who have farms there and the previous government had since paved a road beneath the road as it is no longer permitted to enter the compound. However, no vehicles could enter since the road is too long, too narrow, too poor in grade and no use at all. I proposed a straight road between the existing road and the road built by the previous government which was accepted. We will be doing at our expenses and we have already searched for the alignment. There is a building towards the east and we will move this building at our own expense as well. Our farmers will now be able to travel without any difficulty if this new road is constructed. Thank you.

PU ROBERT ROMAWIA ROYTE: Pu Speaker, if I may. The Chief Minister's statement should be clarified. According to the RTI on 22.7.2024 asking if the Mizoram government draft a MoU during the MNF government with an enclosed copy (*interruption*). It was answered that the MoU was not drafted during the MNF government, but the government made comments on the MoU drafted by the Assam Rifles. Is it true when the Chief Minister said that both the 2 states drafted separate MoU?

PU LALDUHOMA, CHIEF MINISTER: RTI questions are drafted by officials and there can be mistakes if the concern Ministers do not help in reviewing it. Let us accept what we have said today in this House as more of a truth. The previous government and the Assam Rifle both drafted separate MoU and the two are inconsistent and therefore there is a dispute that must be discussed. This is what lies ahead and I urge everyone to work together.

ANNOUNCEMENT:

SPEAKER : We will proceed to the next business. Our *Panel of Chairmen* during the previous session will be appointed again this session namely-

- 1) Pu Rasik Mohan Chakma, MLA
- 2) Pu Lalrinsanga Ralte, MLA
- 3) Pu K. Hrahmo, MLA
- 4) Pi Baryl Vanneihsang, MLA.

LAYING OF PAPERS:

We will proceed to *Laying of Papers* and I request hon. Minister Pu K. Sapdanga to lay on the Table of the House-

- i) The Lunglei Municipal Council Licensing Regulations, 2024.
- ii) The Lunglei Municipal Council (Control of Parking and Collection of Parking Fees) Regulations, 2024.
- iii) The Lunglei Municipal Council (Display of Advertisement and Hoarding) Regulations, 2024.

PU K. SAPDANGA, MINISTER: Pu Speaker, with your permission, I hereby lay on the Table of the House-

- i) The Lunglei Municipal Council Licensing Regulations, 2024.
- ii) The Lunglei Municipal Council (Control of Parking and Collection of Parking Fees) Regulations, 2024.
- iii) The Lunglei Municipal Council (Display of Advertisement and Hoarding) Regulations, 2024.

SPEAKER : Let the copies be distributed. I request hon. Minister Prof. Lalnilawma to lay on the Table of the House-

- i) The Mizoram Water Supplies (Control) (Amendment) Rules, 2024.
- ii) The Mizoram Ground Water (Control and Regulation) Rules, 2024.

PROF. LALNILAWMA, MINISTER: Pu Speaker, with your permission and of the House, I hereby lay on the Table of the House-

- i) The Mizoram Water Supplies (Control) (Amendment) Rules, 2024.
- ii) The Mizoram Ground Water (Control and Regulation) Rules, 2024.

SPEAKER : Let the copies be distributed. I request hon. Minister Pu B. Lalthanzova to lay on the Table of the House-

‘The Mizoram Consumer Protection (Salary, Allowances and Conditions of Service of President and Members of the State Commission and District Commission) (Amendment) Rules, 2024’.

PU B. LALCHHANZOVA, MINISTER: Pu Speaker, with your permission, I hereby lay on the Table of the House-

‘The Mizoram Consumer Protection (Salary, Allowances and Conditions of Service of President and Members of the State Commission and District Commission) (Amendment) Rules, 2024’

PRESENTATION OF REPORTS:

SPEAKER : Let the copies be distributed and we will proceed to *Presentation of Reports*. The *Business Advisory Committee* meeting on August 1, 2024 (Thursday) prepared the detailed program of the 3rd Session of the 9th Legislative Assembly and this is already issued in Bulletin Part-II. I hereby present *the Business Advisory Committee Report* and let the copies be distributed.

I request Pu Lalchhandama Ralte, Chairman of *Public Accounts Committee* to present the following-

- i) First Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Public Health Engineering Department.
- ii) Second Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Labour, Employment, Skill Development and Entrepreneurship Department (MYC).
- iii) Third Report on Actions taken by the Government against the recommendations contained in the Thirteenth Report of Public Accounts Committee (2021-2023) relating to Sports & Youth Services Department.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, with your permission and of the House, I hereby present-

- i) First Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Public Health & Engineering Department.
- ii) Second Report on the Report of Comptroller & Auditor General of India for the year 2016-17 relating to Labor, Employment, Skill Development and Entrepreneurship Department (MYC).
- iii) Third Report on Actions taken by the Government against the recommendations contained in the Thirteenth Report of Public Accounts Committee (2021-2023) relating to Sports & Youth Services Department.

LEGISLATIVE BUSINESS:

SPEAKER : Let the copies be distributed. We will proceed to *Legislative Business*. We have 2 *Government Bills* to discuss today and the copies have already been distributed to Members. I request Pu K.Sapdanga, hon Minister to beg the House to introduce “The Mizoram Prisons and Correctional Services Bill, 2024”

PU K. SAPDANGA, MINISTER: Pu Speaker, with your permission, I beg the House to introduce “The Mizoram Prisons and Correctional Services Bill, 2024”.

SPEAKER : The Minister has begged the House for an introduction and let him introduce and move the Bill.

PU K. SAPDANGA, MINISTER: Thank you, Pu Speaker. The Ministry of Home Affairs passed the Model Prisons and Correctional Services Act, 2023 to ensure that the state government have effective jail administration. States and UTs were asked us to adopt it and adjust it as required. So, Mizoram Prisons and Correctional Services Act is being amended to have a separate law for the state and that is why we have introduced our own state bill.

Prisons administration is a State subject under the Indian Constitution, but The Prisons Act, 1894, The Prisoners Act, 1900 and Transfer of Prisoner Act, 1950 were implemented to manage the prisons since the state did not yet have any laws. Assam jail manual had also been used for a long time. The Mizoram Prisons Manual, 2017 was prepared just like the Central Government prepared the Model Prisons Manual. Therefore, Mizoram Prisons Manual, 2017 has been used instead of Assam Jail Manual. I apologize to the members for any spelling mistakes in the Bill and I ask the members to consider these mistakes as patent errors.

Chapter-I deals with the name and definitions of the Act.

Chapter-II describes the five types of Prisons and Correctional Institutions.

Chapter 3 also deals with the construction and maintenance of prisons and the establishment of categories of prisons and correctional institutions.

Chapter 4 is an organizational setup and it will be responsible for implementing government policies according to the Directorate of Prisons and Correctional Services and for managing and coordinating prisons. Officers and staff will be under it and qualification recruitment and training of these officers and staff will be done in accordance with the rules.

Chapter 5 deals with the Duties of Prison Officers, staff and Medical Officers. Chapter 6 deals with the use of Technology in Prison Administration and these include CCTV, scanning and detection devices Radiance Frequency, Identification, Video conference for prisoners to participate in court hearing trials, computerization of prison administration and linkage of data bases with ICJS (Inter Operable Criminal Justice System), cellular zooming, cellular detections solutions and electronic monitoring technology for temporary release leave of jail prisoners.

Chapter 7 deals with jail entry, transfer, exit, inspection and procedures.

Chapter 8 deals with the categories of prisoners and Political Prisoner is also added to the list.

Chapter 9 deals with the treatment of high risked prisoners, habitual offenders and hardened criminals and these people do not have parole, furlough or any other leave.

Chapter 10 deals with the establishment of separate prisons for women, the establishment of a female ward in prison hospitals, medical care for pregnant women during admission and keeping their children with them in jail until they reach the age of six. Healthcare is also available.

Chapter 11 deals with transgender people. There will be separate wards for transgenders, access to healthcare and psychological needs and even correctional programs and activities.

Chapter 12 deals with the safety of prisoners in prison and the escort of prisoners to court and hospital. There is also a system to record visitors' address, name, photograph and biometric identification.

Chapter 13 deals with maintaining discipline in prisons. 25 types of laws are listed and the rules and penalties are also in place.

Chapter 14 includes access to prison stand healthcare facilities and mental health issues.

Chapter 15 deals with vocational training, skill development and education and recreation of prisoners. Spiritual, Cultural and Recreation Programs, canteen and sale layout for these prisoners to sell their products are also included.

Chapter 16 provides for the development of rehabilitation programs for convicted prisoners, the provision of employment opportunities for UTP, Civil Prisoners and the payment of adequate salaries.

Chapter 17 describes on how open and semi open correctional institutions can be developed as necessary.

Chapter 18 deals with the various types of leave and remission of prisoners and the premature release of prisoners.

Chapter 19 describes two types of prison inspections and the inspection can be conducted by the senior Officer and the Board of Editor.

Chapter 20 provides that the government may provide after care services to released prisoners.

Chapter 21 is miscellaneous and contains various items. It includes establishment of legal age under trial review of prisoners in each district, reporting of prisoner deaths, formation of Prison Development Board for prisoner complaints, empowerment of state government to make rules, repeal and saving.

The Indian Evidence Act, IPC and CRPC were still in force while Mizoram government is getting Cabinet approval for the model bill. However, from July 1, 2024, the Bharatiya Nyaya Sanhita, 2023 (BNS), Bharatiya Shiksha Adhiniyam, 2023 (BSA) and Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) came into force.

The Ministry of Law & Justice, Govt. of India issued a notification saying that BNS, BSA and BNSS shall be applied as corresponding provisions. The bill not only provides for the administration of prisons but it will also ensure that prisoners are able to take care of their own livelihoods and become useful people when they are released. The Home Department has already considered an open jail system to reduce the capacity of jails and officers were also sent to other states to study the practices of other states. Jail administration is not only in the hands of government officials but also an important part of criminal justice. Therefore, I present this Bill in order to make progress. Thank you.

SPEAKER : We will now have a discussion and each member will be given 10 minutes. I request Thorang representative, Pu R. Rohmingliana.

PU R. ROHMINGLIANA: Thank you, Pu Speaker. The Mizoram Prisons and Correctional Services Bill, 2024 is a bill that is worth studying. Each chapter is excellent and Chapter 2 mentioned about the safe custody. This Bill will extremely utilize technology from management to video conferencing and this Bill is also designed to ensure transparency. Transgender ward is also mentioned in this Bill and this shows that it has a very wide view.

It is unlikely that we will need much fund at the start, but the financial requirements will be higher when the rules are introduced through the Bill. It will require several employees and several buildings will be required. This Bill will require a lot of infrastructure and will we able to afford it all? It will require a lot of fund and how will we make ends meet?

There are several escaped prisoners recently and were they all found and arrested? It would also be appreciated to know from whose custody they escaped- the Prison custody or the Home Department custody? Is it also true that some inmates visit girls at

their homes and woo them? If so, it would be appreciated to know where and when it took place. I support this Bill to be passed. Thank you.

SPEAKER : I request Pu T. Lalhlimpaia.

PU T. LALHLIMPUA : Pu Speaker, thank you. It is a great pleasure from my side to partake in the discussion of ‘The Mizoram Prisons and Correctional Service Bill, 2024’. The Bill was introduced to meet the challenges faced by Prison Department.

The management and functioning of jails within Mizoram is unsatisfactory. Especially as a representative of Lunglei West constituency, i have heard many anecdotes regarding the management and administration of jails and it is disheartening to hear these stories.

As mentioned in the Bill, it will include prisoners’ healthcare, prisoners’ mental health as well as psychological assessment. It is fortunate to see and read these sentences and I truly hoped that it will be realized soon. Thank you.

SPEAKER : Pu K. Hrahmo.

PU. K. HRAHMO : Pu Speaker, first of all I thank the hon. Home Minister for his work in ‘The Mizoram Prisons and Correctional Service Bill, 2024’. I duly support this bill.

However, I do have concern regarding this bill. Will the government have the bravery and the capacity to actually implement this rule? I have seen many instances where excellent and outstanding bills that were passed by the House were not actually implemented. Mahatma Gandhi National Guarantee Scheme states that the Programme officer shall allot at least 50% of the works in terms of its cost under a scheme to be implemented through the Gram Panchayats. However, this was overruled by the department.

