

**SIXTH LEGISLATIVE ASSEMBLY OF MIZORAM  
(TENTH SESSION)**

**BULLETIN PART-I  
(Brief record of Proceedings)**

No. 75

Wednesday, the 28<sup>th</sup> March, 2012.

10:30 A.M

**QUESTIONS**

1. a) **Starred Questions** : Starred Questions No. 81 – 84 with supplementary questions thereto were asked and oral answers given.

Replies to Starred Question No. 85 – 100 listed for the day, but not called for oral answer within the time available during question hour shall be circulated and form part of the proceedings of the day.

- b) **Unstarred Questions** : Unstarred Questions No. 33 – 152 were laid on the table of the House.

11:45A.M

**LEAVE OF ABSENCE**

Leave of absence was granted to Brig. T. Sailo, Pu J.H. Rothuama and Pu Lal Thanzara.

11:47 A.M

**LAYING OF PAPERS**

3. ***Pu LALSAWTA***, Minister laid on the Table of the House a copy of the Mizoram Legislative Assembly (Grant of Loans and Advances to Members) (Third Amendment) Rules, 2011.
4. ***Pu ZODINTLUANGA***, Minister laid on the Table of the House a copy of Annual Report 2010-2011 (April 2010 - March 2011) Right to Information.

11:50 A.M.

**OFFICIAL RESOLUTION**

5. *Pu LAL THANHAWLA*, Chief Minister moved an Official Resolution in the following form :

“WHEREAS to eliminate the denominating practice of employment of manual scavengers and for protecting and improving the human environment, to make it obligatory to convert dry latrine into water-seal latrines or to construct water-seal latrines in new constructions, the Central Government has got enacted the **Employment of Manual Scavengers and Construction of dry Latrine (Prohibition) Act, 1993**, in the circumstances mentioned in the preamble to the said Act;

**AND WHEREAS** under clause (1) of Article 252 of the Constitution, resolutions had been passed by all the Houses of the Legislatures of the States of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal that the matters aforesaid should be regulated in those States by the Parliament by law, and accordingly, the said Central Act stood automatically applied to those States only at the first instance;

**AND WHEREAS** sub-sections (2) and (3) of Section 1 of the said Act provide as follows:

“(2) It applies in the first instance to the whole of the State of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal and to all the Union Territories and it shall also apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution.

(3) It shall come into force in the States of Andhra Pradesh, Goa, Karnataka, Maharashtra, Tripura and West Bengal and in the Union Territories on such date as the Central Government may, by notification, appoint and in any other State which adopts this Act under clause (1) of article 252 of the Constitution, on the date of such adoption”;

**AND WHEREAS** a writ-Petition with No. W.P(C) 583 of 2003 was filed in the Hon’ble Supreme Court of India by Safai Karmachari Andolan and others against Union of India and all States & Union Territories, praying, inter alia, for directing the Respondent State-Governments which did not adopt the said Act, “to explain on affidavit the steps taken by their respective

Legislatures to pass appropriate resolution under Article 252 of the Constitution for adopting the Act”;

**AND WHEREAS** by their order dt.11/12/2007 in the said Writ-Petition, the Hon’ble Supreme Court observed and directed as follows:

“It has been brought to the notice that the State of Jammu and Kashmir, Nagaland, Himachal Pradesh, Manipur, Meghalaya, Sikkim, Mizoram, Arunachal Pradesh, Delhi and U.T. of Chandigarh have not adopted the employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993. The concerned States and U.T. shall file affidavit explaining the reasons for non-adoption of the Act in their respective States”;

**AND WHEREAS** in the above-premises and for the purpose of adoption of the said Act, it becomes absolutely necessary to move a Resolution in this august Assembly under clause (1) of article 252 read with article 371-G of the Constitution;

**Now, therefore,** the Sixth Mizoram Legislative Assembly in its Tenth Session do resolve as follows :-

**“That the Employment of Manual Scavengers and Construction of Dry Latrine (Prohibition) Act, 1993 stands applied in the whole State of Mizoram”.**

The following members participated in the discussion :

- 1) Dr. R. Lalthangliana
- 2) Pu Lalduhoma
- 3) Pu H. Liansailova

***Pu LAL THANHAWLA*** moved that the Official Resolution be adopted. The Resolution was adopted by the House unanimously.

12:15 P.M.

### **LEGISLATIVE BUSINESS**

6. ***Pu ZODINTLUANGA***, Minister begged leave of the House to introduce “The Mizoram Municipality (Disclosure of Assets and Furnishing of Other Information) Bill, 2012”.

Leave having been granted he introduced the Bill.

Also he moved the Bill for consideration of the House. The Minister explained the principle of the Bill.

The following members participated in the discussion :

- 1) Pu Lalduhoma
- 2) Dr. R. Lalthangliana
- 3) Pu H. Zothangliana
- 4) Lt. Col. Z.S. Zuala

***Pu ZODINTLUANGA***, Minister wound up the discussion and replied to points raised by the members. He moved that the Bill be passed.

12:36 P.M

The Bill was passed by the House unanimously.

The Speaker highlighted a brief record of the business transacted during the Tenth Session and thanked the members for their co-operation during the Session.

12:45P.M

The House was adjourned, Sine die.

NGURTHANZUALA  
Secretary