

4th SITTING OF THE 12TH SESSION ON FRIDAY,
THE 14TH MARCH, 1997.

Present

Pu Vaivenga, Speaker at the Chair, Chief Minister, 15 Ministers and 16 members were present.

Question

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

Private Members' Business

2. Resolution

SPEAKER : Defend the cause of the weak and fatherless, maintain the rights of the poor and oppressed, Rescue the weak and needy, deliver them from the hand of the wicked.

Psalm 82:3-4

We shall take questions. Starred question No. 41 by Pu F. Malsawma and B. Lalthlengliana.

PU B. LALTHLENGLIANA : Pu Speaker, I ask starred question No. 41 Will the Hon'ble Minister in-charge Food and Civil Supplies Department be pleased to state-

- (a) Whether action has been taken against those VCPs who report wrong information regarding the selling of K.Oil and Rice by Fair Price Shop dealer.
- (b) Whether criminal case has been registered against those VCP.
- (c) Whether flour has been transported to Silchar.

PU P.C. BAWITLUANGA : Pu Spekaer, the answer to starred question No.41.
MINISTER

- (a) The VCPs are expected to assist Supply Department in checking the distribution of ration. The department has no rules to take action against the VCP in the case of their report.
- (b) The Department of Food and Civil Supplies has not registered any criminal case against any VCP.
- (c) Regarding the third question, the department has no knowledge of such matters.

PU B. LALTHLENGLIANA : Pu Speaker, I am very surprised to note that the Minister has no knowledge that flour has been continuously transported to Silchar from Mizoram. flour issued from the department of Food and Civil supplies has often been transported to Silchar which caused difficulties for Bakers Association and Piggery farmers. It is a shame that one Minister does not know about this.

PU F. MALSAWMA : Pu Speaker, If the Government cannot take action against those who misappropriate the public share of ration, this bad practice will go on. This is

a serious matter and would be grateful if the Minister would check and take steps to stop this kind of malpractice.

I the Minsiter has mentioned that a case cannot be filed against VCP who reported wrong information to the government in case of ration distributed to the people. In this case, I would like to remind the Hon'ble Minsiter that the Government has right to take action against those VCPs.

PU P.C. BAWITLUANGA : Pu Speaker, coming to matter concerning the backload of flour like Atta and Maida to Silchar, the government, has so far, not received any report against such matters. Supply Inspectors are being posted at Vairengte check gate to look into these matters. Even Police personnel are being posted to assist the Inspector, the government has not received any report to take action. Anyway, file has been under processed to ensure that public distribution system has to go smoothly.

Coming to the matter mentioned by Pu F. Malsawma, I would like to say that the government is not in a position to accept the report given by the VCPs in the case of public distribution of rations.

As stated before, the report of malpractice has not been brought to the notice of authorities, therefore there is no reason to take actions.

PU F. MALSAWMA : Pu Speaker, I would like to ask the Minister whether he could give us an assurance that action would be taken in cases of malpractices regarding distribution of public ration if reported.

PU LALRINCHHANA : Pu Speaker, I would also like to ask the Minister to assure that persons who secretly backload wheat products to Silchar would be punished.

PU LALKHAMA : Pu Speaker, I would like to ask the Minister whether VCPs are public servants or not. Will the government take action to any VCP who gave wrong information to the government when the latter demanded information.

PU H. THANGKIMA : Pu Speaker, I would like to add one more point, the quantity of wheat products like Atta which reached Lunglei and Chhintuipui districts is very low. As such, there is shortage of Atta in the districts. In this case, it could be gratifying if the Minister could check this matter and take step to send more quantity to Lunglei and chhintuipui Districts.

PU P.C. BAWITLUANGA : Pu Speaker, I have stated that the government is taking efforts to have proper public distribution system.

Regarding the demanded assurances, if the Rule permits actions will be taken if necessary.

PU LALSAWTA : Pu Speaker, a supplementary question please. The government has subsidised the price of essential commodities under the department of Food and Civil Supplies. If these essential commodities that are meant for the people are misappropriated, the law permits to take action. Does the Minister know this ?

The Government has spent an amount of Rs. 1200/- crores for these essential commodities. These commodities are being mishandled by some people for their personal benefits. If the Minister is not aware of this fact it could be totally hopeless for the people.

PU LALRINCHHANA : Pu Speaker, if the Minister refuses to give his assurances to punish the wrongdoers, what is the benefit of having a Minister like this ?

PU P.C. BAWITLUANGA : Pu Speaker, I did not say that the Government cannot take actions. Before action is to be taken, the matter should be investigated. I have said that if the law permits, action will be taken accordingly.

SPEAKER : The Members demanded actions which the Minister said that investigation will be conducted first.
I will now call upon the House Leader.

PU LAL THANHAWLA : Pu Speaker, I am very happy to
CHIEF MINISTER note that we have a responsive and constructive Opposition members. Due to the over-whelming effort of the Opposition members, the Government can take action against the wrongdoers and defaulting officers. For this matter, let me express my gratitude to the opposition members.

What you have mentioned today will also be enquired into if any misappropriation is found, I would like to assure the people through this House that actions will be taken. The Government will also seek the assistance of the Vigilance department and the co-

operation of the members of this House. It is also necessary to take advantage of this opportunity. I would also like to give my assurance that if necessary the government is always ready to take actions.

SPEAKER : Starred question No.42 Pu Lalsawta

PU LALSAWTA : Pu Speaker, I ask starred question No. 42
Will the Hon'ble minister in-charge Power
and Electricity Department be pleased to state -

- (a) How many power will be generated by Vawra-Lui Project ?
- (b) When will it be commissioned ?
- (c) What is the original estimate for this project ?
- (d) What is the expenditure incurred so far ?
- (e) What will be the total expenditure after completion ?
- (f) What will be the monthly maintenance cost ?

