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Government of Mizoram

PART IV

NOTIFICATION

*Act of Mizoram Legislature and Ordinances Promulgated by the Government
Bills introduced in the Legislative Assembly of Mizoram ;
Proceedings of the Legislative Assembly of Mizoram ;
Bills published before introduction in the Mizoram Legislative Assembly, and
Reports of Selection Committee presented or to be presented in the Assembly.*

No. MAS-4/75/21, the 26th. March, 1975. Under Rule 76 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly, the following Bill which was introduced in the Mizoram Legislative Assembly on the 25th. March, 1975 is published together with the Statement of Objects and Reasons for general information.

* BILL NO. I OF 1975.

THE LUSHAI HILLS DISTRICT (VILLAGE COUNCILS) AMENDMENT
BILL, 1975.A
BILL

to amend the Lushai Hills District (Village Councils) Act, 1953.

Be it enacted by the Legislative Assembly of Mizoram in the Twenty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Lushai Hills District (Village Councils) Amendment Act, 1975.

(2) Section 3 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 1st. day of January, 1974.

2. In section 5 of the Lushai Hills District (Village Councils) Act, 1953 (hereinafter referred to as the principal Act), for the proviso, the following proviso shall be substituted, namely:—

District Council
Act V of 1953.

“Provided that the Administrator may, by order, extend or shorten the life of a Village Council for such period or periods not exceeding eighteen months in the aggregate.”

3. Notwithstanding that the Administrator of the Union Territory of Mizoram had no power to extend the life of a Village Council for a period exceeding six months, any order made by the said Administrator extending the life of a Village Council for a period exceeding six months, before the date of promulgation of the Lushai Hills District (Village Councils) Amendment Ordinance, 1975, shall be deemed to have been validly made as if the provisions of section 5 of the principal Act, as amended by this Act, had been in force at all material times when such Order was made, and accordingly—

(a) no such order shall be called in question in any court of law;

(b) all functions performed, powers exercised and proceedings conducted by a Village Council shall be deemed to have been validly performed, exercised or conducted; and

(c) no suit or other proceedings shall be maintained or continued in any court questioning the legality of any such order made by the said Administrator or any function performed, power exercised or proceedings conducted by a Village Council.

Repeal and Saving
1 of 1975.

4. (1) The Lushai Hills District (Village Councils) (Amendment) Ordinance, 1975 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

The Village Councils general elections in Mizoram due to be held in the month of May, 1974 could not be held owing to disturbed conditions in Mizoram thereby necessitating extension of the life of the Village Councils from time to time. An Ordinance (No. 1 of 1975) to that effect had to be promulgated since the Mizoram Legislative Assembly was not in session ; and the said Ordinance has to be replaced by an Act, as soon as the Mizoram Legislative Assembly meets in Session.

Hence this Bill.

P.B. Nikhuma
Minister i/c
Local Administration Department

B.T. Sanga
Under Secretary,
Legislative Assembly
Mizoram.

EXTRACT FROM THE LUSHAI HILL DISTRICT. (VILLAGE COUNCILS) ACT, 1953.

5. Duration of Village Council :— Every Village Council, unless sooner dissolved under the provision of section 25 of this acts shall continue for three years from the date appointed for its first meeting in accordance with rule 4 (6) of the Lushai Hills Autonomous District (Administration of Justice) Rules 1953.

Provided that the life of a Village Council may be extended or shortened by the District Council for a period not exceeding 6 months.

THE APPROPRIATION (NO. 4) ACT 1974

AN ACT

authorise payment and appropriation of certain further sums from out of the Consolidated Fund of India for the services of financial year 1974—75.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the **Appropriation (No. 4) Act, 1974.** Short title.
2. From and out of the consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 2 of the Schedule amounting in the aggregate to the sum of one hundred twenty-nine crores, fifty-eight lakhs and forty-three thousand rupees towards defraying the several charges which will come in course of payment during the financial year 1974—75, in respect of the services specified in column 2 of the Schedule. Issue of Rs. 1,29,58,43,000 out of the Consolidated Fund of India for the year 1974—75.
3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act be appropriated for services and purposes expressed in the Schedule in relation to the year. Appropriation.

THE SCHEDULE

(See sections 2 and 3)

Services and purposes	2	3	
		Voted by Parliament	Sums not exceeding Charged on the Consolidated Fund.
			Total
Foreign Trade and Export Production	Rs Revenue 4,000 Capital 1,11,50,01,000	Rs 1,11,50,01,000	Rs 4,000 1,11,50,01,000
Department of Education	Revenue 7,00,000	....	7,00,000