PROF. LALNILAWMA, MINISTER: Pu Speaker, *point of order*. The Act states that at least 50% should be performed by V.E.C where 60% is wage component and 40% is material component. The said breakdown of 40%, 30% and 30% is still within the material component and not as a whole.)

Pu Speaker, thank you. This must be a miscalculation on the departments’ side.

SPEAKER : The current topic is ‘The Mizoram Prisons and Correctional Service Bill, 2024’. The discussion is about Rural Development subject, this could be discussed outside of the House.)

Pu Speaker, as I have mentioned before, I do support the passing of this bill. However, I do have concerns about the implementation of the Bill. Thank you.

SPEAKER : Pu Lalramliana.

PU LALRAMLIANA PAPUIA: Pu Speaker, thank you. We are currently discussing ‘The Mizoram Prisons and Correctional Service Bill, 2024’. It is promising to see that several correctional services and measures were included in this Bill.

There are several positive points in this bill one of which is that the administration and management of jails will be updated in line with growing technology. This will definitely be a boost for the management.

This Bill also included several provisions such as classification and categorization of prisoners according to sex, age and level of crime. After care and rehabilitation will also be included.

I do support ‘The Mizoram Prisons and Correctional Service Bill, 2024’. However, I have one concern which is will this bill be characterized by the old criminal law or will this be changed in accordance with the new criminal law? Thank you.

SPEAKER : Pu H. Lalzirliana.

PU H. LALZIRLIANA : Pu Speaker, thank you. It is fortunate that ‘The Mizoram Prisons and Correctional Services Bill. 2024’ has been submitted for consideration. It is a significant bill but does not include provision for political prisoners. This provision needs to be considered as it is a state subject.

We are all aware that jails within Mizoram especially district jails lack infrastructure. This Bill proposes to introduce new technology, healthcare, welfare program, vocational training and skill development. I am glad that this Bill will bring transformation of prisons.

In order for the bill to succeed, capital will be needed for the implementation. Thank you.

SPEAKER : Pu Lalrintluanga Sailo.

PU LALRINTLUANGA SAILO: Pu Speaker, thank you. I feel that the owner of this Bill is not entitled to be in charge of the department. However, the Bill itself is quite satisfactory.

I would like to emphasize on one important regarding this Bill. Prisons in other states are under the jurisdiction of State Service Police. This practice must be emulated for better management. Also, head of Prisons and Correction Services should not be under the command of a civil service servant. (**Speaker:** First session has ended, shall we let him continue? Please continue.)

Pu Speaker, lastly, I have one reservation regarding this Bill which is its implementation. I do hope that the ministry will give its best effort for the implementation of this Bill. Thank you.

SPEAKER : We will now break for lunch and resume the Session at 2 PM.

(Recess)

2:00 PM

SPEAKER : Let us call upon Pu Lalchhuanthanga to start the discussion.

PU LALCHHUANTHANGA: Pu Speaker, thank you. First of all, I thank the hon. Home Minister for presenting us with a practical bill. We have never had a bill regarding prison on our own and only have prison manual. It is gratifying to have a prison bill on our own which include correctional services as well.

This bill will include aftercare, rehabilitation service, vocational training, skill development and education. I believe this bill will be appropriate for use in rehabilitation homes. I pledge my support to this bill. Thank you.

SPEAKER : Pu TBC. Lalvenchhunga.

PU TBC. LALVENCHHUNGA: Pu Speaker, thank you. It is a pleasure to be included in the discussion for ‘The Mizoram Prison and Correctional Services Bill, 2024’.

I would like to mentioned that Aizawl West-I, my constituency is the home of district jail and women’s jail. It is a rational and sensible proposal to include correctional institution, institution of young offenders and correctional facilities.

The current standing at our district jail is more than its capacity which indicates that our district jail is seriously overcrowded. Among these, more than 70% of them are underaged.

I would like to call attention to the fact that this bill does not include Bhartiya Nyaya Sanhita and Bhartiya Nagrik Suraksha Sanhita. This will require this bill to be amended again in a short while.

Lastly, I pledge my support to ‘The Mizoram Prison and Correctional Services Bill, 2024’ and hope that this bill will open more doorways in the management and administration of prisons. Thank you.

SPEAKER : Pu Lalrinsanga Ralte.

PU LALRINSANGA RALTE: Pu Speaker, thank you. I would like to request the hon. Home Minister to clarify his statement regarding my absence when he came to visit Serlui constituency.

He stated that I could not be found. I would like to mention that I was at home in Dintar. Would the hon. Home Minister clarify where they looked for me? I would also like to mention that such statements without clarification should not be done at this House. (**Speaker:** I would like to request the members to talk about the bill and not use their time for personal attacks.)

Pu Speaker, it is my conclusion from my observation that the hon. Home Minister does not deserve to submit this bill and as such, I will not be making a statement regarding this bill. Thank you.

SPEAKER : Lt. Col. Clement Lalhmingthanga.

LT. COL. CLEMENT LALHMINGTHANGA: Pu Speaker, thank you. We are discussing an exceptional bill ‘The Mizoram Prison and Correctional Services Bill, 2024’ and I am fortunate to take part in the discussion.

Introduction of categorization of accommodation and classification of prisoners is a welcomed chapter for this bill. Medical facilities, safety, pre-mature release and leave is also introduced. The bill also includes a much-needed corrective measures and corrective institutions, skill development and vocational courses. It will truly be a pragmatic bill. Thank you.

SPEAKER : Dr. K. Beichhua.

DR. K. BEICHHUA : Pu Speaker, thank you. It is my pleasure to be a part of this discussion. First of all, I would like to request the hon. Home Minister to react later regarding renovation of prisons across Mizoram. If they do, how many prisons will be renovated?

I will mention one important point that I feel should be taken into consideration. The bill should not be adopted as it and should reflect our location, culture, tradition and practices. We should ask ourselves if we will be able to implement the following

sections. Section-5 Prison Architecture and Institutional Pattern, Section-6 Prisons and Correctional Institution, Section-8 Organizational setup Function and duties of officers-in-charge, Section-25 classification of prisoners, Section-24 transgender prisoners, Section-55 aftercare and rehabilitation services. Thank you.

SPEAKER : Pu Lalmuanpuia Punte.

PU LALMUANPUIA PUNTE: Pu Speaker, thank you. Pu Speaker, thank you. It is a pleasure to be able to participate in the discussion for ‘The Mizoram Prisons and Correctional Services Bill, 2024’. The Bill is close to the hearts of a few members within this House including myself and we might have several anecdotes to share regarding this matter.

Inclusion of provision for political prisoners is deeply appreciated. One important point left out in the Bill is not including classification of Non-Criminal Lunatic. I would also like to make a suggestion under healthcare which is a separate hospital or separate room for prisoners.

Lastly, I pledge my support to ‘The Mizoram Prisons and Correctional Services Bill, 2024’. Thank you.

SPEAKER : Pu Rasik Mohan Chakma.

PU RASIK MOHAN CHAKMA: Pu Speaker, thank you. ‘The Mizoram Prisons and Correctional Services Bill, 2024’ was borne under the insistence of United Nations Convention to assert that prisoners have rights too. It was created to safeguard the rights of prisoners and to eliminate human rights violation.

I sincerely hope that the provisions included in the Bill will be implemented. I believe that categorization of prisons is essential. Under this categorization, I would like to mention that Chawngte is in need of sub-prison and I implore the government to provide us with one.

I would also like to highlight a very unwelcomed incident that happened in Borapansuri. The O.C of Borapansuri was trying to take advantage of his status and attempted to use the service of speedboats to travel to Tlabung without paying and was refused by the boat owners. Due to their refusal, the O.C and one constable destroyed three boats. This same O.C also destroyed lands owned by supply reserve and used it as private land. I implore the government to take action against him so that justice will be served. Thank you.

SPEAKER : Pu C. Ngunlianchunga.

PU C. NGUNLIANCHUNGA: Pu Speaker, I feel honored to take part in the discussion for ‘The Mizoram Prisons and Correctional Services Bill, 2024’. While I do appreciate this bill and agree with its content and provision provided, I would like to accentuate the need for caution. We must be cautious while drafting any bill. We, the legislators must also obey and respect the law.

One provision I would like to propose under Chapter-V Prison Architecture and Institutional Pattern is the establishment of gyms in prisons. Thank you.

SPEAKER : Leader of Opposition, Pu Lalchhandama Ralte.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, thank you. I am fortunate to take part in the discussion of ‘The Mizoram Prisons and Correctional Services Bill, 2024’. First of all, I would like to request the hon. Home Minister apologize to the respected member in charge of Serlui constituency. I also request that the words mentioned by the hon. Home Minister in regards to the respected member be expunged. I also kindly request the hon. Home Minister to apologize to the people of Mizoram for his conduct.

We are all aware that this Bill is adopted from the model made by Ministry of Home Affairs. Does the owner of this Bill overlook the fact that this Bill does not have legal and financial vetting? If a bill is presented at the House for legislators to pass, it should always be vetted by Legal and Finance Department.

If I am not mistaken, I see few officials from the concerned department. We are discussing an important bill and I regret that only few officials from the concerned department are present. This should not be the case as I felt that we should respect this House.

After my discussion our house leader will be next. If him or our Home Minister can make clarification regarding Directorate and Inspector General. In Prison we used to have Inspector of General not Director as put in this rules.

Next, on section 6 no. of jails was mentioned and the mentioned jails are not in tally. While we do not have Central Prison, here it was mentioned. Is there an intention to change the name of our jails into Central prison, District Prison. Or are we going to make a new rules under Section 68 and make clarification base on this. Besides, there are many error in naming the designation. Are we going to accept this copy paste to pass this bill. Regarding the wording on section 13 is there any correction needed in the sentences. However, it is thankful that we may have the use of electronic devices tracking on prisoner. It is also thankful that there is a preparation for transgender inmates. Also care rehabilitation was mentioned in section 55 and I am thankful.

For the last Pu Speaker, I want to ask question on section 64 regarding Prison Development Board. Are we going to have the Board after passing the bill.

Lastly, it is thankful to introduce a new rules. However, I hope that in the future we be more careful before introducing to the House. It would be welcome if we can do it according to our State position. I give my support to pass this bill.

SPEAKER : It is welcoming. Let us call upon our Hose Leader to have a discussion.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, the opposition leader mentioned about the lack of official attending our session today and we take note of this. In India, our jails are structure for cellular not for correctional institute. It was build to jail the freedom fighters and other criminal by the British government. We inherit many British hangover therefore we have to know that this bill is Correctional Bill. In Mizoram, many church people involve in helping those who get out of jail through Ministry like Set Free Ministry and Prison Ministry.

Some members studies our bill thoroughly and I am very thankful. While many of us though the bill is good it appear that we are trying to find fault from outside of the bill. Some of us insist the Home Minister to resign due to jail breakers. If this pattern is practice the past Home Minister will already resigned for at least 46 times. We inherit many practice from the previous government like transgender and IG Prison taken up by the civil service.

The existing Jail building are in bad shape and need new construction. It appears that there are many to construct and the Home Minister will made project for this new building. Under SASCI we put fund to build Central jail and 7 District Jails. This will be monitor by the Mizoram State Monitoring Committee which members consist of various party and from NGO. We hope through this committee we will acquire good work from various contracts. It appears that we all feel this bill is a good bill and only indulge in its accompaniment. Having thought about those who are in different Homes and Jails we hope with our hand holding policy, we will achieve some good result and pave a way for many broken families. Pu Speaker, thank you.

SPEAKER : Before we invite the home Minister to wind up I would like to add a few words. First, on chapter 6, under sub-section 3 we see ‘Cellular Jamming and Cellular Detection’. This mean that cell phone cannot be used inside jail and also tracking devices will be put. There is also one thing for the Minister to take note and that is in chapter 8 (5)(e) where I think there is a clerical error. If we look into (e) we see that ‘prisoner suffering from mental illness, prisoner sentence to death’. Here

mental illness and sentence to death are put in one sentence while it should be separated. Now, we will call upon the hon. Minister to wind up and beg the House to pass the bill.

