

**MANIPUR LEGISLATIVE ASSEMBLY  
SECRETARIAT**

**BULLETIN PART-I  
No. 46**

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Friday, the 3rd October, 2008.  
Asvina 11, 1930 (Saka)

*The House assembled at 11.00 am of Friday, the 3rd October, 2008 in the Assembly Hall with the Hon'ble Speaker, Dr. S. Budhichandra Singh in the Chair.*

**MEMBERS PRESENT:**

Hon'ble Chief Minister, 11 Cabinet Ministers, Hon'ble Chairman & Vice-Chairman (Hill Areas Committee) and 43 Elected Members.

**QUESTIONS:**

- (a) Hon'ble Minister (M.I.) made a reply to Starred Question No. 303 asked by Dr. Ng. Bijoy Singh, MLA regarding the R/L.I. Schemes in Khurai A/C.
- (b) Hon'ble Minister (Social Welfare) gave a reply to Starred Question No. 304 asked by Dr. I. Ibohalbi, MLA regarding the enhancement of the present rate of MOAP (Manipur Old Age Pension) at par with that of NOAP (National Old Age Pension).
- (c) Hon'ble Minister (Education) gave a reply to Starred Question No. 305 asked by Shri L. Nandakumar Singh, MLA regarding the construction of School buildings.
- (d) Hon'ble Minister (Agriculture) gave a reply to Starred Question No. 306 asked by Shri N. Mangi Singh, MLA regarding the damaged of crops caused by the flood occurred in August.
- (e) Hon'ble Minister (Transport) gave a reply to Starred Question No. 307 asked by Shri R.K. Anand, MLA regarding the proposal for setting up of a Railfed Petroleum Depot at Malom. Hon'ble Chief Minister further supplemented to it.

Starred Question No. 308 was withdrawn by the Member as the matter was already discussed in the Hill Areas Committee.

**POINT OF ORDER:**

Shri O. Joy Singh, MLA quoting Rule 336, Clause II of the Rules of Procedure and Conduct of Business of the Manipur Legislative Assembly raised a Point of Order regarding the placing of Government Resolution before the Calling Attention Motion in the agenda of the day and wanted the sequence in the agenda to be rectified.

Shri Th. Debendra Singh, Minister (Law and Legislative Affairs) too endorsed the idea that Calling Attention Motion should be taken up before the Government Resolution.

The Hon'ble Speaker, with the permission of the House, agreed to take up the Calling Attention first.

Shri Radhabinod Koijam, MLA appealed to the Speaker to convert the Calling Attention Motion into a Short Duration Discussion so that other MLAs specially the representatives from the hills and Mao constituency in particular, where the incident of encroachment took place, could participate in the discussion of the issue.

### **CALLING ATTENTION:**

(i) Shri O. Joy Singh and Dr. I. Ibohalbi, MLA called the attention of the Home Minister on the reported encroachment by Nagaland on the territory of Manipur at Lai Village of Senapati District.

Shri O. Joy Singh, MLA initiating the motion quoted the Huiyen Lanpao and Poknapham dailies which reported the encroachment of land at Lai Village under Senapati District by Nagaland and said that the issue of territorial integrity of the state is a very sensitive and emotional issue. He further cited examples of other instances where lands of Manipur were encroached by Nagaland including Dzuko valley and enquired about the steps taken up by the government regarding the matter. He also condemned the speech of an MP from Manipur during the vote of confidence motion of the UPA Government at the Centre very recently and wanted the House to condemn it too.

Dr. I. Ibohalbi, MLA co-mover of the motion appreciated the villagers of the encroached village who come out openly against such encroachments. He further enquired whether the report was true and if true what steps had been taken up by the government. He also wanted the steps taken up to be placed in the House. Further pointing out the loss of boundary pillars in the Burma and Manipur border, he wanted to know the steps taken up to solve the issue.

Shri Radhabinod Koijam, MLA participating in the discussion wanted the participation of local MLA where the incident of encroachment occurred and seek their opinion.

