

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

BULLETIN PART – II

(General information relating to Legislative and other matters)

No. 176

Tuesday, 8th December, 2011.

OFFICIAL RESOLUTION

The following is the Official Resolution submitted by Pu Lalrinliana Sailo, Minister and admitted for consideration on 13th December, 2011.

“Whereas Parliament had enacted the Transplantation of Human Organs Act, 1994 (No.42 of 1994) providing for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the preventions of commercial dealing in human organs connected therewith or incidental thereto.

AND WHEREAS certain shortcomings in the operation of the law have been noticed which require amendments to the Transplantation of Human Act, 1994 (No. 42 of 1994).

AND WHEREAS the subject matter of such law is relatable to entry 6 of List II (State List) of the Seventh Schedule to the Constitution of India and Parliament has no power to make laws for the States with respect to the aforesaid matters except as provided in articles 249 and 250 of the Constitution of India to facilitate organ transplantation in genuine case and to provide for deterrent punishment for illegal and/ or commercial transactions in human organs.

AND WHEREAS it appears to this Legislative Assembly to be desirable that the aforesaid amendments in the Law should be made in the State of Mizoram by Parliament by law.

NOW, THEREFORE, in exercise of the powers conferred by clause (2) of article 252 of the Constitution of India, this House hereby resolves that the matters with respect to the amendments to the Transplantation of Human organs Act, 1994 should be regulated in the State of Mizoram by Parliament by law”

NGURTHANZUALA
Secretary.