26 Department of Social Welfare.	Revenue	1,000	...	1,000
44 Heavy Industries	Capital	1,000	....	1,000
48 Police	Revenue	....	35,000	35,000
61 Information and Publicity	Revenue	1,000	....	1,000
67 Labour and Employment	Revenue	....	3,06,000	3,06,000
70 Ministry of Petroleum and Chemicals	Revenue	1,00,000	....	1,00,000
77 Road and Inland Water Transport.	Capital	4,03,00,000	....	4,03,00,000
80 Mines and Minerals	Revenue	61,00,000	....	61,00,000
83 Department of Rehabilitation	Capital	55,00,000	....	55,00,000
86 Aviation.	Revenue	1,13,86,000	....	1,13,86,000
	Capital	7,16,50,000	....	7,16,50,000
94 Atomic Energy Research, Development and Industrial Projects.	Revenue	1,50,00,000	....	1,50,00,000
99 Department of Science and Technology.	Revenue	12,06,000	....	12,06,000
100 Survey of India.	Revenue	79,44,000	....	79,44,000
102 Department of Space.	Revenue	2,06,08,000	....	2,06,08,000
	Total:	1,29,55,02,000	3,41,000	1295843000

Government of Mizoram

PART V

**Acts of Parliament and Ordinances promulgated by the President ;
Bills introduced in the Parliament of India ;
Bills published before introduction in the Parliament, and
Reports of Selection Committees presented or to be presented in
the Parliament.**

THE WORKING JOURNALISTS (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) ACT, 1974

An
Act

further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955.

Be it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the **Working Journalists (Conditions of Service) and Miscellaneous Provisions (Amendment) Act, 1974.**

Short title.

2. In sub-section (1) of section 1 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (hereinafter referred to as the principal Act,) for the words "Working Journalists", the words "Working Journalists and other Newspaper Employees" shall be substituted.

Amendment of
section 1.

3. In section 2 of the principal Act,—

Amendment of
section 2.

(a) for clause (a), the following clause shall be substituted, namely :—

“(a) “Board” means—

(i) in relation to working journalists, the Wage Board constituted under section 9 ; and

(ii) in relation to non-journalist newspaper employees, the Wage Board constituted under section 13C ;

(b) after clause (d), the following clause shall be inserted namely :—

“(dd) “non-journalist newspaper employee” means a person employed to do any work in, or in relation to, any newspaper establishment, but does not include any such person who—

(i) is a working journalist, or

(ii) is employed mainly in a managerial or administrative capacity, or

(iii) being employed in a supervisory capacity, performs, either by the nature of the duties attached to his office or by reason of the powers vested in him, functions mainly of a managerial nature ;

4. In the principal Act, after Chapter II, the following Chapter shall be inserted, namely

CHAPTER II—A

NON—JOURNALIST NEWSPAPER EMPLOYEES

13B. (1) The Central Government may, in the manner hereinafter provided,—

(a) fix rates of wages in respect of non-journalist newspaper employees; and

1955.

of newspaper

or revision
of wages of
journalist news-
employees.

(b) revise, from time to time, at such intervals as it may think fit, the rates of wages fixed under this section.

(2) The rates of wages may be fixed or revised by the Central Government in respect of non-journalist newspaper employee for time work and for piece work.

Wage Board for fixing or revising rates of wages in respect of non-journalist newspaper employees.

13C. For the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act, the Central Government shall, as and when necessary, constitute a wage Board which shall consist of—

(a) two persons representing employers in relation to newspaper establishments;

(b) two persons representing non-journalist newspaper employees; and

(c) three independent persons, one of whom shall be person who is, or has been a Judge of a High Court or the Supreme Court and who shall be appointed by that Government as the Chairman thereof.

Application of certain provisions.

13D. The provisions of sections 10 to 13A shall apply to, and in relation to, the Board constituted under section 13C, the Central Government and non-journalist newspaper employees, subject to the modifications that—

(a) the reference to the Board and working journalists therein, wherever they occur, shall be construed respectively as references to the Board constituted under section 13C and to non-journalist newspaper employees;

(b) the references in sub-section (3) of section II to section 9 shall be construed as a reference to section 13C;

(c) the references in section 13 and section 13A to section 12 shall be construed as references to section 12 read with this section.”.

5 In section 19B of the principal Act, for the words “any working journalist”, the words “any newspaper employee” shall be substituted.

Amendment of section 19B.

6. In sub-section (3) of section 20 of the principal Act,—

Amendment of section 20.

(i) for the words "or in two successive sessions", the words "or in two or more successive sessions" shall be substituted ;

(ii) for the words "in which it is so laid or the session immediately following", the words "immediately following the session or the successive sessions aforesaid" shall be substituted.

SALARIES AND ALLOWANCES OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT 1974.

An
Act

further to amend the Salaries and Allowances of Members of Parliament Act, 1975.

BE it enacted by Parliament in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Salaries and Allowances of Members of Parliament (Amendment) Act, 1974.

Short title.

2. In section 4 of the Salaries and Allowances of Members of Parliament Act, 1974, in sub-clause (ii) of clause (c) of sub-section (1), for the words, "thirty-two paise per kilometer", the words "one rupee kilometer" shall be substituted.

Amendment of
section 4.