PU K. SAPDANGA, MINISTER: Pu Speaker, thank you. 16 members participated in the discussion and all of them give their support to the bill and I am very thankful. On July 16, the Ministry of Law & Justice issued Notification stating that the Criminal Law as the name stand if accepted can be used and does not need amendment. Therefore, when the time comes we can replace IPC to Bharatiya Naya Sanhita as directed by the Central. Regarding vetting mentioned by the hon. Opposition Leader, the Finance and Law vetted the bill and there is no problem.

As mentioned by Pu Rasik Mohan Chakma, the bill can be used whether copy paste or not. If desire, the name can also be change as it is a State subject. The name of Jail mentioned by member from Siaha will be replace to Prison and Correctional Service Centre from now on. We hope the replacement of name will not cause further hardship. As mentioned by the House Leader, a fund of 55 crore was put under SASCI and DPR are already made following the pattern of Correctional Centre. Work will start as soon as possible.

Some members including Pu Hrahmo, hon. member from Palak are questioning whether we can follow the rules. I know we also have doubt in its implementation. However we hope we can follow through. Regarding jail breakers, the list can be seen in Q & A and ask ourselves whether we have jail breaker during our period or not.

I want to have a few word on the administration which are not mentioned by the members. It is known that all our jails are in full capacity and most of them exceed its existing capacity. This is the result of our growing knowledge in law enforcement, also population grows and crime rate also grow. In our new jail improvement scheme vocational training will be emphasize more. The ongoing vocational training practice in Central jail and District Jail are as follows – (1) Hair Cutting (2) Carpentry (3) Piggery (4) Handloom (5) Tailoring (6) Handicraft (7) Soap making (8) Furniture Making.

Recently I visited Lunglei Women Jail and Siaha jail, it is depressing to see the sight. Seeing our jail fence with barbed wire is not safe and it is a wonder we have more jail breaker. The watch tower are also in a bad shape. Besides, the Church and Ministries visit the inmate to give them support and counseling. I am very thankful for their kind devotion.

We all know how inadequate our jail infrastructure and it does not meet our hope. We hope to improve the building and its surrounding through SASCI Scheme. We also invite Health & Family Welfare Department to work with us in treating the inmates and provide us with a doctor. Regarding jail breaker, it is a common occurrence and there is no one to blame. It can be blame to the poor condition of our equipment and vehicles.

If this bill, “The Mizoram Prisons and Correctional Services Bill, 2024” is pass, we can rectify many problems and can move forward in jail administration and improve the condition of the inmates. Pu Speaker, I beg this august House to pass “The Mizoram Prisons and Correctional Services Bill, 2024”.

SPEAKER : I want to convey my thanks to the Home Minister for asking forgiveness to the member.

Now, we will take vote, those who are in favour say ‘yes’ and those who are not say ‘No’. This House pass “the Mizoram Prisons and Correctional Services Bill, 2024” unanimously. (**Pu K. Sapdanga, Minister:** Pu Speaker, thank you).

Now we will go to amendment of bill. Let us call upon the hon. Minister Pu C. Lalsawivunga to introduce “The Mizoram Public Records (Amendment) Bill, 2024”.

PU C. LALSAWIVUNGA, MINISTER: Pu Speaker, thank you. Pu Speaker, with your permission and consent of this august House I beg to introduce “The Mizoram Public Records (Amendment) Bill, 2024”.

SPEAKER : The hon. Minister beg to introduce the bill, do we consent. (Members: consent) Let us call upon him to introduce and move the bill.

PU C. LALSAWIVUNGA, MINISTER: Pu Speaker, thank you. I move “The Mizoram Public Records (Amendment) Bill, 2024” in this august House and with your permission and I will move the bill. The Mizoram State Archives at Art & Culture is the only archive we have to store government records. Here the state government and other Organization store their record which they have no use for their daily works. The department also made rules relating to this in 2011 and 2014 and come into effect on 1st July 2014. Workshop and Seminar are hosted relating to this. In this bill, recommendation was made to amend some from section and sub-section from the “Mizoram Public Records Act, 2011”. In sub-section 5 of section 1 Recording officer is not appointed by many agencies. Therefore, in this bill it was propose to strengthen in order to be more effective.

Second, in sub-section 1, section 5 clause C, it said that only record that are 25 years can be appraised. This create problem for many department as they do not possess room to hold this record. Therefore, 25 years was omitted in this new bill in order for the record to store anytime.

In section 6 of sub-section 1 clause 1 we see the responsibility of the Record officer in maintaining the record. Amendment is propose to replace this section where only defunct body record can be transfer in the state Archives.

For the last, The Mizoram Public Record Act, 2011, section 8 sub-section 2 was also proposed for amendment. It will read now that if the Archivist does not propose delete record will be store more than 100 years.

Pu Speaker, with your permission and consent I hope to have a good discussion and beg this august House to consent the amendment, thank you.

SPEAKER : The hon. Minister introduced and move the bill for passing. As it is an amendment, I think the discussion will be short. If we want to participate, please let us raise our hand. Now I will invite the Opposition Leader and then the House leader if he has anything to discuss.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, after hearing the explanation given by the Minister I think amendment to be made is good. I want to point out a few words that will favour the bill. It is important and good to know that the defunct State level Association record will be archive. It will help many researchers and it is good to know that a better and more functional system is going to be introduce. Besides, a well maintain post for the Archiver is also going to be made.

In section 8 we see a record of more than 100 year will be archived. Here, it would be hard to classify which and which not to archive. If clarification on this matter will be deliver it will be welcoming. Natural calamity and other hardship can destroy our record as we witness in the Aizawl DC Office where fire destroy the building. Therefore, it is welcoming to know that we are going to have a better and more safe measure to archive our records. It would be good if we differentiate what to store and what not to store. It would be also welcoming if departments are reminded to keep their record. With development of technology a storing in soft copy and hard copy would also be welcoming. I agree to pass this amendment bill.

SPEAKER : Let us call upon the House Leader.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, let me say a few words. This world has many civilizations which we came to access through archive record and we can see in our phone through AI. However, our Mizo ancestor history record were not archive properly, therefore we cannot access many of their live. The cannon display at Assam Rifles quarter guard place was also known for the part it plays in the battle of Waterloo. Therefore, when the Assam Rifles take it with them when they were transfer, we retrieve it when this House passed my resolution. The Aizawl DC Office destroyed by the fire also damages many records and it is regretful. With the help of our bright youngster, we can preserve many old records through these rules and leave behind a great treasure for the next generation. Therefore, I request you to pass this bill unanimously, thank you.

SPEAKER : Now, let us call upon the hon. Minister Pu C. Lalsawivunga to wind up and beg the House to pass the bill.

PU C. LALSAWIVUNGA, MINISTER: Pu Speaker, thank you. As it is an amendment it was prepared by the department experts. I thank the hon. members for their approval.

Leader of Opposition point out that in the main Act 1892 was mentioned. As it is, proposal was made to replace 1892 to 100 year. Record that reach the year 100 are if not in a bad condition should be archive. According to the Archive, a 100 years record should be archive all.

Pu Speaker, amendment to be made introduced by me are Section 5 (1) appointment of Record officer, Section 6 sub-section (1) clause (c) record value calculation and time period, Section 6 sub-section (1) clause (i) transfer of records, Section 8 sub-section (2) where record cannot be read. These rules are going to be very important for our country and nation. Therefore, I request the House members to pass the bill.

SPEAKER : Now that the Minister beg the House to pass “The Mizoram Public Records Amendment, Bill, 2024”, we will take vote. Those who are in favour please say ‘agree’ and those who oppose say ‘no’. Okay, we all agree and this House pass “The Mizoram Public Records Amendment, Bill, 2024’. (**Pu C. Lalsawivunga, Minister** : Pu Speaker, thank you)

Now, we will see to our attendance. Pu Ngunlianchunga and Pu Robert Romawia’s microphone are not working. Now that we concluded our business for today, we will resume our sitting tomorrow at 10:30 AM.

Sitting adjourned (4:26 PM)

**NINTH MIZORAM LEGISLATIVE ASSEMBLY
(THIRD SESSION)**

LIST OF BUSINESS

FOR SECOND SITTING ON WEDNESDAY, THE 21st AUGUST, 2024
(Time 10:30 A.M to 1:00 P.M. and 2:00 P.M. to 4:00 P.M.)

QUESTIONS

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

LAYING OF PAPERS

2. **PU LALDUHOMA, hon. Chief Minister** to lay on the Table of the House a copy each of the following:
 - i) State Finances Audit Report of the Comptroller and Auditor General of India for the year ended 31 March, 2023.
 - ii) The Thirty Third Annual Report of the Mizoram Public Service Commission (MPSC) for the year 2023-2024.
 - iii) The Mizoram Public Procurement (Amendment) Rules, 2024.
 - iv) The Mizoram Banning of Unregulated Deposit Schemes Rules, 2024.
3. **DR. VANLALTHLANA, Minister** to lay on the Table of the House a copy of the Notifications issued under the Mizoram Goods and Services Tax Act, 2017 w.e.f. 07.03.2024-05.08.2024.
4. **PI LALRINPUH, Minister** to lay on the Table of the House a copy of the Mizoram Juvenile Justice (Care and Protection of Children) (Amendment) Rules, 2024.
5. **PU F. RODINGLIANA, Minister** to lay on the Table of the House a copy of the 15th Annual Report for the year 2022-2023 of the Joint Electricity Regulatory Commission (JERC) for Manipur and Mizoram.

PRESENTATION OF REPORTS

6. **PU LALFAMKIMA, Deputy Speaker** to present to the House a copy of the Second Report of House Committee relating to MLA Hostel, Vertical Extension of Legislators' Home, Construction of Legislators Home Annexe Building, Slicing out of Speaker's Bungalow Land Lease and Installation of Air Conditioner in the Session Hall of Mizoram Legislative Assembly Building.

7. **PU V. MALSAWMTLUANGA** to present to the House a copy each of the following:
 - i) Tenth Report relating to Government Assurances given by Ministers in the Seventh & Eighth Sessions of the Eighth Mizoram Legislative Assembly.
 - ii) Eleventh Report relating to Government Assurances given by Ministers in the Ninth Session of the Eighth Mizoram Legislative Assembly.
8. **PU T. LALHLIMPUIA** to present to the House a copy of the First Report of Committee on Petitions relating to Environment, Forests and Climate Change Department.
9. **PI BARYL VANNEIHSANGI** to present to the House a copy each of the following:
 - i) First Report on Actions taken by the Government against the recommendations contained in the Third Report of Subject Committee-V relating to Mizoram Building & Other Construction Workers Welfare Board under Labour, Employment, Skill Development & Entrepreneurship Department.
 - ii) Second Report on Actions taken by the Government against the recommendations contained in the Fourth Report of Subject Committee-V relating to Land Revenue & Settlement Department.

OFFICIAL RESOLUTION

10. **PI LALRINPUUI, Minister** to move an Official Resolution in the following form:

WHEREAS clause (a) of Article 371 G of the Constitution provides, inter alia, that-

“Notwithstanding anything in this Constitution,-

No Act of Parliament in respect of-

- (i) Religious or social practices of the Mizos,
- (ii) Mizo customary law and procedure,
- (iii) Administration of civil and criminal justice involving decisions according to Mizo customary law,
- (iv) Ownership and transfer of land,

Shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram by a resolution so decides.”

AND WHEREAS the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is an Act of Parliament which extends to the whole of India except the State of Jammu & Kashmir. As required by clause (a) of Article 371G of the Constitution of India, The Act has to be made applicable in the State of Mizoram by official resolution passed by the Legislative Assembly of Mizoram in its session.