Shri R.K. Anand, MLA participating in the discussion of the motion said that any threat to the territorial integrity of the state should be taken very seriously and added that only a collective effort of both the hill and valley people could save the territorial integrity of the state. He further suggested for constituting a permanent Committee to handle with the issue of encroachments of land by neighbouring states time and again for a permanent solution to this issue.

Dr. Ng. Bijoy Singh, MLA participating in the motion asked whether any SP or DC of that district rushed to the disputed area or not as was done in the state of Nagaland.

Shri O. Ibobi Singh, Chief Minister clarifying to the Calling Attention Motion said that there was no instance of dispute over encroachment of land by Nagaland at Lai Village though there had been some instances of some people from Nagaland being caught by the villagers of Lai for cutting down timbers some years back. He also clarified that there was a long pending dispute over the Dzuko Valley between the two states and added that the government is contemplating to set up Police Outpost there after the present recruitment process of police personnel in the Home Department was complete. He also informed that border fencing along the Myanmar Manipur border would be taken up very soon.

Dr. I. Ibohalbi and Shri O. Joy Singh, MLAs sought further clarification and the Hon'ble Chief Minister clarified.

(ii) S/Shri R.B. Koijam and Morung Makunga, MLAs called the attention of PHED Minister on the death of one Jeffrey Ramthakum after falling into the ditch dug on road for the Sewerage at Lamphel.

Shri Radhabinod Koijam, MLA initiating the motion said that Shri Jeffrey Ramthakum felled down the open dug up pit, which is right in the middle of the road, as part of the Sewerage Project and died. Highlighting the pathetic conditions of most of the roads in Thangmeiband area due to the digging of the roads as a part of the Sewerage project, the danger it poses to the commuters and the inconvenience caused to the people, he urged the Minister PHED and the Engineers to take up the work in a systematic manner and complete it without any further delay. He further urged the Minister and the Department officials to fence the dug up pits in order to save lives and added that adequate compensation should be given to the family of the deceased.

Shri Morung Makunga, MLA co-mover of the motion said that many other incidents of falling down into the dug up pit had happened in the past too, apart from the recent death of Jeffrey Ramthakum. He asked why such dug up pits were not fenced and added that they should be fenced. He further wanted adequate compensation to be given for the death.

Shri L. Nandakumar Singh, MLA participating in the motion said that sewerage project had affected Uripok and Thangmeiband areas very badly and suggested that criminal proceeding should be initiated against those negligent contractors and officials. He suggested for making available bypass roads before proceeding further with the sewerage project and further urged the Ministers concerned to take necessary steps to ease the problems faced by the people.

Shri T.N. Haokip, Minister (PHED) replying to the motion said the death of Jeffrey was a very unfortunate incident but added that it was also equally important for the state to take up the Sewerage Project for future development of the state. He admitted that the progress of the project was slow due to various factors specially the muddy nature of the soil and rainy season which flooded the dug up pits. He suggested for a joint meeting of all the MLAs, Minister (Power), Minister (PWD), himself as Minister (PHED) and the Hon'ble Chief Minister to have a thorough discussion on the future course of action of the project. He further appealed to all the MLAs for their co-operation.

Shri Radhabinod Koijam, MLA sought further clarification and the Minister clarified.

### **LEAVE OF ABSENCE:**

The Hon'ble Speaker announced the leave petitions of Shri Shyamkumar, Hon'ble Deputy Speaker and Shri N. Manindra Singh, MLA .

*The House granted leave.*

### **GOVERNMENT RESOLUTION:**

Shri O. Ibobi Singh, Hon'ble Chief Minister moved the Government Resolution..