PU C.L. RUALA : Pu Spekaer, the answer toi starred question
MINISTER No. 42 are as follows :-

- (a) It is proposed that Vawra-Lui will generate 50 KW of Power.
- (b) It is expected to be commissioned during the month of April / May '97.
- (c) the original estimate is Rs. 39.35 lakhs.
- (d) The expenditure incurred so far is Rs. 55.35 lakhs.
- (e) It is expected that Rs. 61.37 lakhs will cover the total expenditure. The N.E.C. has already sanctioned the revised estimate.
- (f) The monthly maintenace cost is not known. However, it is estimated that Rs. 0.09 lakhs can cover the monthly maintenace.

SPEAKER : Stared Question No. 43.

PU LALSAWTA : Pu Speaker, a supplementary question please. I have raised this starred question as I feel it is important.

The maintenace cost of Hydel Project is usually very high. At the same time the power it geneartes becomes very low. In the case of Vawra-Lui Project, it is expected to generate only 50 KW which is rather short considering the estimated monthly maintenance cost. In Mizoram the governmnet has taken up several mini-hydel projects and spends tremendous funds. This project will also generate only 50 Kilo watts and will barely supply the necessity of one village. In this case, what is the policy of the Governmnet regarding suggestion that instead of commissioning many mini-hydel projects, bigger projects which can generate 60 or 70 megawatts should be taken up. So that, one needs in elecctricity could be satiated.

Dr. J.V. HLUNA : Pu Speaker, I would like to ask the Minister the date on which Tuivawl Project was commisssioned and the name of the contractor. What will be the estimated cost of one unit ?

PU C.L. RUALA : Pu Speaker, Vawra-Lui project have been taken up under the financial backing of N.E.C and it was started in 1992. The contractor is Punjab Power Generation Machine Ltd. The generation cost will be Rs. 4.50p per unit.

Regarding the question raised by Pu Lalsawta, though the government is willing to take up bigger project, the Central Government cannot issue clearance easily.

DR. J.V. HLUNA : Pu Speaker, for how many months in a year is this project expected to generate power?

PU C.L. RUALA : Pu Speaker, it is expected to generate
MINISTER power for about seven or eight months in a year.

PU LALKHAMA : Pu Speaker, what is the present con-
dition of Bairabi Thermal Project?

PU C.L. RUALA : Pu Speaker, at present proposal has
MINISTER been made for Coal Thermal Project at
Bairabi which can generate 20 MW.

PU E. MALSAWMA : Pu Speaker, Is it a fact that the fund
sanctioned for Bairabi Thermal Project
is to be diverted for Tuivai Project?

PU C.L. RUALA : Pu Speaker, there is no such intention.
MINISTER

PU LAL THANHAWLA : Pu Speaker, the government has
MINISTER initiated mini-hydel projects as big-
ger hydel projects take longer pe-
riod and it is very difficult to get clearance from the Central.
Therefore, the State Government has taken up mini-hydel projects
for which Central clearance is not required. Another advantage
enjoyed by the State government is that the Ministry of Non-
conventional Energy Sources has financed fifty percent of the total
cost of the Project, another fifty will be financed by the State
Government.

In the last Power Ministers Meeting the Prime Minister had stated that Projects which estimated cost below Rs. 1000/- crores will be required to get Central clearance. However, this has not been effective till date.

Regarding Tuirial Hydel Projects, the experts have recommended this project which is very gratifying. High Power Commission has also recommended Tuivai Project Cost.

SPEAKER : Starred question No. 43 to be asked by
Pu Lalkhama, Pu F. Malsawma,
Pu Lalrinchhana and Dr. J.V. Hluna.

PU LALRINCHHANA : Pu Speaker, I ask starred question
No.43. Will the Hon'ble Minister
in-charge Revenue and Settlement De
partment be pleased to state-

- (a) Whether distribution of compensation to those who had lost their settlements during the insurgency is completed?
- (b) Whether the compensation to be distributed to the beneficiaries of Lungdar 'E' has been handed over to the B.D.O. If so, when? Has the BDO completed the distribution?

SPEAKER : Pu S.T. Rualyapa.

PU S.T. RUALYAPA : Pu Speaker, the answer to starred
MINISTER question No. 43 are :-

- (a) Distribution of compensation has not yet been completed.
- (b) The governmnet has sanctioned Rs. 13,68,000 for East Lungdar and its nearby villages. The money was disbursed to the BDO

concerned on the 11th of March, 1996 and 12th April, 1996. This compensation is already distributed to the beneficiaries.

(c) the Central government has sanctioned Rs. 17,54,52,000/- for compensation, for rental charge alone, the government has been pursuing the matter.

(d) For N. Vanlalphai, sanction has already been made on December, 1995 January, '96 and March, 1996. However, before fund was drawn from the Bank, the financial year had ended. It had taken time.

(e) The compensation fund has already been sanctioned and it is hoped that the beneficiaries will receive their share immediately.

DR. J.V. HLUNA : Pu Speaker, a supplementary question please.

There were 5-families whose houses was burnt during the insurgency. But they are not selected as beneficiaries. Though, I have brought this matter to the authorities nothing was done. I would like to ask whether they could be included this time.

Coming to Rental charge, while the rate was Rs.5/- per square feet for Aizawl, it is only Rs.3/- per square feet for Lunglei. What is the reason for this difference?

I would also like to ask whether village council Pass is valid to get rental charge.

PU LALRINCHHANA : Pu Speaker, a supplementary question please. In 1988, Rs. 10 crores for compensation on the lost property, ex-gratia grant - Rs. 2.2 crores, Rs. 85 lakhs for MNF Housing have been sanctioned, amounting to Rs. 13.50 crores. After having distributed compensation to the beneficiaries, the Government record has shown that the balance was Rs. 8,04,28,839.

How does the government deal with the balance?

PU F. MALSAWMA : Pu Speaker, I have one important question to ask. The system of selection and distribution of compensation has become very controversial. As this is the case, I had raised

a suggestion during the last Assembly Session to set up a Committee of Joint Party. However, my suggestion has not been kept alive. In this regard I ask the Minister whether he still remembers my suggestion.

Next, I would like to emphasize the shortage of staff who deal with list of beneficiaries. As there are hundreds of list of names to be chalked out, the staff are very busy. Therefore, it would be progressive if more staff could be posted.