AND WHEREAS implementation of the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 will resulted in benefits and rights of the Scheduled Tribes such as:-

- (a) Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood.
- (b) Right of ownership, access to collect, use and dispose of minor forest produce which has been traditionally collected within or outside village boundaries,
- (c) Other community rights of uses or entitlement such as fish and other products of water bodies and traditional seasonal resource access of nomadic or pastoralist communities;
- (d) Rights in or over disputed lands under any nomenclature in any State where claims are disputed;
- (e) Rights for conversion of Pattas or leases or grant issued by any local authority or any State Government on forest land or titles;
- (f) Rights of settlement and habitation, unsurveyed villages whether recorded, notified or not into revenue villages and other provisions under Chapter III of the Forest Rights Act, 2006.

NOW, THEREFORE, THIS House resolves-

That the Official resolution may be passed by the Mizoram Legislative Assembly for adoption of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 in the State of Mizoram.

LEGISLATIVE BUSINESS

Bills for introduction, consideration and passing

11. **PU LALDUHOMA, hon. Chief Minister** to beg leave of the House to introduce “The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024”.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

12. **PU LALDUHOMA, hon. Chief Minister** to beg leave of the House to introduce “The Mizoram Lokayukta (Amendment) Bill, 2024”.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

13. **DR. VANLALTHLANA, Minister** to beg leave of the House to introduce “The Mizoram Goods & Services Tax (Second Amendment) Bill, 2024”.

ALSO

to introduce the Bill

to move that the Bill be taken into consideration

AND

to move that the Bill be passed.

VANLALTHANTLINGI
Commissioner & Secretary

SPEAKER : *A nation falls while there is no wise leading, but it is safe where there are many wise men who know what to do.*

-Proverbs 11:14

QUESTIONS AND ANSWERS:

We will go to *Questions and Answers* and invite Pu Ramthanmawia to stand in for Pu Lalrintluanga Sailo cannot attend the sitting due to illness.

PU RAMTHANMAWIA : Pu Speaker, thank you. The questions are for the hon. Minister for DC & MA to reply –

- a) Has SLC meeting held to consider projects for 2023-2024 after formation of the new government?
- b) No. of recommendation made in this meeting.
- c) No. of sanction receive from PMJVK.
- d) Step taken for construction of Vanapa Hall under PMJVK scheme which the fund was sanctioned through telephone conversation between the Chief Minister and the Union Minister as mention in the last Assembly.

SPEAKER : Let us call upon the hon. Minister i/c District Council & Minority Affairs Department Pu Lalsawivunga.

PU C. LALSAWIVUNGA, MINISTER: Pu Speaker, thank you. Answers to hon. Member's question are –

- a) Already conduct the meeting.
- b) 65 projects proposal was submitted as per the recommendation of the State Level Committee for 2023-2024.
- c) No new sanction was issued.
- d) Vanapa Hall renovation project has been submitted to Ministry of Minority Affairs.

I think there is wrong information regarding this question. The Chief Minister only said that there is available fund for renovation of Vanapa Hall and others.

SPEAKER : Let us call upon Pu Ramthanmawia to ask *Supplementary question*

PU RAMTHANMAWIA : Pu Speaker, PMJVK is very important for the country to make a lasting memory. While in the past it covers only two districts, now it covers all districts. Many projects were submitted in this scheme. From my constituency we also submitted many projects in health, education, sports and infrastructure sectors. However, many of these projects are discontinued in this new government. I want to ask whether it is going to be the pattern to abandon the previous government works by

the new government. I request that the new government to continue the good works done by the previous government. Is it true that State Level Committee did not sit down for approval and committee? I would like the government to follow up the existing initiative and do your utmost to do what is important for the country and the nation.

SPEAKER : Let us call upon Pu VL. Zaithanzama to ask *Supplementary question*

PU VL. ZAITHANZAMA : Pu Speaker, thank you. My question are as follows –
 i) Whether Project Monitoring Unit was establish to monitor PMJVK Project.
 ii) Can you explain the definition of Minority as our meaning differ?
 iii) Is the deed of agreement under DC&MA to handle firm under PMJVK still in force?

SPEAKER : Let us call upon Dr. K. Beichhua to ask *Supplementary question*

DR. K. BEICHHUA : Pu Speaker, thank you. Is there a way to acquire project like hostel and infrastructure we need in our State to acquire from other State. Who will we go through to upload the portal? How much fund was allocated during 2024-2025 under PMJY? Is any project submitted for 2024-2025? No. of sitting called for SLC in a year.

SPEAKER : We already have three questions. However, the group leader raised his arm, therefore we will take one more.

PU C. NGUNLIANCHUNGA: Pu Speaker, thank you. My *supplementary questions* are – (i) What is the ongoing development done in regard to projects under PMJVK within Lawngtlai. Can this new government meet the 90:10 shares for the 2nd installment or are those projects to be stop unfinished. Will they try to finish the projects?

SPEAKER : Now we will stop taking question. Let us call upon the hon. Minister for DC&MA Pu C. Lalsawivunga to reply.

PU C. LALSAWIVUNGA, MINISTER: Thank you Pu Speaker, we are aware of what the hon'ble MLA of East Tuipui constituency talked about. Various projects were made during the previous govt. and they were already put up on Minority Affairs under Union Ministry.

Another reason for the delay is that, in Delhi Empower Committee has not been established yet due to various reasons and circumstances. Therefore, all projects that are pending cannot be pushed further due to that.

To answer the question from hon'ble member Pu VL. Zaithanzama regarding the establishment of PMU, the previous govt. did not establish PMU as per the guidelines. But it is established now as per the guidelines under the guidance of the hon'ble Chief Minister on March 2024 and at the moment there are ten (10) people monitoring the PMU. One of the reasons why it is important to have PMU is that, there used to be some projects which were put up without the knowledge of the Department. In order to avoid those kinds of problem it is crucial to have PMU.

Speaking of projects and schemes, there are certain levels that the projects needs to go through first. It will go through different levels in the right order, this is what most of the Committee were not aware of. Therefore, we conducted training sessions in different departments. **(Pu Robert Romawia Royte:** Pu Speaker, point of order and clarification please). **(Speaker:** Please do not interrupt while Minister is giving statements)

Another question from Pu VL. Zaithanzama regarding Consultancy Firm under PMJVK, at the moment District Council & Minority Affairs Department has not sign any Deed of Agreement with other Consultancy Firm.

As for the Minority definition, according to Ministry of Minority Affairs Govt. of India 1.3.1 – “As far as PMJKV is concerned the Communities notified as Minority Communities under Section 2 Sub Section C of the National Commission for Minorities Act 1992 would be taken as Minority Communities at present Six Communities namely – Muslim, Sikh, Christian, Buddhist, Zoroastrian, Parsis and Jain have been notified as Minority Communities under Section 2/c of the National Commission for Minorities Act 1992”

The Govt. of India does not provide definite definition regarding this, it only states the aforementioned religions as minority, but we should know that they are not the same as Minority we speak of in the state.

To answer the question of Pu K.Beichhua, there is no clear statement as to which Department this project should belong to but for now all new projects will go through DC & MA first in the state level committee, after that it will be put up to Minority Affairs.

DR. K. BEICHHUA : Pu Speaker, I think he does not understand my question. What I mean is that suppose we need project to do in other State would it be possible to execute that project under PMJVK. For example, we can make project outside State under Ministry of Tribal Affairs.

PU C. LALSAWIVUNGA, MINISTER: We will study the guidelines and follow accordingly. Regarding meeting of SLC, there is no fixed number. However, projects received from various departments are submitted to SLC for consideration. Under the Chairmanship of Chief Secretary meeting was held according to project submitted.

Dr. K. BEICHHUA : Pu Speaker, my question is not answered about allocation of fund for 2024-2025.

PU C. LALSAWIVUNGA, MINISTER: Let me answer from here and hope that it is understood. In 2018-2019 the State SMS allocation was 14.16 lakh and is the same annually. However, in 2023-2024 and 2024-2025, the scheme was change to common pooling. In this the State allocated 111.10 lakh when the fund was released from MOMA. We received 3500 lakh on 21.7.2024 and the State allocated 388.89 lakh.

To answer Pu Nguna, Sports Complex, Volleyball Court, Basketball Court are under construction in various places including Lawngtlai. I think the concern department should explain and answer the question.

PMJVK is an important source of infrastructure for the State. The guidelines call it 'gap filling scheme'. As such the State government tries to use it effectively for infrastructure development. The 9:10 is only for the tribal in Northeast India and some States of India. In other States 60:40 is implemented.

SPEAKER : Let me add a few words. We interrupted the Minister during their speech and disrupted their flow of discussion and move on to another topic. This disrupts the House proceedings. Let the Minister finish their speech otherwise decision will not be fair and time will be wasted. Now, let us call upon Pu Robert.

PU ROBERT ROMAWIA ROYTE: Pu Speaker, thank you. As a former DC&MA Minister I want to have a few words. I think it is wrong information that due to no sitting of Empowered Committee we receive no fund. The Committee met on March 15 and our neighboring State Nagaland received 15,100 lakh for establishment of Multi-Disciplinary Sports Complex. I am pleased that the new government recognized the importance of PMJVK. It is a portal system submitted through the DC in the past.

Before I became DC&MA Minister I knew about NECS and know that many departments could not get the fund. Out of 2,00,000 SLC recommended projects submitted by the Mizoram only about 40,000 was received by Mizoram. As such the DC&MA and NECS sign an agreement vetted by the Law and Finance.

SPEAKER : Now, let us call upon the House Leader.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, As we all know PMJVK was for religious minority and in the Mara Autonomous District it cannot be executed, but it was arranged for all State now. During that period while according to the guideline 80% was for health and education, 100% goes to Sports. Besides, there are work distributed without going through the District Committee and no work order to be produced. The Finance Department are confused and cannot understand the financial situation. Pu Speaker let them remind to finish their work early. The works done are bad and are now monitored by the Project Monitoring Committee. These bad executions of work disturb us as such UC cannot be given in time.

(*interruption.....* Pu Robert Romawia Royte, Pu TBC Lalvenchhunga)

SPEAKER : As mention by our senior member Dr. K. Beichhua let us hear the Minister while he stands.

PU C. LALSAWIVUNGA, MINISTER: Pu Speaker, as the new system is the people's government, let us concentrate on that. For example, sanction received in December last year and July this year are taken very seriously by the government. They are immediately hand over to the Implementing Department. However, the workers are working very slowly and that is the reason why we are delay.

The Deed of Agreement was signed on 17.6.2022 between Minority Affairs and NECS.

Pu Speaker, our government greatly favored the minority and recommended in the 125th Constitution amendment direct funding.

SPEAKER : We will go to *Starred Question No. 22* and call upon hon. member from Champhai 'N' Pu H. Ginzalala.

PU H. GINZALALA : Pu Speaker, thank you. For hon. Minister i/c LESDE to reply –

Is there a way to use Labor CESS collected for Construction Workers more effectively.

SPEAKER : Let us call upon the hon. Minister i/c LESDE to reply.

PU LALNGHINGLOVA HMAR, MINISTER: Pu Speaker, the answer is – Labor CESS collected are used effectively and efficiently. New scheme may be introduced under Building & Others Construction Workers (Regulation of Employment and Condition of Services) Act, 1996, section 22 sub-section (h).

SPEAKER : Let us call upon Pu H. Ginzalala for *Supplementary question*

PU H. GINZALALA : Pu Speaker, thank you. Collection of Labor CESS increases every year amounting to 50 crore. If I am not wrong I think we still have 80 crore in our hand. Is there a way to use Labor CESS in ITI as they are not used properly? Also, I request the Minister to look into the difficult process of Member Registration. Besides, Labor CESS payment is very difficult as it required work registration, license fee, and contractor registration. Are these required by the rules? Second, is the collection of Labor CESS put in fixed deposit? What is the meaning of this?

SPEAKER : Let us call upon the hon. member from Mamit Pu H. Lalzirliana.

PU H. LALZIRLIANA : Pu Speaker, thank you. I like to ask *supplementary questions* since we come to realize the importance of LESDE. First, in which District Capitals do we have LESDE offices? Are there plans to establish more offices? What are the initiatives? Thank you.

SPEAKER : The South Tuipui MLA, Pu Jeje Lalpekhlua may be invited to ask *supplementary questions*.