*“This august House unanimously resolves to adopt the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (Act No.46 of 1993) which was enacted by the Parliament for the prohibition of employment of manual scavengers as well as construction or continuance of dry latrines and for the regulation of construction and maintenance of water seal latrines and for matters connected therewith or incidental thereto, for its application in the State of Manipur in pursuance of clause (I) of article 252 of the Constitution of India”.*

**The House passed the Resolution unanimously.**

### **PRIVATE MEMBERS RESOLUTION:**

Shri O. Joy Singh, Dr. Ng. Bijoy Singh, Dr. I. Ibohalbi and Shri R.K. Anand, MLAs moved the following Resolution:-

*Whereas, the establishment of a separate High Court is a long pending demand for the State of Manipur;*

*And also whereas, the House passed 3 (three) subsequent resolutions for its early establishment and the same has not yet been implemented;*

*“The House has, once again, resolved to urge the Government of India for early establishment of a separate High Court of Manipur.”*

Shri O. Joy Singh, MLA: Initiating the discussion said that the establishment of a separate High Court in the state was a long-standing demand. He expressed regret that despite three resolutions adopted in the Assembly the government had failed to implement it so far and added that the Union Ministry had also agreed to establish a separate High Court in the state. He strongly emphasized the need to be restored the previous Judicial Commissioner's status in Manipur which was abolished soon after Manipur attained its statehood. He also expressed concern on the plight of the public in addressing their grievance through the present Court and added that they had to spend huge expenditure in appearing Court case at Guwahati. He also pointed out that many talented lawyers could not reach to the national judiciary level resulting to lack of exposure due to the status of our own High Court and informed the House that Manipur had a sufficient

infrastructure for establishing a separate High Court. He also sought clarification from the Minister on the step of the government taken regarding the establishment of a separate High Court for Manipur and asked whether there was any Cabinet decision on the matter.

Dr. Ng Bijoy Singh, MLA moving the resolution said that the Indian Constitution had provided us to establish a separate High Court in the state and added that the state had adequate infrastructure for a separate High Court. He said that huge expenditures were incurred for giving TA/DA of the lawyers at the time of appearing Court case at Guwahati. He also observed that there would be cost effective if a separate High Court for Manipur was established and added that litigants had suffered a lot when appearing Court cases at Guwahati. He further said that disposal of cases would also be quickened if a separate High Court for Manipur was established and pointed out that employment of legal luminaries of Manipur could also be generated, if such High Court was established.

Dr. I. Ibohalbi, MLA moving the resolution said that Manipur had its own judiciary system in the past and he further pointed out that it was mandatory to establish a separate High Court for each state in India under Article 214 of the Indian Constitution. He expressed unhappiness that the Manipur Legislative Assembly had taken resolution three times but not implemented so far despite sufficient infrastructure. He also charged the government for its failure to pursue the Centre properly on the matter and said that if there were a separate High Court for Manipur our talented lawyers would find a way of exposing their talents and added that cases could also be disposed off quickly. He urged the House to adopt the resolution unanimously.

Shri R.K Anand, MLA moving the resolution said that establishment of a separate High Court in the state was a Constitutional right and added that justice delivery system was delayed due to lack of such a Court in the state. He also mentioned, among other things, poor economy of the litigants, weakness of the government for delaying the establishment of a separate High Court, lack of exposures of the talented lawyers of the state, etc. He further said that establishment of a separate High Court in the state was a long standing demand and added that the present resolution was moved for a meaningful justice delivery system in the state without further delay

Shri Th. Devendra Singh, Minister (Law & Legislative Affairs) replying to the discussion said that three resolutions for the establishment of a separate High Court for Manipur had been adopted in the state Assembly and added that the same were submitted to the Centre. He further said that out of the three resolutions, the reply of the resolution taken by the Assembly in 1982 was given by the Centre saying that the number of cases in Manipur was very less and the reply of the resolution taken in 1997 was not given so far. He pointed out that at present more than five thousand cases were pending with the Manipur Bench of Gauhati High Court and informed the House that establishment of a separate High Court in the state was very inevitable so that many lawyers could find their room to expose their talents. Regarding infrastructure development, he also informed the House that construction of High Court Complex in Imphal was in progress and that the present Bench had adequate number of Judges and staff. He also expressed desire to pass the resolution unanimously by the House.

*The House adopted the Private Member's Resolution unanimously.*

*Hon'ble Speaker adjourned the House at 2.28 p.m. till 11.00 a.m of Monday, the 6th October, 2008.*

**Th. Megha Raj Singh**  
*Secretary,*  
*Manipur Legislative Assembly.*

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