While Rental charge and compensation on loss of property have been processed by the government, compensation on crop damage has not yet been mentioned. How does the government take up this matter? When Peace Accord was signed between the MNF and the Central government, compensation on crop damage was mentioned in the Memorandum of Settlement. However, it has not been initiated by the Ministry. It would be appreciated if the Ministers could take note of this.

PU F. LALZUALA : Pu Spekaer, two villages of Vaisam and Chithar within my constituency have been completely omitted from the list of beneficiaries. I have often conducted verification with the help of the BDO concerned. But, it was no use. Can the government re-consider this case?

SPEAKER : Question hour is over. Pu S. T. Rualyapa the Minister in-charge will make replies to the questions raised by the Members.

PU S.T. RUALYAPA : Pu Speaker, Regarding the question raised by the member of Aizawl West-II, let me clarify that for the time being, persons whose names are shown in the beneficiaries list of 1987 and 1995 were given compensation on loss of property. Those persons mentioned by the members may not be in the list of beneficiaries.

Regarding the difference in rental charge between Lunglei and Aizawl towns, let me say that rental charge was fixed according to the Assam Urban Area Rental Control Act as the rate was fixed before we adopted Mizo Urban area Rent Control Act 1974. According to the Assam Rental Charge, the Capital city has the highest rental charge while the second largest city has lesser charge.

In the case of the question raised by Pu F. Malsawma, V.C. Pass are validated in some villages as some beneficiaries are recommended by the village Council. However, in the areas where there are Revenue Department the Pass issued by the V.C. is not valid.

The member from Ratu constituency has raised the question of fund allotted for compensation.

The actual amount sanctioned by the Central Government is Rs. 13,12,50,000/- and Rs. 8,70,48,000/- have been already spent on various compensations, the balance is Rs. 4,42,02,000/- which is in the custody of General Administration Department. I cannot tell whether it is deposited in the bank or not.

PU LALRINCHHANA : Pu Speaker, I would like to ask a supplementary question of whether sanction has been made for urban and rural areas separately.

PU S.T. RUALYAPA : Pu Speaker, from Rs. 17 crores
MINISTER Rs. 82,32,950/- had been spent for compensation on loss of property within urban areas. As I have no record of small details I cannot mention in detail.

Regarding the beneficiaries, those names which appeared in the list of 1987, 1995 and 1996 are selected as the final beneficiaries and compensation is given accordingly.

Regarding the suggestion made by Pu F. Malsawma, a committee has been set up. However, this newly set up committee does not organise a meeting yet.

DR. J.V. HLUNA : Pu Spekaer, can the Governmnet reconsider the case of those who are not selected as beneficiaries though they have possessed V.C. valid pass.

PU LALRINCHHANA : Pu Speaker, a supplementary question please. How did the Governmnet spent the remaining Rs. 8 crores ?

PU S.T. RUALYAPA : Pu Speaker, the remaining 8 crores MINISTER was kept in the custody of G.A.D. However, when new list of beneficiaries was received from various constituencies, it was distributed consittuency-wise. At present, the balance has come to Rs. 44,20,2000 from the original allotment.

Coming to the question raised by the member Pu F. Lalzuala, that Vaisam and Chithar had been excluded to receive compensation. In this regard, I would like to say that from every constituency the concerned BDO or V.C. were instructed to have strict verification within their respective constituencies and submitted the same to the authorities. Perhaps the BDO or the V.C. of these two villages did not submit their list of beneficiaries. Anyway, I will look into the case of these two vilalges.

PU LALKHAMA : Pu Speaker, I think there are some points to clarify in the case of the utilisation of the fund allotment on compensation. It has come to my knowledge that the Home Ministry has instructed the Mizoram Government to deposit the original allotment in the Revenue so that another 14 crores could be sanctioned instead. What does the Minister concerned have to say to this?

PU LAL THANHAWLA : Pu Speaker, though I am unable to help the Minister in explaining the unclear points. I would like to say that the matter under discussion would be discussed with the Minister concerned as soon as possible.

I would further like to add that it is very gratifying to see that the members have clearly sensed the complications of this matter. For the interest of the House as well as the people, the support of the members of this House is required.

SPEAKER : We shall now have Zero hour.

PU LIANSUAMA : Pu Speaker, first of all I would like to point out few things which I think important for the members to know. I would like to make a few clarification regarding the incident mentioned by the Hon'ble members of Aizawl North II. On the 12.3.1997 vehicle No. MZ-01/6166 was detailed by the department to transport Syntex tank to Vairengte and Kolasib. On its way back from Vairengte, this truck had carried full load of bricks to Aizawl. However, before arriving Aizawl this truck met an accident at 4:00 AM at Rangvamlal. I have even visited the site of the accident this morning. As we have already heard from the member, the House of Pu Lalchungnunga of Rangvamlal was completely damaged.

Regarding this accident, my name has been involved as mentioned by one member. I think it is necessary to explain this. As permitted by the Rule I had hired the Police truck to carry brick from Bagha on their way back from Vairengte. As this truck which met an accident was reported to carry full load of bricks, I have visited the site to find out if the bricks were mine. However, no one is certain of the owner of the brick for the time being. In any case I will inform this House during this session when it is made certain.

Regarding the family whose house was damaged by the truck, Rural Development Minister has already made an allotment order for 4(four) bundles of GCI Sheet to provide housing for them. The injured persons were also admitted to the hospital. I hope that I will be able to inform any development made out of the incident to the House.

SPEAKER : We shall go on to our next business. As today is Friday we shall take up private members' Resolution. In this session 6 private Resolutions have been admitted. The Resolution of Pu Lalsawta will be taken up first. He is asked to lay and beg leave of the House to discuss his Resolution.

PU LALSAWTA : Pu Speaker, thank you for allowing me to introduce my Resolution which has a great significance for the State of Mizoram and its people.