PU JEJE LALPEKHLUA: Pu Speaker, thank you. My questions are- When compared to other states, do we make better use of the benefits provided to construction workers through the LESDE department? As mentioned by our fellow member, there is a great amount of savings and it would be great if those in need could avail the benefits.

In the state of Kerala, ₹3457.32 crores were received from labour cess and it was completely utilised for the welfare of the labourers. We must take Kerala as a model state and enrol people as much as we can under the welfare and I also request the department to cooperate in the process.

SPEAKER : Let me invite Pu Lalnghinglova Hmar to answer the questions.

PU LALNGHINGLOVA HMAR, MINISTER: Pu Speaker, in response to Pu Ginzalala's questions, yes, we are finding ways to utilise it. As per the Building and Other Construction Workers Act, 1996, the labour cess must be used for the labour welfare members only. It makes no sense if the labour cess keeps increasing while there are fewer members to make use of the benefits.

Around the 20th of June, we had our first Welfare Board meeting; the MCC delayed us a bit. In that meeting, we devised some plans as well. Among those include medical assistance for the welfare board beneficiaries. In that, they must be signed up under the

PMJAY (Pradhan Mantri Jan Arogya Yojana) and so we plan that they would be able to bill up to ₹50,000.

Besides that, we are thinking of signing them up for the PMJJBY (Pradhan Mantri Jeevan Jyoti Bima Yojana); we decided that the Welfare Board sponsors the money for signing up. Insurance would cover up to ₹2,00,000 as well.

In addition, the Assembly Subject Committee-V decided to go forward with the awareness campaigns in the different Assembly constituencies. It is also our plan to organise a bigger multimedia campaign and we have also allocated a budget for this. We do not differentiate between parties, tribes, denominations or regions; we just want maximum enrolment. They would be able to bill ₹1000/- per day when they are hospitalised. There are also funds to cover their children's education, marriages and deaths.

For a while, the number of enrolments greatly increased to 75,550 people. The requirement age is 18 to 60 years; many have retired on the way. As per records, we have 17,704 people on the list now. Even though there are limitations to utilize, we want to expand the possibilities without going against the restrictions. We have also talked about setting up educational institutions and with our secretary, we set up a group to explore more on this area.

The Scheme on Skill Development could also be utilised. But, since the law now requires the Board Welfare members and their families, the funds cannot be utilised properly until we see an increase in enrolments. Those are my responses to both questions.

Secondly, some ITI buildings are completed but not yet occupied. (**Speaker:** It is 11:30 A.M. now, and you may finish it.) There are also unsubmitted completion certificates where the physical building is ready to be occupied. As much as I wish those buildings to be utilised, the terms and conditions must be studied first.

Multimedia campaigns and online registration through the MIS portal shall be conducted to increase the registrations. As Pu Ginzalala said, due to the uneducated and lower-income population, we are looking for ways to simplify the process.

The MIS portal is currently prepared to pay labour cess through online mode; it shall be ready soon. To answer Er. H. Lalzirliana's question, besides Aizawl, we have LESDE offices in Lunglei, Siaha and Champhai. If there were more money, we wish to set up more offices.

In responding to Pu Jeje's question, it depends on the state to which we compare ourselves. Pu Speaker, based on my observations, I have visited various state websites and I believe our performance is quite exceptional. To repeat, we need more

registrations and to do that, membership drive shall be conducted in various districts and constituencies as required by the Subject Committee. Thank you.

SPEAKER : Let's move on to the next business. Around 200 questions were submitted and since we all know that we cannot finish all these within 2 days, the replies shall be individually sent to the members. Let me request the members not to interrupt while the other member is speaking and let's maintain the decorum of the House. Yesterday, we mentioned the '*Point of Order*', unless there are two to three exceptional cases, let's refrain from interruption.

Meanwhile, one of our members had something to talk about DC & MA. Even though it was decided that only three questions would be taken, we had to give him one more chance. We all must respect each other. If I give an extra chance to the other side, then it won't be fair either for the other side. The Chief Whip might even give advice saying I was showing too much consideration for the Opposition. Those are the things we must keep in mind.

LAYING OF PAPERS:

Moving onto *Laying of Papers*, let me invite the honourable House Leader to lay on the Table of the House a copy of each of the following:

- i) State Finances Audit Report of the Comptroller and Auditor General of India for the year ended 31 March 2023.
- ii) The Thirty-Third Annual Report of the Mizoram Public Service Commission (MPSC) for the year 2023-2024.
- iii) The Mizoram Public Procurement (Amendment) Rules, 2024.
- iv) The Mizoram Banning of Unregulated Deposit Schemes Rules, 2024.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, with your permission, I lay on the Table of the House a copy of each of the following:

- i) State Finances Audit Report of the Comptroller and Auditor General of India for the year ended 31 March 2023.
- ii) The Thirty-Third Annual Report of the Mizoram Public Service Commission (MPSC) for the year 2023-2024.
- iii) The Mizoram Public Procurement (Amendment) Rules, 2024.
- iv) The Mizoram Banning of Unregulated Deposit Schemes Rules, 2024.

SPEAKER : The copies may be distributed. Now, let's invite Dr. Vanlalhlana, Minister to lay on the Table of the House a copy of the Notifications issued under the Mizoram Goods and Services Tax Act, 2017 w.e.f. 07.03.2024-05.08.2024.

DR. VANLALTHLANA, MINISTER: Pu Speaker, with your permission, I lay on the Table of the House a copy of the Notifications issued under the Mizoram Goods and Services Tax Act, 2017 w.e.f. 07.03.2024-05.08.2024.

SPEAKER : The copies may be distributed. Now, let's invite Pi Lalrinpuui, Minister to lay on the Table of the House a copy of the Mizoram Juvenile Justice (Care and Protection of Children) (Amendment) Rules, 2024.

PI LALRINPUUI, MINISTER: Pu Speaker, with your permission, I lay on the Table of the House a copy of the Mizoram Juvenile Justice (Care and Protection of Children) (Amendment) Rules, 2024.

SPEAKER : The copies may be distributed. Now, let's invite Pu F. Rodingliana, Minister to lay on the Table of the House a copy of the 15th Annual Report for the year 2022-2023 of the Joint Electricity Regulatory Commission (JERC) for Manipur and Mizoram.

PU F. RODINGLIANA, MINISTER: Pu Speaker, with your permission, I lay on the Table of the House a copy of the 15th Annual Report for the year 2022-2023 of the Joint Electricity Regulatory Commission (JERC) for Manipur and Mizoram.

PRESENTATION OF REPORTS:

SPEAKER : Thank you all. The copies may be distributed.

Now, let's invite hon. Dy. Speaker, Pu Lalfamkima, Chairman. *House Committee* to present to the House a copy of *the Second Report of House Committee* relating to MLA Hostel, Vertical Extension of Legislators' Home, Construction of Legislators Home Annexe Building, Slicing out of Speaker's Bungalow Land Lease and Installation of Air Conditioner in the Session Hall of Mizoram Legislative Assembly Building.

DEPUTY SPEAKER : Pu Speaker, thank you.

First, let me state that the *House Committee* takes care of the buildings and the Assembly House. The MLA Hostel in Khatla is currently in its 43rd year and was built in 1981. The Legislator's Home at Tuikhuahtlang is also turning 25 this year; since there are shortages of rooms, vertical extension is required. This House was built in 1988 and this is its 36th year. Some of the ceilings in the Gallery are dripping during this monsoon season; some trees are getting dried up and some ACs need to be replaced due to malfunctioning even though they have been repaired frequently. When the committee inspected these, we realised that renovations were needed. As much as we were afraid about the monsoon season, the changing weather and the malfunctioning AC, it's like the song, "...God bless us when we fulfil His orders...", this government is fortunate enough to witness a favourable weather condition during this Session.

The Speakers Bungalow is situated within the land owned by the PWD; the land lease has not yet been settled. As a Deputy Speaker, I am grateful that the FLAM (Former Legislative Assembly Members) used to visit me at my office to show their well wishes and concerns regarding renovation works. I thank them as well.

Pu Speaker, with your permission I lay on the Table of the House a copy of the Second Report of House Committee relating to MLA Hostel, Vertical Extension of Legislators' Home, Construction of Legislators Home Annexe Building, Slicing out of Speaker's Bungalow Land Lease and Installation of Air Conditioner in the Session Hall of Mizoram Legislative Assembly Building.

SPEAKER : The copies may be distributed. Now, let's invite honourable member, Pi Baryl Vanneihsangi to present to the House a copy of each of the following :

- i) First Report on Actions taken by the Government against the recommendations contained in the Third Report of Subject Committee-V relating to Mizoram Building & Other Construction Workers Welfare Board under Labour, Employment, Skill Development & Entrepreneurship Department.
- ii) Second Report on Actions taken by the Government against the recommendations contained in the Fourth Report of Subject Committee-V relating to the Land Revenue & Settlement Department.

PI BARYL VANNEIHSANGI: Pu Speaker, with your permission I lay on the Table of the House a copy of the following:

- i) First Report on Actions taken by the Government against the recommendations contained in the Third Report of Subject Committee-V relating to Mizoram Building & Other Construction Workers Welfare Board under Labour, Employment, Skill Development & Entrepreneurship Department.
- ii) Second Report on Actions taken by the Government against the recommendations contained in the Fourth Report of Subject Committee-V relating to Land Revenue & Settlement Department.

Thank you.

SPEAKER : The copies may be distributed. Now, let's invite Pu V. Malsawmtluanga, Chairman of *Committee on Government Assurances* to present to the House a copy of each of the following:

- i) Tenth Report relating to Government Assurances given by Ministers in the Seventh & Eighth Sessions of the Eighth Mizoram Legislative Assembly.
- ii) Eleventh Report relating to Government Assurances given by Ministers in the Ninth Session of the Eighth Mizoram Legislative Assembly.

PU V. MALSAWMTLUANGA : Pu Speaker, with your permission, I lay on the Table of the House a copy of the following:

- i) Tenth Report relating to Government Assurances given by Ministers in the Seventh & Eighth Sessions of the Eighth Mizoram Legislative Assembly.
- ii) Eleventh Report relating to Government Assurances given by Ministers in the Ninth Session of the Eighth Mizoram Legislative Assembly.

SPEAKER : The copies may be distributed. Now, let's invite honourable member, Pu T. Lalhlimpaia, Chairman of the *Committee on Petitions* to lay on the Table of the House the First Report of Committee on Petitions relating to Environment, Forests and Climate Change Department.

PU T. LALHLIMPUA : Pu Speaker, with your permission, I lay on the Table of the House a copy of the First Report of Committee on Petitions relating to Environment, Forests and Climate Change Department.

OFFICIAL RESOLUTION:

SPEAKER : The copies may be distributed.

Moving on to the next business, we have an *Official Resolution* today. Let me invite Pi Lalrinpuui, Minister, Social Welfare, Tribal Affairs, Women & Child Development to move an Official Resolution.

PI LALRINPUUI, MINISTER: Pu Speaker, thank you.

Pu Speaker, with your permission, let me have an introductory speech. The previous government passed that ethnic wear must be worn every Wednesday, as I looked around, I was happy to see that we followed that quite well. However, I request that the government officials also follow the same. Thank you.

Pu Speaker, let me explain the *Official Resolution* which will be introduced in the House today.

The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is an Act of Parliament which extends to the whole of India except the State of Jammu & Kashmir. As required by clause (a) of Article 371 (G) of the Constitution of India, The Act has to be made applicable in the State of Mizoram by an official resolution passed by the Legislative Assembly of Mizoram from 31.12.2009 onwards. Article 371 (G) mentions that the State Legislative Assemblies shall deliberate first on the laws made by the Central Government after 1986. Let's all note that Article 371 (G) mentions that laws before 1986 are excluded, including the Forest Conservation Act 1980.

This act was made for the Scheduled Tribes and the Traditional Forest Dwellers; it is a part of us now since it is essential for us. This is applicable in most of the Indian states and those who did not have these laws/acts have their own protection laws.

Since Mizoram has no separate laws as such, this act is suitable for us. If this act is not used, the Forest Conservation Act could impose certain problems for our farmers in the future.

