

MANUALS OF MIZORAM LEGISLATIVE ASSEMBLY
UNDER CLAUSE 4(1) (B) OF
THE RIGHT TO INFORMATION ACT, 2005
(No. 22 of 2005)

First Edition
(as on 3rd October, 2005)
Mizoram Legislative assembly Secretariat
Aizawl
(i)
Mizoram Legislative Assembly

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The Mizoram Legislative Assembly Right to Information Rules, 2006.

No.LA/ESTT.63/2005/129, the 20th March, 2006 : In exercise of the powers conferred by section 28 of the Right to Information Act, 2005 (22 of 2005) the Hon'ble Speaker, Mizoram Legislative Assembly, hereby makes the following rules for providing information pertaining to the Mizoram Legislative Assembly.

1. Short title and Commencement

- (1) These rules may be called the “Mizoram Legislative Assembly Right to Information Rules, 2006”.
- (2) These rules shall come into force on the date of publication in the official Gazette.

2. Definitions

- (1) In these rules, unless the context otherwise requires :
 - (a) “Act” means the Right to Information Act, 2005.
 - (b) “Commission” means the Mizoram State Information Commission constituted under Section 15 of the Act.
 - (c) “Form” means forms appended to these rules.
 - (d) “Fees” means fees prescribed under rule 5.
- (2) The words and expressions used but, not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Application for obtaining information :

- (1) A person who desires to obtain information pertaining to the Mizoram Legislative Assembly shall make an application in writing in Form A or through electronic means to the State Public Information Officer accompanied by fees prescribed under rule 5 :

Provided that where a person applying through electronic means shall have to pay the fees within seven days from the date of application, failing which the application shall be treated as withdrawn.

- (2) The State Public Information Officer on receipt of application shall give the receipt of application in Form B to the applicant.
- (3) The State Public Information Officer shall inform the Applicant in Form C regarding such further fees or charges to be paid by him under rule 5 for the purpose of information sought for by him.
- (4) The fees and charges payable under rule 5 shall be paid either in cash or by Demand Draft or by Pay Order.

Provided that no fees and charges shall be payable by a person belonging to the Below Poverty Line families, if such person submits with the application a certified copy of the Below Poverty Line Card prevailing on that point of time or a Certificate issued in this behalf by a competent authority.

4. **Disposal of the Application :**

- (1) The State Public Information Officer shall provide information sought for on payment of such further fees or charges as provided in rule 5 to the applicant within 30 days of the receipt of the request in Form D or inform the applicant about the rejection of application in Form F stating the reasons or grounds as provided under Sections 8 and 9 of the Act, as the case may be.
- (2) In case where the information sought for does not fall within the jurisdiction of the State Public Information Officer of Mizoram Legislative Assembly, he shall transfer such application in Form E to the concerned State Public Information Officer within five days of the receipt of the application and inform the applicant immediately about such transfer :

Provided that where the information sought for concerns with the life or liberty of a person, the State Public Information Officer shall be required to provide such information within 48 hours of the receipt of such request or application.

5. **Rates of Fees :**

The Rates of Fees and other charges for obtaining required information and documents shall be as under :

- A. Application Fees : Rs. 20 per application.
- B. Other fees and charges :

Sl.No	Details of Information required	Price in Rupees
1.	Any information available in the form of publication.	Actual price of publication
2.	Other information/Documents (a) Information provided in : (i) A4, A3 size paper (ii) Large size paper (b) For sample, model or photographs (c) For inspection of records (d) For information to be furnished in Floppy or a disc wherever possible.	Rs. 2 – per page Amount of actual cost Amount of actual cost No fees for the first-half-an hour and thereafter Rs. 20 for each half an hour. Rs. 50 per floppy/disc

6. **Appeal :**

- (i) Any person aggrieved by the decision of the State Public Information Officer or any person who does not receive any decision within the time specified in sub-section 91) or clause (a) of Sub-Section (3) of Section 7 of the Act, as the case may be may prefer an appeal in Form G within 30 days from the date of receipt or non-receipt of such decision, to the Appellate Authority designated by the Speaker in this behalf.
- (ii) The applicant aggrieved by an order of the Appellate Authority under Sub-rule (1) may prefer second stage appeal to the Mizoram State Information Commission within 90 days from the date of the receipt of the order of the Appellate Authority giving the following details :

Name and address of the applicant.