Pu Speaker, I beg leave of the House to move my resolution - 'As foreign insurgent groups used to have hideout within the area of Chakma District Council. It should be made into smaller area and the sliced portion battached to the adjacent district. To have this task done within a specific time of 1977, a Commission, comprising of members, both from the ruling and opposition be constituted as provided under Para 14 of the 6th Schedule of the Constitution of India'.

With your permission, I would like to move the same in the House.

SPEAKER : Pu Lalsawta may move his Resolution.

PU LALSAWTA : Pu Speaker, after having painstaking consideration, the MNF Party has finally brought up this Resolution to the House. As I have read out the Resolution, with the hope of adopting better administration, Chakma District Council area may be made into smaller area.

One of the main motions for making this Resolution is that in the Western belt there is a vast area which is somewhat hostile to the Mizos. The inhabitants of this area are the Chakmas. The area is not peaceful as the area is swarming with foreign insurgents. These insurgents hamper the freedom of the Indian Citizens.

When District Councils are created, the creators had realised that the resolution like I have moved today would someday come up in the House. Having this motions, the sixth schedule (Para 1) has provided for the alteration of the area of a District Council, if the Governor finds it necessary. The Governor has a discretionary power to constitute a Commission to execute this as provided by the 6th Schedule.

Though it reads as a discretionary power of the Governor, paragraph 20 B (b) states that the Governor may do so in consultation with the Council of Ministers.

The Hon'ble House Leader has after assured us that fair electoral Roll would be used. He had stated this statement as he is aware that fair electoral Roll is necessary for Mizoram. In order to have fair electoral roll this resolution is important.

The House Leader had stated at the inauguration of the 10th anniversary of Mizoram State at Vanapa Hall how the population of Chakma rapidly increased. In 1901 there were 191 Chakmas in Mizoram, in 1911 they increased to 302, in 1921 they were 680. In 1931 the Chakma population has gone to 836, in 1951 their

population increased to 15,297. By the year 1961 the entire Chakma population had come to 19,327. In 1981 it was 39,905 to 19,327. In 1981 it was 39,905. And in the last census in 1991 they were 80,000.

At the same time, the insurgent problem is a serious matter that cannot be ignored. The Police are facing law and order problem in the area. As this is the case, the only option seems to be the division of the area into smaller one.

Lastly, foreigner have been flowing into the Chakma council area and the number of foreigner are rapidly increasing day by day. As I have stated earlier. Chakma area has been continuously creating problems for the Mizos. Because of this that this resolution is being moved in the House. And the power to execute one demand is in the hands of the Governor.

Therefore, I move this resolution so as to enable the Governor to constitute a Commission comprising of the members from the Ruling and the opposition parties. Thank you.

SPEAKER : Pu Lasawta has moved this resolution. We shall have a discussion on the resolution. Each member will be given 15 minutes each. Dr. J.V. Hluna.

DR. J.V. HLUNA : Pu Speaker, the Resolution presented by Pu Lasawta is an important issue. First of all, I would like to say that the Government has no proper record of the number of Chakmas staying in Mizoram. The statistics itself is not specific. According to the answer to my unstarred question, the population during 1901-41 was not clear as the Government has no proper record. However, the statistic just referred to by Pu Lalsawta was taken from the government record. Therefore, the answer to my unstarred question No.13 was unreliable.

During my research period, I have found out the probable reason for the birth of Chakma District Council. When the MNF movement was very strong the insurgents had friendly liaison with East Pakistan (Now Bangladesh). Those insurgents used to retreat in E. Pakistan. As that was the case, the then Commissioner of Mizoram, and the Lt. Governor of Mizoram and Major General S. Singh had submitted a suggestion to the then home Secretary Pu L.P. Singh to create a Buffer State between Mizoram and E. Pakistan preferably inhabited by the Chakmas, so that the MNF insurgents would be able to visit E. Pakistan easily. It seems that the Chakma District Council was born in that manner. If this theory is a fact, the insurgency period is over and therefore, our security is no more in danger. So, we do not need this autonomous District Council.

With the existence of the autonomous District Council, there are insurgencies and the life of the Mizos are being threatened in our own land. As we find in the book 'Chakmas, an Embattled tribe' authored by S.P. Talukdar, the Shanti Bahini are acting as underground rebels within the area of the Chakma District. And on page 78 of the same book we find that on the 26th of April, 1980 due to forcible disruption of the instruction of religion, culture, language and tradition, more than 12 thousand Chakmas came over to Mizoram. And on the other page, we find that major incident of massacre took place in 1971-83 and as a result, more than 85 thousand people were uprooted from their villages, 60 thousand fled away to India, here it is quite clear that thousands of them were staying in Mizoram and are still entering through the border. Therefore, without blaming each other let us all support this Resolution as it is for the welfare of our own Mizos. I do hope that each member will agree and give their co-operation. Thank you.

PU LALKHAMA :

Pu Speaker, this resolution is a vital issue as its object is to safeguard the land of Mizoram and its people.

I think it is important to point out the origin of District Councils when the English were leaving India, they sent a Cabinet Mission to India and the same reported that the small community of the N.E. India needs protection. And when the Indian Constitution was drafted, the Constituent Assembly Advisory committee made a suggestion for safeguarding N.E. Indian Tribals. The result of that was the 6th Schedule. And from the Sixth Schedule, District Councils have been born. The main object of the District Council is to safeguard the tribals from the major community. Today, it is important to examine closely whether the principle and policy of the origin of District Council is accomplished.

Instead of safeguarding the Mizos, it threatens our security which is not the object of the 6th Schedule. It is no longer the protection of the tribal but provides shelter to foreigner as well as insurgencies. Therefore, Mr. Spekaer Sir, I support constitution of a Commission so as to make the Chakma District Council into a smaller area as provided by the 6th Schedule Para (1). I also suggest that the Resolution be passed unanimously.

Thank you.

PU P.C. ZORAM SANGLIANA : Pu Speaker, it is a matter of satisfaction that a Resolution has been presented in the House, and I do hope that they are not intended merely to gain more votes in the forthcoming election.