This act includes foods that can be obtained from forests and rivers such as bamboo shoots, various vegetable leaves and shoots, fish, crabs etc. The state government, the local authorities and the Autonomous District Council have certain responsibilities and these responsibilities can also be scraped off from them if they are found liable for their actions.

Even if the FCA was not used in some places, various infrastructures like schools, hospitals, anganwadis, fair price shops, water piping systems, connectivity roads etc can be worked on if the local authorities agreed on it.

70% of Mizo people are dependent on forests for their livelihood. Some believe that we are not Forest Dwelling Scheduled Tribes, but looking at our villages, the definition encapsulates our landscapes. Shifting Cultivation is also included in the definition. Nagaland, Arunachal Pradesh, Andaman & Nicobar Island and Lakshadweep have their laws to protect the STs. Since this act was revoked in 2019, it has caused various complexities.

This law would bring multiple advantages for us. So, I request the House to pass the resolution for the adoption of ‘The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Pu Speaker, thank you.

SPEAKER : 5 minutes each shall be given. Now, let me invite Dr. K. Beichhua.

DR. K. BEICHHUA : Pu Speaker, this act, which is also called the ‘Forest Right Act’ was made by the Parliament. Since it is related to Article 371 (G), an official resolution is required to be passed in the Legislative Assembly. Accordingly, the act which was passed in 2006 by the Parliament was brought as an official resolution during the fourth session of the 6th Legislative Assembly by Pu P.C. Lalthanliana, Social Welfare Minister and it was adopted. Various awarenesses were conducted and 5000 copies were distributed in various places including the village councils.

Despite all those efforts, there was no one to claim the rights even with two personnel assigned to raise awareness to the people. The Project Appraisal Committee (PAC), Govt. of India meeting on 04.08.2015 to discuss Mizoram decided to repeal ₹10 lakhs

for our state since there were no reports of rights being claimed. Later, after detailed studies, I brought the resolution to the House on the 8th Legislative Assembly, dated 19.01.2019. Then, it was revoked. Pu Speaker, since shifting cultivation can destroy our forest areas, we will be far from reaching sustainable development.

Secondly, section (O) of Section 2 defines, "Other Traditional Dweller, " which states that they must be three generations before 13.12.2005. Today, getting these details would be difficult and it is one of the biggest questions right now. Even before this act was revoked, a survey was conducted but there were no reports from the people. With that, I would also like to know during 2019- 2024, are there any people who came and reported themselves that they are forest dwellers? Are there any Villager Councils who are ready to create passes for people who call themselves forest dwellers? Many things are not even suitable to address in this House. There is a high possibility that the Forest Conservation Act 2018 might also be violated. Also, according to the said act, there seems to be no compensation.

Pu Speaker, nowadays, most of the paces have been termed as town villages and sub-villages. In a state like Mizoram, what is known as a good law might not be suitable for our conditions. That is why, larger discussions and joint meetings and considerations of various NGO groups and Churches are needed.

Official resolutions are expected to pass; however, it is my humble request that the government step back by carefully considering the future of the coming generations.

SPEAKER : Thank you. Let us call Pu Jeje.

PU JEJE LALPEKLUA : Pu Speaker, thank you.

The tribal population in India is around 10.4 crores and Mizoram holds the largest tribal population. There are 99.45% STs and we are a scheduled area. Under the Indian Constitution, there are various measures to protect and develop the tribals like the National Tribal Policy of 2016.

Pu Speaker, the Govt. of India devised various acts and schemes to complement this tribal policy including 'The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006' which we also called FRA. There are also various projects and schemes such as the one mentioned in Article 275 clause-I, PMAGY, EMRS, Tribal Research etc which are useful.

FRA was made specifically to protect the STs, and it seems like 'other traditional forest dwellers' was just an addition. It would be wrong for us to reject this and it's not that we have a better alternative. Section 13 mentions the provision- Act not in derogation

of any other law- Save as otherwise provided in this Act and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (40 of 1996), the provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force. So, let's note that nothing is against the law.

Under the FRA, one cannot be given more than 4 hectares, but let's also note that it could be offered under the state revenue laws. It is very mindful of the Huse Leader, our Chief Minister and our Social Welfare Minister to develop this resolution. Pu Speaker, I am in favour of this. Thank you.

SPEAKER : Let me invite our Opposition Leader.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, thank you. The Act that we are talking about is the third time in discussion. As mentioned by our Social Welfare Minister, it was adopted in the House in 2009 and was revoked in 2019.

Proverbs 14:12 says, "There is a way that appears to be right, but in the end, it leads to death"; we must ponder upon this. Pu Speaker, while there was a deliberation in the previous terms, our House Leader today was among the ones that voted for a repeal, I cannot find the exact text now. It was unanimously passed that time.

We are concerned about certain things such as the internal conflicts in Bangladesh and the Myanmar issue that led many people to flee to our state and who later decided to settle here. If no valid documents for address proof were provided, then we just believe when they told the authorities that they have been staying here for 50 to 70 years. On top of that, are we defaming our identity when the unauthorized villages who lived as forest dwellers become authorised villages? If this law was passed, it is projected to have seen various difficulties in the future and that is why our students' union and our NGOs are against it. In the worst-case scenario, I am also afraid that shortly, the younger generations could put the blame on us or pass this.

The government needs to have a strict stance on this. I think your concern has to do with the possible conflict of interest with the Forest Department and I also believe that you have hopes for the advantages it could bring. But as I said, there is a way that seems right but could lead to further problems. For example, in the past, we thought the Riverine Forest Notification of 1965 would be of great use but Ajit Borthakur, Guwahati High Court in Justice repealed it. The Advocate General at the Supreme Court on 24.7.2024 issued a stay order of the High Court's judgement. Let's believe that it was for our good and that the government should also alter their opinions and withdraw from this.

So, I request the Minister to withdraw ‘The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006’ and I believe that we can come to better conclusions.

SPEAKER : Let’s invite our House Leader.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, thank you.

As more and more laws are made by the State and the Central government, our religion, customs, traditions and occupations are slowly getting oppressed which eventually brings assimilation. The tribals used to make a living out of forest products but slowly, we have been forced to focus on industry-based products. Just like the native Americans, the tribal population in India became more and more vulnerable in our country. That is why, the Central government devised the FRA to protect the tribals, we must be glad for that. Since we have the right to reject if the laws made by the Central go against Article 371 (G), our previous leaders gave their best in the deliberation process and eventually adopted it.

Later, the same government that adopted the act was the one to revoke again. There were no discussions before the act was repealed. Our Party has never accepted neither in the House nor outside about repealing this act. I believe our Opposition Leader has misunderstood that part. During the last election campaign, we even listed in our manifesto that we would bring back the act. (**Dr. K. Beichhua:** Pu Speaker, point of order. It was the Congress party that adopted it and the MNF party that repealed it.)

In that case, I’ve made a mistake. In any case, the MNF government gave a great level of importance to the act. While Pu Thangtea served as the Forest Minister, he requested me to head the committee, I used to join them when I had time. So, the tribals of Rajasthan, Gujarat and various states were finally free and they finally were able to have passes recognised by the government.

During that time, there was a study on how the other states go with the act. We heard that Tripura had achieved 70% of the requirements. I told Pu Thangtea that Tripura could serve as a model state, so he sent some people to conduct a field investigation. Those people even gave a good report when they came back.

However, there was no real implementation since only two people gave the awareness. A committee must be formed at the district, village, sub-level and state level, none were found. Even if the copies were handed over in Mizo, how would they understand? It was not made clear what forms were required or how to apply.

Apart from all that, one of the most popularised cases in India is the Godavarman case. Even if there was no Forest Act, we shall anyway be ruled based on the Godavarman case, a judgement made by the Supreme Court. The case defines 'forest' as 'any greeneries' and if we were to be judged based on that, we would have never burned forests for cultivation. There won't be any other group of people other than the Mizo people in this world who earn their livelihood from the forests. We have cultivations every year and if we need to take clearance annually, how can we possibly manage? So, we are currently ruled based on the Godavarman case. If we don't have a separate act, certain difficulties could arise. Even the people of Siaha were the ones who needed the most.

Based on the Godavarman case and the Conservation of Forest Act, our playgrounds would become encroachment areas now. On the western side, Mamit and Kawrthah are unauthorized areas.

An elderly woman came up to me the other day and informed me that their teak plantation, which had been managed during her husband's lifetime, was ready to be cut down. Unfortunately, their teak plantation area was declared a forest area. They quickly lost all hope of ever having a better life. That's why we need the act to safeguard individuals who are similar to them.

Pu Speaker, it can be assumed that we made a mistake in repealing the act. Under the act, we can claim that a tribal person has already made a living out of forest products and, through evidence we can divert that part using the Diversion of Forest Land given in the provisions. Since it has to be applied rightfully, we should not be afraid of other citizens being sheltered in our state. Let us hope we can differentiate our people as well as the outsiders.

Although we have hopes for its withdrawal, everyone, including our NGOs must carefully think of this. To start some projects, we are being informed that those areas fall under the jurisdiction of the Forest Department. I asked our Minister to wind it up for us for around 26 crores; I believe they would give concessions and I am grateful for that. Once this act comes back, we would give out passes and they'll gladly receive them. In case of disputes between the government and the tribal person, this act also favours the tribal. So, I request all the members to accept and pass the resolution.

Lastly, Pu Speaker, with your permission, let me also state that 24 players from Mizoram participated among the 1800 players at the Karate Championship held in Panchkula, Haryana. 11 medals were taken home of which 5 were gold medals. They have reached Aizawl today and we are thankful. Speaking of Karate, I was told I was the only person to achieve a '7 Dan'! It must be exciting to be a part of the championship. Thank you.

DR. K. BEICHHUA : Pu Speaker, point of order. Our Leader has addressed me as Siaha MLA, even though I care about the Siaha constituency, I did my part as an MLA of Mizoram at that time, and not as an MLA of a specific constituency.

SPEAKER : Let me invite hon. Minister, Pi Lalrinpuii to wind up her resolution.

PI LALRINPUII, MINISTER: Pu Speaker, thank you. First, let me answer Dr. K. Beichhua's questions. Section 2 (o) explains the meaning of 'Traditional Forest Dwellers' and does not talk about Scheduled Tribes. Also, the FRA does not surpass other laws; using the state's Forest Act, necessary alterations can be done anyway.

There are no new reports of forest dwellers but since Mizoram is inhabited majorly by STs, we are all a part of it. Besides that, our Leader of Opposition, Pu Lalchhandama Ralte stated his concern for illegal settlers, on December 13th, sub-section 3 of section 4 states, "...only for those who were settled before 2005". If they tell lies and continue to settle here, I hope that the general public and the government can take steps to control and prevent these actions.

Pu Speaker, here it states, "...The 8th Legislative Assembly on 19 November 2019 revoked the resolution passed by the previous government". It was initially passed on 31 December 2009. As we have listened, it was translated into Mizo...

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, point of order. I may have misheard what our hon. Minister just said that '... before 10 December 2005'. All the political parties unanimously agreed on the ones before 1950; if we were to accept people between 2005 to 1950, that would pose a great threat for the state's security.

PI LALRINPUII, MINISTER: Sub-section 3 of section 4 here states, '.... they must be people who settled before 13 December 2005'. We shall cross-check it again.

Pu Speaker, to continue what I have been saying, it was translated into Mizo and was distributed to various VCs but there was no one to claim the right. Then, the Govt. of India finally terminated the findings between 2014 to 2016.

This act was made to protect the rights of the tribals and the agriculturally dependent families. To develop our infrastructures such as schools, hospitals and community needs, there could be clash with the Forest department and so adopting the act is a necessity.

All the villages of Mizoram are actually to be enlisted within forest area; it's no different from the forest dwelling scheduled tribes in other states. When we browse Google images, we see no difference in the way they settled. Since our lens of understanding is

not enough, the Social Welfare Department was not able to submit a monthly report of progress; that could be one of the reasons why we stopped receiving funding.

We must also note that claiming the lands is only possible for those who have settled before 13 December 2005. Pu Speaker, I request the members to adopt the resolution that I brought to the House, 'Adoption of The Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006'. Pu Speaker, thank you.