Name and address of the State Public Information Officer.

Number, date and details of the order against which the second stage appeal is filed.

Brief facts leading to the second stage appeal.

Grounds for appeal.

Verification by the appellant.

Any information which the Commission may deem necessary for deciding the appeal.

- (iii) Every appeal made to the Commission shall be accompanied by a certified copy of the order against which second stage appeal is preferred and copies of other documents referred to and relied upon by the appellant alongwith a list thereof.

7. Maintenance of Records :

The State Public Information Officer shall maintain all the records in respect of the applications received for information and the fees collected for giving the information.

8. Miscellaneous :

For the purpose of removing any doubt it is hereby clarified that the forms as prescribed under these rules need not be in authorized preprinted stationery, but any format neatly typed, handwritten or in electronic form which covers essential details in the form shall be valid.

By order of the Speaker

Sd/-

Secretary,

Mizoram Legislative Assembly.

FORM – A
(See rule 3 (1))

Application form for obtaining Information

ID NO.
(For office use)

To

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat,
Assembly House, Aizawl – 796001.

1. Name of the applicant :
2. Full address :
3. Particulars of information required :
(In brief)
4. I hereby state that the information sought for is not covered under the categories which are exempted from disclosure of information under section 8 or under section 9 of the Right to Information Act, 2005 and to the best of my knowledge, it is pertaining to your Secretariat.
5. *(1) I hereby submit the prescribed application fee of Rs. ____ (in words rupees____) vide payment of application fee receipt No.____ dt. _____ of your Secretariat.

*(2) I enclosed herewith Demand draft/Pay Order No. _____ dated _____ drawn in favour of Secretary, Mizoram Legislative Assembly Secretariat issued by _____ (Bank) toward the fees payable.

*(3) I belong to BPL family, Xerox copy of my Card/Certificates is enclosed herewith.

Place
Date

Signature of applicant :
E-mail address, if any :
Telephone No. (Office)
(Residence)

N.B. : Person belonging to BPL family need not pay any type of fees.

* Strike out whichever is not applicable.

FORM – B
(See rule 3 (2))

Receipt of an application

From :

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat
Assembly House,
Aizawl – 796001.

I.D No. _____ Date _____

1. Received the application dated in Form A, prescribed under Sub-rule (2) of rule 3 of the Right to Information Rules, 2006 from Mr/Mrs _____ resident of _____
2. The information shall be provided within 30 days. In any case, if it is found that it is not possible to give the required information, a letter showing reasons thereof or rejecting the request shall be issued.
3. The applicant may contact the undersigned during 11:00 AM to 1:00 PM on dated _____ (here mention the date not later than thirty days from the date of receipt of an application.)
4. In case of failure to remain present on the stipulated date by the applicant, the State Public Information Officer shall not be held responsible for delay in providing information.
5. The applicant shall be required to deposit the outstanding amount of fees or charges, if any, prior to collection of the information or the document.

State Public Information Officer
Mizoram Legislative Assembly Secretariat
Telephone.....
E.Mail.....
Web site

FORM – C
(See rule 3 (3))

Intimation to applicant to deposit fee and charges for required Information and /or documents

To

Mr/Mrs

Address.....

Sir,

With reference to your request/application dt..... (I.D Nodated.....) I am to state, that you are required to deposit Rs.....(in words Rupees) only for required information and documents sought for. It is requested to obtain the copies of the required information/ documents after depositing the amount in Mizoram Legislative Assembly Secretariat.