Chakma issue had often been the manifesto of each party when our election is near. I think the mover is also clear with the fact that this kind of resolution cannot be successful. However, one thing is certain. this resolution is merely moved to create atmosphere and to gain the support of the people for the forthcoming election.

The mover should have convinced the Mizo people and the members of this House by stating the fact. Though the resolution

itself is quite important, the intention of the mover appears to be a means of gaining more votes in the elction.

We have missed our golden opportunity to present this issue. To renew this issue will be very difficult. Today's resolution at one community that is the Chakmas. We have often stressed that the Chakmas have infiltrated into Mizoram. At the same time, we have been neglecting foreign infiltration from the eastern area. This is not a true national feeling or patriotism but a kind of political weapon. Therefore, I request the mover to refrain from moving such resolution.

SPEAKER : The Resolution moved by Pu Lalsawia is a vital issue. However, we have to take note of one point. The members of the House do not have to admit or accept the member of population claimed by the Chakmas, themselves. It is important to check the figure.

Let us now invite Pu Zakhu.

PU ZAKHU HLYCHHO : Pu Speaker, thank you for
MINISTER allowing me to speaker.

First of all, I wouldk like to say that the system the mover presented his Resolution is incorrected. The mover moves for cosntitution of a commission by the Governor or provided by the Sixth Schedule Para 14 Sub Para 1 of our constitution. However, paragraph 14 has sub-para 1,2, and 3 which states that, "No order shall be made by the Governor under clause C,B and F". As such, this Resolution should not be passed in this manner.

Secondly, as stated by one member, Sixth Schedule Para 20(b) provides the Governor a Discretionary Power in regard to the District Council. However, if the dicision of the Governor, the

decision of the latter would be final. As this is the case it is important to seek the advice of the Governor before making a decision in this House.

It is important to recognise that Chakma District council was not merely granted due to the MNF movement but due to the initiative taken by the Chakmas themselves when Mizoram was uplifted to union Territory from District Council, the Chakmas had sent a deligation to the Central and struggled to obtain a District Council and was gicen accordingly.

The mover of this resolution has mentioned the growing population of the Chakmas within Mizoram. He has somewhat blamed the District Coucnil for the rapid growth of the Chakmna population. What we have to note is that there are more than 80,000 Chakmas reported in Mizoram, ourt of which only a little more than 20,000 have inhabited the district council area. If this is the case, why should we pinpoint the District Council area for the growth of Chakma population within Miozram. It may also not be progressive to make the Chakma area into a smaller area.

For the conclusion as the mover does not properly base his Resolution of the Sixth Schedule Para 14.1, action cannot be taken in this Resolution even if it is passed in this House.

Thank you.

SPEAKER : We have only ten minutes left for recess. Therefore, the meeting will be adjourned till 2 P.M.

Meeting adjourned at 1 :00 P.M.

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Afternoon sitting

" 2 : 00 P.M.

SPEAKER : PU H. ZATHUAMA

PU H. ZATHUAMA : Pu Speaker, the resolution moved by the Member of Aizawl South II seems to be very desirable in words but lacks real form. The mover stated that foreign insurgents have found refuge and hideouts within the District Council area and this seems to be his main reason to move his resolution to make Chakma District Council into a smaller one. In this regards, does the mover or nay members have evidence to show or prove that foreign insurgents have found refuge within the Chakma District Council area ?

The mover also alleged that these foreign insurgents have received the suport of the District Councils leaders which encouraged their movements. Even if this allegation is true, will it be beneficial to make the area into a samller one or wil it stop the foreign insurgency movement within the area ?

If we pass this Resolution the Central government would take it as a discrimination as this Resolution aims only the Chakma.

This resolution does not aim at all the foreigners, but the Chakma only. Instead, it is highly important to adopt a Resolution which can over all the foreigners entering from the east and west.

SPEAKER : PU HRANGHLUTA

PU T. HRANGHLUTA : Pu Speaker, as todays resolution touches our cosntitution , I would like to make a comment. The mover of this resolution has based his Resolution on the 6th Schedule of para I of our constitution in the same paragraph sub-para 3 we have seen the discretionary power of the Governor, which enable

him to alter the boundary of the the District Council area. Even, if we pass this resolution unanimously in this House, the Constitution has empowered the Governor to veto our decision if the latter find it unsatisfactory. Therefore, this Resolution should not be passed by the House. Thank you.

PU H. THANKIMA : Pu Speaker, today's resolution is an important issue and it is a matter of satisfaction that a resolution concerning the foreigners is moved made their entry from Bangladesh and settled at the Chakma District Council area and these foreigners have noe moved for the Union Territory. This is aserious matter as it can endanger and treated the harmony of the Mizo.

Even if this resolution is not passed today, it is highly beneficial to have a discussion on this issue.

The first mistake was made when Pu Media Chakma was appointed in the nominated seat during the first council . This had given the Chkamas confidence and they eventually sought for a District Council. I think today is the right moment to act together and take common initiative, so that Mizoram and its people could be saved from foreign infiltration.

When the peace accord was signed between the Central Government and MNF. I have highly hoped that Chakma District Council would be dissolved. Unexpectedly, Chakmas were included amongst the three monority tribes which are to be protected by Mizoram. The Chakmas has never appeared as minority in the Indian constitution before.

Lastly, even if the wording of modification of the Resolution requires amending or modification, I hope the mover would not hesitate in doing that. In my opinion, the best thing is to dissolve Chakma District Council. To accomplish that, this House needs co-operation. And I request the members of this House to extend their co-operation.

Pu Speaker, the last thing I want to express is that the foreigners entering from Burma cannot be given the same treatment as foreigners entering from Bangladesh. Foreigners coming from Burma are generally our own Mizo clans but the Chakma have no connection with us and therefore it is necessary to differentiate between these two groups of people. Thank you.

PU LALRINCHHANA : Pu Speaker, thank you for allotting me time to speak. First I would like to say that I strongly support this resolution. Whenever, the subject of District Council is raised, the ruling party have emphasized and interpreted the State Legislature and State Government as having no power over this subject. Today, the mover is able to move this resolution as the constitution provides the State Legislature the power to alter the area of the autonomous District Council within a State.