SPEAKER : This is the resolution:

WHEREAS clause (a) of Article 371 G of the Constitution provides, inter alia, that-
"Notwithstanding anything in this Constitution -

No Act of Parliament in respect of-

- (i) Religious or social practices of the Mizos,
- (ii) Mizo customary law and procedure
- (iii) Administration of civil and criminal justice involving decisions according to Mizo customary law,
- (iv) Ownership and transfer of land,

Shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram by a resolution so decides."

AND WHEREAS the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is an Act of Parliament which extends to the whole of India except the State of Jammu & Kashmir. As required by clause (a) of Article 371G of the Constitution of India, The Act has to be made applicable in the State of Mizoram by official resolution passed by the Legislative Assembly of Mizoram in its session.

AND WHEREAS implementation of the Scheduled Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 will resulted in benefits and rights of the Scheduled Tribes such as:-

- (a) Right to hold and live in the forest land under the individual or common occupation for habitation or for self-cultivation for livelihood.
- (b) Right of ownership, access to collect, use and dispose of minor forest produce which has been traditionally collected within or outside village boundaries,
- (c) Other community rights of uses or entitlement such as fish and other products of water bodies and traditional seasonal resource access of nomadic or pastoralist communities;
- (d) Rights in or over disputed lands under any nomenclature in any State where claims are disputed;

- (e) Rights for conversion of Pattas or leases or grants issued by any local authority or any State Government on forest land or titles;
- (f) Rights of settlement and habitation, unsurveyed villages whether recorded, notified or not into revenue villages and other provisions under Chapter III of the Forest Rights Act, 2006.

NOW, THEREFORE, THIS House resolves- That the Official resolution may be passed by the Mizoram Legislative Assembly for the adoption of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights Act), 2006 in the State of Mizoram.

Those who agree may say ‘Agreed’, and whoever disagree may say ‘Disagreed’ (*Majority agreed.*) With that, the House unanimously agreed to adopt the resolution brought forward by Pi Lalrinpuui. (**Pi Lalrinpuui, Minister:** Pu Speaker, thank you.)

We shall take a break and resume at 2:00 P.M.

(*Recess*)

2:00 PM

LEGISLATIVE BUSINESS:

SPEAKER : We shall move on to *Legislative Business*. I would like seek an opinion from the members. We have 3 Bills out of which 2 Bills are hon. House Leader’s Bills. These are, “The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024” and “The Mizoram Lokayukta (Amendment) Bill, 2024”. Should we conduct it together or separately?

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, as mentioned in the List of Business, it is listed separately. I suggest we do it separately as they have different intentions.

SPEAKER : Alright, we shall do that. The Bills were already distributed to the members.

The House Leader, our Chief Minister, Pu Lalduhoma may be called to request an introduction of the Bill, “The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024”.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, I request an introduction of the Bill, “The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024”.

SPEAKER : Our Chief Minister may introduce and move the Bill.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, I have requested to move “The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024”, should I go straight ahead? (**Speaker:** You may do it.)

In 1987, the PSUs that we have, ZIDCO, MIFCO, MAMCO and others were given funds to start their projects. Capital shares were provided, and then the government acted as a Guarantor. Despite all those efforts, our PSUs are still inefficient and it seems like the government is the one that hurdles the development.

Eventually, the government acts as a Guarantor and remains with a debt. That’s why in 2011, the government decided to pass “The Mizoram Ceiling on Government Guarantee Act, 2011”. As the financial year arrived on 1 April, 25% of GDSP estimates were fixed as a ceiling for the loans. It was also decided that the guarantee given by the government must not exceed 3% of the total GDSP. In that case, the government profits a commission of 0.75%.

When an amendment was made, section 4, sub-section 2 was also amended which says, “No government guarantee shall be extended to individual, private institutions or private companies”.

On that day, we argued a lot in the House as we cared for the future of the youths. For those of them who need financial support to do a start-up, we want to act as a Guarantor and we even want to hand over money at no cost. If we continue to remain like this, others will soon take over the major contracts and we shall be the ones to do the sub-contracts. I remember what I said on that day about how I wanted to make some changes; it would be mentioned in the records.

Through the grace of God, we are now in a position to amend laws. Here, we shall add few lines under the provisions, that is, “Provided that on merit the Government may decide to grant guarantee to individual, private institutions or private companies”.

This provision is in dire need now. We are almost launching the Hand Holding policy and the government wants to act as a guarantor for the ones who want to take loans up to 50 lakhs. As promised, we want to provide free interest loans for 50 lakhs or more. The problem now among the youths is that there is insufficient money to initiate their projects or businesses.

Not everyone shall be given and there shall be a free special package scheme up to 1 lakh, similar to that of GIA. No party bias shall be involved and a line department shall

be designated to inquire on this. They shall check if they are worth providing and if they were provided, the Line Officers shall supervise if they utilise the help provided to them.

There is a loan marginal money of up to 20 to 35. What isn't always appropriate is that once a loan is taken, it is immediately repaid. With that comes 35% of the margin money and this is what people are eager to receive. No project makes real sense if we continue to adopt this kind of practice.

More and more openings have been provided for our youths. Now that we have new investment policies, there will be openings for collaborations, national tenders and international tenders in the future. As our youths and the general public have been hoping for better opportunities, I request the members to support this amendment. Thank you.

SPEAKER : As a rule, we don't usually open discussions on bill amendments, however, it is not strictly followed. So, shall we open some time for discussion? 5 minutes shall be given to the members. Let me invite hon. member, Pi Prova Chakma.

PI PROVA CHAKMA : Pu Speaker, thank you.
Before I talk about the bill, let me express my heartfelt gratitude since my request to arrange a separate ladies' washroom has been made.

On the day of Independence Day celebrations, I have heard from our CM's speech that 50 lakhs interest-free loans shall be provided and today, he has been talking about the need for amendment. With regard to this, I would like to ask some questions. First, what do we mean by 'merit' as mentioned in the lines? Second, are they really conducting without bias towards their party people? Will the youths be able to repay the loans and where would these 50 lakhs come from? Will it be distributed area-wise and how will they conduct this?

Besides, I have read the Unstarred Question provided this morning and found that our debt is ₹ 12, 709.29 crores as of 31st March 2024. With this amount of debt, how would we be able to give loans? It would be great if we could accomplish that. Lastly, I support the amendment. Thank you.

SPEAKER : Let me invite Pu Lalrinsanga Ralte.

PU LALRINSANGA RALTE: Pu Speaker, thank you.

It is great that our House Leader brought forward an important amendment bill that would be helpful for the future of our youths. I thank the government for fulfilling their promise.

I believe there is a bright future ahead for the youths who take the steps toward business and entrepreneurship. As our member, Pi Prova-i mentioned, there needs to be a clarification on the word, 'merit'. How many people can be fitted based on merit in a year?

There are lots of people in villages that would make use of their industries or private companies. I want to know if this can be provided constituency-wise as well. I am also afraid of the partiality that could be given towards the already settled private businesses or private companies. We have talked about these things when we use to sit in the PAC with our House Leader.

So, Pu Speaker, I wish at least 50 beneficiaries get selected from each constituency and it would be great if we could employ around 1000/2000 in a year.

I am filled with excitement since there are lot of people with betel-nut cultivations and it would be useful for the manufacturing process involved like drying and the pulp received out of boiling the nuts etc. The fund would be properly utilised for the people in their betel-nut manufacturing process.

I also want to know if a Development Bank would be established to issue funds. Anyway, I support this Amendment Bill. Thank you.

SPEAKER : Let's invite Pu H. Ginzalala.

PU H. GINZALALA : Pu Speaker, thank you for giving me the time. This would be an important milestone for our state and it shall pave the way for a transformation. We have seen China's economic growth and how the government devices initiatives for entrepreneurship, that really elevated their economy.

Pi Prova must have misheard it, it's not about giving loans, it's about the government acting as a Guarantor and there are no expenses from the government's side. As soon as this Amendment Bill was mentioned, it reminds me of the bedridden for 38 years who could not make his way into the pool. Then, Jesus said, "Rise, take up your bed and walk". I believe a similar case is being witnessed by the youths today. I am glad to witness the birth of an innovation in our administration. So, I invite the House to pass this Bill.

The great scientist, Archimedes, made his famous statement, "Give me a place on which to stand, and I will move the earth.". Similarly, if we give opportunities to our youths, they can shake our economy for the good and a vibrant Mizoram shall arise. It looks like the 'Dawn of Mizoram' (Zoram Khawvar) which our prophets often used to talk about. Subsequently, this shall be a 'contribution policy' and not a 'distribution policy'.

Next, there shall be financial inclusiveness and secondly, the government shall take responsibility for the risk factors. There won't be many risk factors for the government. But I wanted to say this to the youths today, 'Innovation' is important to develop Mizoram's economy and for that new ideas are open and they should make use of the new Amendment law. This would eventually bring in 'Ease of businesses'.

Pu Speaker, I support and request the members to accept and pass "The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024". Thank you.

SPEAKER : Hon. Member, Pu B.Lalchhanzova.

PU B. LALCHHANZOVA, MINISTER: Thank you, Pu Speaker. It is gratifying that the hon'ble House leader could lay, "The Mizoram Ceiling on Government Guarantee Act, Amendment Bill, 2024" It is important to know that loyalty is the basic foundation when it comes to providing loans. We have provided loans through NABARD to many women, about 5000 and I, as a guarantor co-signs their loan agreement and so far, we have not faced any kind of problems since all the borrowers are trustworthy. I believe it will be crucial to conduct a mindful selection and also to have a tenacious monitoring, anyway, I will conclude by expressing my support in passing this Bill. Thank you.

SPEAKER : Hon. Member Pu C.Ngunlianchunga.

PU C. NGUNLIANCHUNGA: Pu Speaker, if we look at the Bill, it is written that 'provided that on merit the Government may decide to grant the guarantees to individual, private institution and private companies' which is good, but what bank will provide the loans. It will be wise to establish a good monitoring committee and what will be the criteria for the selection of the loanee? If the government is not cautious, we will end up increasing our liabilities. The new ministry may try to implement the hand holding policy but if it is not vigilant in its implementation process it might fall in to a very deep pit. Anyway, I express my support in passing this Bill, thank you.

SPEAKER : Hon. member Pu Rohmingliana.

PU R. ROHMINGLIANA: Thank you, Pu Speaker. Upon hearing the speech delivered by the Hon. Chief Minister at A.R Ground, Aizawl on Independence day, it is clear that Micro, Small & Medium Enterprise will be developed and this kept me pondering at the available opportunities for our youth specially for rural areas. Apart from providing a platform to showcase their innovative ideas, it can help reduce employment rates at the same time contribute to local economic growth. I hope the implementation will also reach constituency like ours. Pu Speaker, I express my support in passing, "The Mizoram Ceiling on Government Guarantess (Amendment) Bill,2024" Thank you.

SPEAKER : Hon. member Dr. K. Beichhua.

DR. K. BEICHHUA : Thank you, Pu Speaker, I am glad that the Hon. Chief Minister lay “The Mizoram Ceiling on Government Guarantees (Amendment) Bill,2024” on the table of the House. We have to be aware and cautious that implementing this Bill will affect the whole population of our State and it also means the government is putting the people at stake. I believe many of us are aware that even the Central Government acts as a guarantor but they have to have a good agreement, so, what will be the criteria for the loanee, will there be a ceiling amount for the loanee? Will the amount be based on projects schemes? Lastly, I want to point out that since this will effect the whole population, I wish the ministry the best in its implementation. Thank you.

SPEAKER : Hon. member Pu TBC Lalvenchhunga.

PU TBC LALVENCHHUNGA: Thank you, Pu Speaker. I am astounded that one of the hon.member doubted the Bill regarding its implementation stating that the whole population is at stake. The government does have an investment, a consolidated sinking fund and a guarantee redemption fund at RBI where there are about 60 crores. From the guaranteed provided by the state government, about 20 % will be provided by the state government. So, the government can become a guarantor to an amount of Rs 275 crores. At the same time, it is important to know that we need to thread carefully in its implementation, so, I will conclude by stating my support in passing this Bill. Thank you.

