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NOTIFICATION

THE STATE OF MIZORAM ADAPTATION OF LAWS ORDER (NO 2) 1987.

No. LJD. 10, the 20th March, 1987. Whereas by sub-section (2) of section 43 of the State of Mizoram Act, 1986 for the purpose of facilitating the application of any law in relation to the State of Mizoram, the Government of the State of Mizoram as the appropriate Government is empowered, by order, to make such adaptation and modifications of the law whether by way of repeal or amendment, as may be necessary or expedient ;

Now, therefore in exercise of the power aforesaid, the Government of State of Mizoram hereby makes the following orders namely :—

1. (1) This order may be called the State of Mizoram Adaptation of Laws Order (No. 2) 1987.

(2) It shall be deemed to have come into force on the 20th day of February, 1987.

2. In this order :

(a) 'Appointed Day' means the 20th day of February, 1987.

(b) 'Law' has the same meaning as is assigned to it in clause (f) of section 2 of the State of Mizoram Act, 1986.

(c) 'Mizoram' means the State of Mizoram formed under section 3 of the State of Mizoram Act, 1986.

3. As from the appointed day, the existing laws with the adaptation, amendments, modifications, or exception to which they had been subjected before the appointed day and which were applicable to in the Union Territory of Mizoram and continue to be applicable to the State of Mizoram or in any part thereof by virtue of provisions of sub-section (1) of section 43 of the State of Mizoram

Act, 1986 shall until altered, repealed or amended by a competent authority, have effect, subject to the adaptation and modification as indicated hereinafter.

4. Wherever the expression 'Administrator' or 'Administrator appointed under Article 239 of the Constitution of India' occurs in the Preambles of any law, the said expression shall be substituted by the words 'Governor' or 'Governor of Mizoram'.

5. Wherever the words 'Administrator' or 'Administrator appointed under Article 239 of the Constitution of India' occurs in the definition of any law defined in para 2(b) of this order ; the said words shall be substituted by the words 'State Government' or 'Government means the Government of Mizoram' as the case may be and in the text of any such law the said word 'Administrator' shall be substituted by the word 'State Government', and ;

The words 'Government' or 'Government of the Union Territory of Mizoram' shall be substituted by the words 'Government' or 'State Government of Mizoram' respectively and further

The words 'Union Territory of Mizoram' shall be substituted by the words 'State of Mizoram'.

6. In rules 'Rules for the Regulation of the Procedures of Officers appointed to Administer Justice in the Lushai Hills 1937, for the word 'Administrator' as adopted in the Adaptation of Laws Order, 1972 dated 25/3/1972, the words 'Governor of Mizoram' shall be substituted and the words 'or the State Government' shall be added thereafter.

7. In the Acts, Rules and Regulations made by the erstwhile Mizo District Council.

for the words, 'Governor' or 'Governor of Assam' appearing in preambles and substituted as 'Administrator' by the Adaptation Order of 1974, the words 'Governor' or 'Governor of Mizoram' shall now be substituted

and

for the word, 'Administrator' substituted or introduced vide Adaptation Order of 1974, the words 'Government of Mizoram or the State Government of Mizoram' as the case may be shall now be substituted,

8. In the laws, regulations, orders, notifications, schemes, instructions or other instrument made by a District Council, in the preamble thereof, the word 'Administrator' shall be substituted by the words 'Governor' or 'Governor of Mizoram' as the case may be.

and

(b) In the definitions thereof, wherever the words 'Administrator' or Administrator appointed under Article 239 of the Constitution of India' occur, the words 'State Government' or Government means the Government of Mizoram' shall be substituted as the case may be.

and further

(c) In the text of any such law as mentioned in para 8 of this order the words 'Administrator' or like expression shall be substituted by the words 'State Government'.

9. The provisions of this Order which have effect of modifying any existing law so as to alter the manner in which, the authority by which, or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the appointed day and any such notification, order, commitment, attachment, bye-law, rule, regulation or thing may be revoked, varied or undone in the like manner to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this order by the competent authority and under and in accordance with the provisions then applicable to such a case.

10. Any Court, Tribunal or authority required or empowered to enforce any law in force in the territory of Mizoram or part thereof immediately before the appointed day shall, notwithstanding that this Order makes no provision or insufficient provision for the adaptation of the law, construe the law with all such adaptations as are necessary for the purpose of facilitating its application.

K.N. Srivastava,
Secretary to the Government of Mizoram,
Law, Judicial and Parliamentary Affairs
Department.