Next, I would like to emphasise that today's resolution does not mean only the Chakmas, but the foreign insurgents which threaten the peace of the Mizos. It does not even aim for the deportation of foreigners but the alteration of the area of Chakma District Council.

If the members of this House are doubtful of the refuge taken by the insurgents within Chakma District Council area. Let us form an inquiry Commission to find the fact. How can the members of this House ignore the grievances of our own people? During the time of the Peace talk between the Indian Government and the MNF the decision of the Indian Government regarding Chakma autonomous District was to leave the subject to the hands of the State legislature. If the State Legislature finds it necessary so alter the area or dissolve the entire councils, it may do so. Now is the right time to make a decision as the people of this State are pressing us to take up this matter seriously. I would personally like to give my gratitude to the mover of this decision.

Today, two of our members from this House are Chakmas and they too have stated that they never raised their voice for Chkma land or Chakma U.T. I have accepted this. Their statement shows the fact that the ones who have moved from Chakma lands are the foreign insurgents who are taking shelter within Chakma District Council area.

I do agree with the member for stating that the greatest mistake we have made is to grant a District Council to the Chakmas. To mend this mistake, the only solution is to make the area into a smaller one and the sliced portion be attached to Lai Autonomous District Council Area. In order to safeguard the interest of the Chakma natives of Mizoram from foreign insurgents, it is necessary to take stern measures. Today's Resolution is the first step in this matter.

SPEAKER : Pu Tlanghmingthanga may take the stand, Pu Saikapthianga will speak first.

PU SAIKAPTHIANGA : Thank you Pu Speaker, the members who have stood before me have strongly emphasized the importance of this resolution. I too agree with this view. However, the motion behind the speech of the opposition members clashed with the Resolution itself.

I have been in Politics since 1979. All the political parties have politicised Chakma issue as a means of obtaining votes. When election is over, this issue would be forgotten. Even if this Resolution is passed by this House, it would never solve the problems faced by the people. If the allegation made by the mover that foreign insurgents are being sheltered in Chakma Councils area is true, we can never solve this problem by cutting down their council area. In my opinion, this Resolution is only for getting political gains. If the mover really wants to drive out foreigners he should have moved for the complete dissolution of Chakma District Council.

As this issue is a vital one, the members representing the entire people of Mizoram should have co-operation to fight for our common cause. The Chakma is not only one problem but we are also facing problems from the Burma border as well. If we do not fight the problem carefully. I am afraid that we would fall into our own bait.

We should have admitted that foreign insurgents do not only create problems in Chkama District Council but in other areas as well, we should fight our problems together regardless of party or tribe but with a clear mind. Thank you.

PU R. TLANGHMINGTHANGA : Pu Speaker, our ideas and views have been made clear from our speech. As we have other Resolution to discuss I suggest for the taking of votes for this Resolution. So, we can carry on to our next resolution.

SPEAKER : As suggested by Pu R. Tlanghmingthanga we shall take vote on the Resolution.

PU NIRUPAM CHAKMA : Pu Speaker, I came from that area, that is the Council please allow me to speak for a few minutes.
MINISTER

SPEAKER : All the members have the right to speak. So, let us call upon Pu Nirupam Chakma.

PU NIRUPAM CHAKMA : Mr. Speaker Sir, I am badly hurt by today's Resolution moved by hon'ble member, Pu Lalsawta. It is a matter of great unhappiness on our part especially the entire people of Chakma District Council.

It is alleged that the Chakma District Council are sheltering the insurgency growth. It is the duty of the State government to drive them out. It is also the duty of the Indian Union to guard the border so that insurgents could not make their entry. I appreciate the feeling of the hon'ble member that there is insurgency group operating inside Mizoram. These insurgents should be driven out and they should not be given any shelter. I would like to emphasize that the Council remains very quiet and peaceful. I assured this august House that Chakma District Council area is the most peaceful area in the State of Mizoram. I would like to invite each and everyone of the members of this House to visit the area and if you find any problem then, you can raise this matter in this House.

The hon'ble member Pu Lalrinchhana has pointed out and asked the membes whether they are aware of the problems and the hardships which has been invading the minorities in regard to insurgency. I would like to assure this august House that there are no serious problems and hardships reported as yet. I have been elected for the member for three terms. The first time, I was in the opposition and for the next terms, I was in the Ruling and for the next two terms, I was in the Ruling party as a Minister. I would like to say that no problems have been reported so far and we are responsible for maintaining peace and tranquility within Chakma Council area. There has never been tension among the various communities within the area. I had even made a suggestion to the Chief Ministr to nominate one party representative in the Council, so that there should not be any feeling of discrimination.

From one point of view, the three minorities in the Chakma area are Bawm, Pang and Bru. These three minorities have enjoyed equal status like the Chakmas.

Mr. Speaker Sir, when Mizoram was attaining statehood, the District Council area had realised that the situation of the District Council was in danger. We visualized this kind of situation which can arise in the future that the Mizoram Legislative Assembly would dissolve or diminish the District. We have taken up the matter to the Central Government and tried to persuade the latter to amend the sixth schedule. As a result, the 6th Schedule was amended in 1980 and the State Governor was empowered with a discretionary power regarding the District Councils.

Mr. Speaker, sir, I would like to inform this House that my party and the Council leaders have never been to Delhi to demand for Union Territory. This is only a political weapon that certain parties have politicised this issue for gaining more votes. Therefore, I appeal this august House not to make the Chakmas suffer for the crime they have not committed. Thank you.

SPEAKER : I shall call upon Pu Tlanghmingthanga.

PU R. TLANGHMINGTHANGA : Thank you, Pu Speaker. It is a matter of satisfaction that the member from the ruling party have admitted the importance of this Resolution. The members from our side have also foreseen that the ruling members will not agree to pass this Resolution. But, we cannot surrender and refrain from moving this Resolution just because of this.

The Hon'ble House Leader had often mentioned the rapid increase of Chakma population. If this is so, how can he ignore this issue?