SPEAKER : I will now call upon our opposition leader.

PU LALCHHANDAMA RALTE, OPP. LEADER: Thank you, Pu Speaker. I am glad that we are discussing “The Mizoram Ceiling on Government Guarantees (Amendment) Bill,2024” we must know that we share our opinions and ideas so we could be constructive in the steps we are about to take. This Bill focus on micro and small-scale industry, so, does the government intend to provide security for the loanee? Will this include Education loans for special and gifted students or provide vehicle loans to those who have special skills in automobiles? Who will be our target under this and I believe this will be interest free loan or will the government pay the interest? How will the government deal situations where the interest rates are not the same in different banks? Will the government make a deal with National banks or banks in our state? How will the selection committee be arranged?

It is important that the government should take extreme care in this procedure and know if it will be safe and beneficial for the people? Will the government make specific strategies to ensure success in the industries? I hope the government will conduct its selection system carefully and I suggest it will be wise to first concentrate on a small group to set an example for others? I hope the government will take note of all the

suggestions and opinions into considerations, I will conclude by stating my support in passing this Bill. Thank you.

SPEAKER : I will now call upon the hon. Chief Minister to wind up and appeal to pass the Bill.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, the central government had implement different schemes for development and this is one such schemes for our state. The selection will be conducted by merit and line officer will be appointed in each department and trainings will also be conducted. The success of the project will be prioritized and the nodal officer will conduct the monitoring. The interest rate will differ according to the schemes selected and the selection will not be based on party wise. I suggest the MLA's of each constituency to aid in the selection so they will select recipients who are hardworking, mindful and determined.

Our liabilities have also decreased immensely and as for the loans, there are many schemes under the central government which will serve as a source and MoU will be signed with the banks and meetings have also been conducted with all the banks of our state. Special package will be selected by the aligned officer and processing will be our main source to generate the profit, we are now in the process of an insight study on the procedure and we hope to establish ourselves within this year. Development bank will also be established but not within the consolidated period. I also want to add that we are not placing the people at stake but it is the ministry that is at stake. So, I will now conclude by appealing the hon. House to pass, 'The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024,' thank you.

SPEAKER : The hon. Chief Minister had appeal to pass, 'The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024,' all in favor to pass the Bill may say 'Aye' and those who oppose may say, 'No'. Since there are no objections, 'The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024,' is unanimously passed by the House.

We will now move on to the next bill, I will call upon the hon. Chief minister Pu Lalduhoma to introduce, 'The Mizoram Lok Ayukta Bill' in the hon. House.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, with your permission I introduce, 'The Mizoram Lok Ayukta Amendment Bill,2024' in the hon. House.

SPEAKER : The hon. Chief Minister have appealed to introduce the Amendment Bill, do we all agree to his appeal, since there are no objections, may the hon. Chief Minister proceeds to move the Bill.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, the Central government, in the month of December amend the IPC, CrPC and Evidence Act which should be adopted before the 1st of July, so, notification was issued on the 21st of June. Terms like IPC, CrPC and Evidence Act should be replaced with new terms like BNS, BNSS and BSA. Apart from these, the procedure to submit report, procedure of Judge and Public servant prosecution, procedure to file cases, search and seizure etc. will be slightly different. So, I appeal the hon. House to pass this amendment Bill. Thank you.

SPEAKER : Hon. Member Pu Ngunlianchunga.

PU C. NGUNLIANCHUNGA: Pu Speaker, I would like to make a few suggestions regarding the amendment of the Bill for the next session which will be in the month of March. I suggest that Section 17 (a) provision of corruption act 1988 should be placed under Section No. 22, Section 1 & 2.

Regarding the general consent on the matter of appealing to the CBI for investigation, the hon. Chief minister had said that application will no longer be required to appeal to CBI for investigation but there have been events where ZPM party legal cell have submitted an application to the government to investigate Lengpui Airport, NABARD and Ropeway concern, so, can this be clarified? Anyway, I support in passing this Bill but I request the hon. Chief Minister to consider my suggestions. Thank you.

SPEAKER : I will now call upon the opposition leader Pu Lalchhandama Ralte.

PU LALCHHANDAMA RALTE, OPP. LEADER: Thank you, Pu Speaker. Section 11 (b) is highlighted to be the amended clause but there is no section 11 (b) in the main body. So, can this be clarified? Notice on the 1st July and December 2013 clashes with each other. Anyway, the Bill needs to be amended but can the point highlighted be clarified?

SPEAKER : Do you have the copy of, 'The Mizoram Lokayukta (Amendment) Act, 2024'.

PU LALCHHANDAMA RALTE, OPP. LEADER: I have the copy of, 'The Mizoram Lokayukta Act, 2024' and my fellow members have also received the same copy.

SPEAKER : Is the Amendment Act 2024, received by the members? If yes, 11(b) has already been added. Anyway, I will now call upon the hon. Chief minister to wind up and appeal to pass the Bill.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, 11 (b) has already been added and I apologise if there are any other errors present. Section 22, sub – section – 1,2 and 19 (a), 17 (a) can all be exercised by Lokpal or Lokayukta, this Bill does not create new rules but added to the existing that investigation could be done even to the level of a Prime Minister or the Chief Minister.

Regarding the general consent, we need to be aware that if consent is not taken from the Ministry, it will be difficult for the state government to safeguard its employees. If the Central government wants to destroy the state ministry, and if consent is not taken from the state government, the central government can investigate all the state employees and if such situation arises, we will not be able to shield our employees and it could also have a negative impact on the ministry. So, it has been concluded that CBI could only investigate Central employees and investigation of State employees can only be carried out after the approval of the State government.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker will the hon. Chief minister please clarify about the general consent?

PU C. NGUNLIANCHUNGA: Pu Speaker, the consent is not general at all.

PU LALCHHANDAMA RALTE, OPP. LEADER: Pu Speaker, I believe this somehow relates to SASCI.

PU LALDUHOMA, CHIEF MINISTER: SASCI was first mentioned by Pu Ngunlianchunga.

PU C. NGUNLIANCHUNGA: Pu Speaker, what I was referring to was the general consent, I suggest that they should admit that they are wrong.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, it is a general consent except the state employees are not included but central employees can be investigated without taking the approval of the state government. We will be giving consent to the investigating agency which are recommended. Anyway, I do not think we need to have an argument on this issue. So, I appeal the hon. House to pass, ‘The Mizoram Lokayukta (Amendment) Bill, 2024,’ thank you.

SPEAKER : The hon. Chief Minister appeal to pass, ‘The Mizoram Lokayukta (Amendment) Bill, 2024,’ in the House. All in favour to pass the Bill may say, ‘Aye’ and those who oppose may say ‘No’.

PU LALDUHOMA, CHIEF MINISTER: Thank you, Pu Speaker.

SPEAKER : Since there are no objections, 'The Mizoram Lokayukta (Amendment) Bill, 2024,' is unanimously passed by the House.

Moving on to the next Bill, I will call upon, the hon. Minister Dr.Vanlalthlana to introduce, ' The Mizoram Goods and Services Tax (Second Amendment Bill, 2024.'

DR. VANLALTHLANA, MINISTER: Pu Speaker, with your permission, I appeal to introduce, 'The Mizoram Goods and Services Tax (Second Amendment Bill, 2024.'

SPEAKER : The hon. minister had appeal to introduce, 'The Mizoram Goods and Services Tax (Second Amendment Bill, 2024', so does the House agree to his appeal, if so, he may move the Bill for discussion.

DR. VANLALTHLANA, MINISTER: Pu Speaker, GST Act is based on dual authority system between the Central and the State government, Central GST has been implemented since 2017 and GST Act, if needed to be amended, needs to be included in the finance bill and the GST council have a high authority regarding its amendment. Under Section 2, clause 61, amendments are made regarding the explanation of input service distributor and in section 20, methods to distribute input tax credit by the distributors. Methods to pay integrated tax and state tax are also clarified. Section 122(a) is also added where penalty for manufacturers who does not register their machines are written. I appeal the hon. House to consider this Bill carefully and pass this in the hon. House. Thank you.

SPEAKER : Starting with our discussion I will call upon Pu Robert Romawia Royte.

PU ROBERT ROMAWIA ROYTE: Thank you, Pu Speaker. The hon. Minister had explained the amendments and I want to point out that the rate of GST keeps fluctuating and I believe departments needs to be well informed regarding these matters and that departments should know the impact of their revenue due to the fluctuation of GST. I also believe it is important that the state government should give attention in matters where it could be less burdening for the state government and find ways to extract more funds from the central government. Thank you.

SPEAKER : Leader of opposition.

PU LALCHHANDAMA RALTE, OPP. LEADER: Thank you, Pu Speaker. As per section 122(a), will it increase in our tax revenue? If Taxation Department will be under the wing of Finance Department, what will become of taxation wing where GST is

dealt? Will today be the last presentation for Taxation Minister? With these questions I express my support in passing this Amendment Bill, thank you.

SPEAKER : I will now call upon the hon. House leader.

PU LALDUHOMA, CHIEF MINISTER: Pu Speaker, transaction of business rules and allocation of business are often revised, as of now Taxation Department will function as a Commissionerate as it is before but will be under the authorization of Finance Secretary for more efficiency in its functioning. All projects will now go through Planning Department which will be scrutinized and then moved to Finance Department and after approval it will be forwarded to the Central Government.

SPEAKER : I will now call upon the hon. Minister to appeal to pass the Bill in the House.

DR. VANLALTHLANA, MINISTER: Thank you Pu Speaker. Three of my fellow members have reacted and this Bill will generate more tax revenue and it will be in the hands of our finance minister and we hope to make use of our information technology more efficiently.

As to the questions raised by Pu Lalthhandama, it may not increase the amount of tax but section 122(a) states that penalty will be faced if all machines are not registered. Pu Speaker, I appeal the hon. House to pass, 'The Mizoram Goods and Services Tax (Second Amendment Bill, 2024.' Thank you.

SPEAKER : The hon. minister has appeal to pass, 'The Mizoram Goods and Services Tax (Second Amendment Bill, 2024' all in favour to pass the Bill may say, 'Aye' and those who oppose may say, 'No'. Since there are no objections, 'The Mizoram Goods and Services Tax (Second Amendment Bill, 2024' is unanimously passed by the House.

DR. VANLALTHLANA, MINISTER: Thank you, Pu Speaker.

SUMMARY:

SPEAKER : We have finished our business and we will now move on to the business summary. This 9th Legislative Assembly Session, as recommended by the *Business Advisory Committee*, took two days. We started our session with an *obituary* of Pu Kapur Chan Thauri followed by *question hour*. 273 no's of questions had been submitted and 263 no's of questions were admitted. There are 17 no's of unstarred questions and 17 no's of questions admitted. During this session, 10 Reports are laid on the table of the House and 13 no's of papers are also laid on the table of the House.

One *official Resolution* was submitted by the Hon'ble Minister Pi Lalrinpuii and after discussion on the resolution, it was unanimously passed by the House.

There are 5 government bills which was introduced and passed after discussion, they are –

1. The Mizoram Prisons and Correctional Services Bill, 2024.
2. The Mizoram Public Records (Amendment) Bill, 2024.
3. The Mizoram Ceiling on Government Guarantees (Amendment) Bill, 2024.
4. The Mizoram Lokayukta (Amendment) Bill, 2024.
5. The Mizoram Goods and Services Tax (Second Amendment) Bill, 2024.

During this session there are four departments which do not provide the answer to 7 no's of questions. I am glad that 8 reports can be presented between the budget session and this session. The Assembly Committees are toiling hard in their work and I would like to add that between Dt.14.3.2024 and Dt 19.8.2024 there has been 49 no's of committees and 8 no's of report has been submitted.

I request all departments to submit documents and materials relating to our session to the Committees at the earliest. After this session TB Elimination Programme will be observed at the Conference Hall and I request all the members to attend this programme. I thank the C.E, S.E and E.E, PWD for giving attention to the repairing works of our secretariat and I thank God for his guidance throughout our session.

The House is adjourned Sine Die. (4: 23 PM)