Suggestion has often been brought to the Government for conducting village census so as to detect new entry easily. If we want to encourage foreigners to enter into Mizoram, our present system has provided the best opportunity for not only foreigners but also for non-Miozs who have no Inner Line permit.

Our departed leader, Pu Laldenga (RIP) has often stated that illegal immigrants from foreign Countries have settled within Mizoram. And the biggest mistake made by the Indian Government is to give autonomous District Council to these illegal immigrants.

The Hon'ble Minister Pu Nirupam Chakma has stated that there was peace and tranquility within Chakma area and further mentioned Bawm as minority tribe which is very heartrending. I am afraid the Mizos will soon be regarded as minority in our own land. With these few words I will end my speech. Thank you.

PU P.C. BAWITLUANGA : Pu Speaker, thank you for allotting me time to speak. The main Idea behind this Resolution seems to be to make the Chakma District Council area smaller so as to check foreign insurgents from making entry. However, we have listened to several speeches from the mover side. None of them have emphasized the subject of District Council but highlighted only the growing population of the Chakmas. They have given stress only on the danger of the increasing Chakma population.

I want to admit that foreign insurgency has endangered and threatened the security of the Indian Union.

Today, the people of Mizoram hinted their interest in this House as we are going to take up this issue. At the same time, we are not able to inform this House the exact place of the hideouts of the insurgents which is very disappointing for the people. The Indian Constitution provides Union List, State List and the Concurrent List. We look at the State List, the subject of foreign insurgents and state border could not be found. Therefore, the subject under discussion today is not the purview of the State but of the Union.

The mover has based his Resolution on the Sixth Schedule Para 14 of our Constitution. However, the subject of insurgency has not been mentioned in the same para. Therefore, we cannot proceed on this matter by ourselves.

SPEAKER : I shall now call upon Pu F. Malsawma

PU F. MLASAWMA : Pu Speaker, first of all I would like to protest for rejecting my private Resolution as the Speaker's Office has regarded it as communal.

All the North Eastern States are in a crucial circumstances and the Indian Government has been looking for a remedy. One of our main problems is population structure that is foreign infiltration. Besides this, another problems faced by the N.E. States are ethnic problem and the sense of being neglected. The above points cannot be merely regarded as communal. Now is the right time to take action on the Chakma issue. We have to do something. The most powerful organisation of the Chakmas, P.C.J. S.K.S. and the Bangladesh Government come to an agreement which indicates that there will soon be peace accord in the Chittagong Hill Tract. It is important to take advantage of this moment. As we have already listened, as many as 110 new Chakma villages which were not in existence prior to 1961 have come up. This is certainly due to the influx on of the Chakmas from the neighbouring Bangladesh during the last two decades. As this is the case, we, the legislators of Mizoram have to act fast and do something to save our country. Today's Resolution is the first step-It is true that this subject is under the special jurisdiction of the Governor. But, the Ministry can give advice to the Governor as permitted by the Constitution.

It is a fact that Shanti Bahinis and other foreign insurgents have found shelter within the Chakma areas. It may not be the right step to dissolve the entire District Council area, but we move for the

cutting-off of part of the area which will be attached to the neighbouring areas. Unfortunately, the members of Lawngtlai Constituency and Saiha have opposed to this idea.

Today's Resolution moved by Pu Lalsawta is not merely a means for obtaining more votes in the forthcoming election but for the welfare and interest of the Mizo people. Therefore, Pu Speaker, this Resolution should be passed and a commission be set up. Even if the commission does not bear result as expected, we will surely gain something. Thank you.

PU B. LALTHLENGLIANA : Pu Speaker, thank you for allotting me time to speak.

Before I begin my speech, I would like to say that the Hon'ble minister, Pu Nirupam Chakma is praiseworthy for openly standing for the Chakmas in this house. We the Mizos should also stand for our nation.

This Resolution has been moved with a clean mind and we also expect the co-operation of the members of this House as this Resolution effects the interest of the Mizo people as a whole -

Some members have compared the foreigners coming from Burma with that of Chakma foreigners. I think these two groups of foreigners cannot be compared because foreigners other than the Chakmas, have no District Council within Mizoram. If the Government of Mizoram is not aware of the existence of Santi Bahinis in Chakma areas it will be very shameful. Even if I cannot tell the exact place of their hide outs in particular, let me inform this august House that foreign insurgents especially Santi Bahini are taking retreat within Chkam areas.

Therefore, Mr. Speaker Sir, if we are unable to pass this Resolution while repeatedly stressing its necessity, we will portray an ugly image in the eyes of the public. Hence, the same should be passed without any hesitation. Thank you.

PU LAL THANHAWLA : Pu Speaker, I have no intention of debating the points raised by the members. But, there are certain points which need clarification. From the speech given by the members, it appears that we all have supported the reasons behind the Resolution. However, I have doubt that the wordings of the Resolution would be appropriate enough to have positive effect.

I would like to inform the mebers of this House that when the Chkama Autonomous District Council was formed under the N.E. Area organisation Act, most of our former Mizo political leaders became embarassed by this as their advice was not sought. During the previous time, members from various political parties had been accusing each other for the existance of Chakma autonomous Distrrict Council. At present, we all agreed, in spite of our political differences to fight for this issue. However, it is difficult to have the same opinion on how to fight for it.

As we have honoured, the governmnet of Mizoram have given instructions and guidelines to the Task Force to indentify foreigners. While there may be several dutiful citizens among the Chakmas, there are illegal infiltrators as well who had petitioned the case to Guwahati Hight Court. As they were not satisfied with the court decision, they had brought up the same case to the National Human Rights Commission. The Commission had issued stay order to all the previous actions taken by the Mizoram Government. Moreover, the stay order was withdrawn by the Commission recently and even instructed us to follow the guidelines drafted by the same.

As already mentioned, we are short of Task Force personnel and therefore reported this to the Home fund sanction for the recruitment of Police personnel.

As the Border Scrutiny Force and the Assam Rifles have been posted at the Bangladesh and Myanmar border, it is rather difficult for the Mizorm Govt. to take actions on these areas. We have often brought up this problem to the Home Minsitry. But no result can be seem till date. The Govt. of India has taken utmost efforts to stop the harbouring of insurgency groups in Bangladesh. The Home

Minister also had negotiated with the Bangladesh Industry Ministry to reopen border trade between Mizoram and Bangladesh on perishable items through river routes. As stated by the member Pu F. Malsawma, a peace settlement is to be signed between Bangladesh government and the Chakmas shortly. By that time, all these illegal implication problems would be solved.

Regarding the insurgency from foreign countries, it is established that they really exist. However, we cannot take complete action as the central government has directly B.S.E. posted in the border area.

We are aware of the existence of foreign insurgents especially in the southern areas. To save the people from all these hardships, we need Task Force. However, as stated before, the Government is very much short of force, though, border issue is not within our preview, we take utmost efforts in these matters.

The Government of Mizoram have often alleged and protested the House and Defence Ministry regarding border issue, but we are never taken into their confidence. Afterwards, when the Defence ministry took us seriously, they have changed their operation and with the help of the state police, we can see positive results.

In the case of foreign refugees entering Mizoram, the direction we received is to protect them on humanitarian grounds. Here also, it is very difficult to differentiate between the insurgents and the real refugees. Therefore, I take this opportunity to invite this House to understand this difficulty.

The National Human Right Commission has a layout for which to detect the foreigners. If we are going to follow this guidelines, one existing system of operation has to be changed.

Nevertheless, our problem is the shortage of force. Today, let me inform you that our problem lies not only Chakma issue but also, Lai Peoples Part. The Democratic party along with the Chakma Parishad are demanding a Union Territory. However, let me assure you that the Chakmas will never be given Union Territory. We have to support each other to fight for the detection of foreigners and if situation demands, I will not hesitate in constituting a Committee for this cause. The most we can do for the moment is to show that we have

cooperation and stand firm as a Mizo.

One thing we have to consider as well is the possibility of negative provocation to the Chakmas if the resolution is passed as it is at this stage. Even, if the insurgents are being harboured as alleged in the area, it must be the BSF with the support of the Central Government who should drive out the infiltrators. So, we have to focus on one target to that side. I would further like to add that it will not be beneficial to make accusation today but support each other for the betterment of our nation. Therefore, Pu Speaker, this Resolution should not be processed if not withdrawn. Thank you.

PU R. TLANGHMINGTHANGA : Pu Speaker, it would be appreciated if the Hon'ble House Leader could provide us with the copy of the stay order issued by the National Human Rights Commission.

PU LAL THANHAWLA : Pu Speaker, I would surely provide the copy as demanded.
CHIEF MINISTER

SPEAKER : As invited by the Leader it is necessary for the members to cooperate with the Government.

PU F. MALSAWMA : Pu Spekaer, if my hunch is right, the Chakma Parishad havee delayed the visit of the National Human Rights Commission. On our part, it will be the best if the Commission come and make clear of the situation as soon as possible.

PU LAL THANHAWLA : Pu Speaker, we do not merely
CHIEF MINISTER oppose to this motion and we support the spirit behind this motion.

But, I am afraid that if we pass this Resolution in this House, things might go from bad to worse.

On a recent High Power Committee summoned by the Chief Secretary, a decision was made by the Committee to seek measure to be taken by the Government. I would also personally discuss with the members how to take measures following the guidelines made by the National Human Rights Commission.

SPEAKER : As this Resolution is of vital issue, you may discuss it inside your own Parliamentary party. Today, the motion has been brought to the House. Now, I would like to ask the opinion of Pu Lalsawta regarding the request made by the House Leader.

PU LALSAWTA : Pu Speaker, Besides, the request made by the House Leader, I am delighted to hear the speech made by him. As stated by him, the wording of this Resolution may not be appropriate enough, but, I would like to say that I stand for this of land. I am also in favour of altering the wordings if it does not miss the object and the spirit of this Resolution should not be lost.

SPEAKER : If you have some reservation for this Resolution in the wording itself we have to take vote.

PU LASAWTA : Pu Speaker, the wordings may not be perfect. But, the meaning and its objective should not be changed.

PU LAL THANHAWLA : Pu Speaker, if we can find a
CHIEF MINISTER way for not taking votes we
can make greater impression.

What I would like to stress is that all the members of this House have shared the spirit of the mover. However, if the motion is passed accordingly there is a possibility of provocation and problem for us from the side of Human rights Commission.

So, I request the mover to withdraw his resolution. In the meantime, we can find better method to solve the problems of Chakmas issue. Besides, there is shortage of time to make amendment on the wording of the Resolution.

SPEAKER : Can you accept the request of the House ?

PU LALSAWTA : Pu Speaker, we have proceeded on and
debated for many hours. And there were
speeches made to cover the foreign insurgents and the Chakmas. All
those debates were already recorded. If the previous proceedings
would be erased, I respect the request of the House Leader, and I can
accept it.

PU SAIKAPTHIANGA : Pu Speaker, it is very obvious that the
MINISTER mover does not accept the request of
the House Leader. And the entire pro-
ceeding could not be erased. Therefore, Pu Speaker, I suggest to take
vote on the resolution.

PU LALSAWTA : Pu Speaker, this proceedings will give signal
to the entire populace of the Chakmas and the
insurgents. They will live in a peaceful situation as long as the
Congress Ministry is in power. This becomes very heart-rending and
so, I suggest for the erasure of the entire proceedings.

SPEAKER : The proceedings cannot be erased as it is already recorded.

I would like to ask the mover whether the resolution should be withdrawn or voted.

PU LALSAWTA : Pu Speaker, instead of giving wrong signal to the Chakmas, I prefer to take vote.

SPEAKER : Now we shall take vote on the Resolution. Members who agree to pass the Resolution will say 'Agree' (Members-Agree) Members who do not agree to pass may say 'Not Agree' (Members -Not Agree). Since most of the members do not want to pass, the Resolution is not passed by the House.

Now, the meeting is adjourned till 10 : 30 A.M.
on 17th March, 1997.