(1)	Total Nos. of page	Rs. 2/- per page
	(A3, A4 size)	
(2)	Total No. of Large size pages (Except A3, A4 size)	Rs.....
(3)	Floppy/Disc charge.....Rs. 50/- per piece	Rs.....
(4)	Charges for inspection of records	Rs.....
(5)	Charges for sample/model	Rs.....
	Total :	Rs.....

Yours faithfully,

()

State Public Information Officer

Mizoram Legislative Assembly Secretariat

Telephone No.....

E.Mail

Website.....

FORM – D
(See rule 4 (1))

Supply of information to the applicant

From :

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat,
Assembly House,
Aizawl – 796001.

To

Mr/Mrs.....

Sir,

This is with reference to your application dated (I.D No.....
date) requesting for supply of information.

- *2 Details of required information are enclosed herewith.
- *3 Out of the required information sought for, the partial information is supplied as under:
 - (1)
 - (2)
 - (3)
 - (4)
- *4 With reference to your request for supplying information, the following information/documents cannot be supplied for the following reasons :
 - (1)
 - (2)
 - (3)
 - (4)
- 5. If you are aggrieved by the above decision, you may prefer an appeal to the Appellate Authority. Mizoram Legislative Assembly Secretariat, Assembly House, Aizawl – 796001. within thirty days from the date of receipt of the decision.
- 6. The information whichever is given to you is as a member of Below Poverty Line families and shall not be used for any other purpose.

Yours faithfully,

()
State Public Information Officer
Mizoram Legislative Assembly Secretariat
Telephone No.....
E.Mail
Website.....

FORM – E
(See rule 4 (2))

Transfer of application pertaining to other authority

From :

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat,
Assembly House,
Aizawl – 796001.

No.....

Dt.....

To

Shri/Smt.....
Address

Sir/Madam,

Please find enclosed herewith an application from Shri/Smt.....
dt (I.D. No.) if reasons stated below :-

Required information does not fall within the jurisdiction of this Secretariat. As it falls within the Jurisdiction of your Department/Office, the same is transferred herewith to you for further necessary action.

It is certified that the applicant has paid Rs. (Rupees.....) only on account of fees charges for obtaining required information which has been credited in the Government treasury account.

Yours faithfully,

()

State Public Information Officer
Mizoram Legislative Assembly Secretariat
Telephone No.....
E.Mail
Website.....

Copy to:-

Shri/Smt.....
(Applicant)

1. As your application pertaining to required information doesn't fall within the jurisdiction of this Secretariat, it has been transferred to the State Public Information Officer having jurisdiction. You are requested to contact the State Public Information Officer mentioned above.

FORM – F
(See rule 4 (1))

Order of rejection of Information

From :

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat,
Assembly House,
Aizawl – 796001.

No. _____

Dt. _____

To,

Shri/Smt.

Address :

Sir,

With reference to your application dated I.D. No.
requesting for supply of information, I am to state that.....

1. The information requested cannot be provided for the following reasons :

The information requested falls within the exempted categories under sub
rule _____ of Section 8 or under Section 9 of the Act.

2. If you are aggrieved by the above decision, you may prefer an appeal to the
Appellate Authority, Mizoram Legislative Assembly Secretariat, Assembly House, Aizawl –
796001, within thirty days from the date of receipt of the decision.

Yours faithfully,

()

State Public Information Officer

Mizoram Legislative Assembly Secretariat

Telephone No.

E.Mail

Website

FORM – G
(See rule 6 (1))

Form of First Appeal

I.D No.

Date :

(For office use)

To,

The Appellate Authority,
Mizoram Legislative Assembly Secretariat,
Assembly House,
Aizawl – 796001.

Sir,

As I have not received any decisions I am aggrieved by the decision of the State Public Information Officer, Mizoram Legislative Assembly Secretariat, I hereby file this appeal. The particulars of my application is as under :

1. Name of the Appellant
2. Address of Appellant
3. (A) Name of the State Public Information Officer
Address of the State Public Information Officer
(B) Department/Office and address.
(C) Particulars of the decision against which the appeal is preferred including the No. & date of such decision.
4. Date of application submitted in Form A.
5. Details of information :
 - (1) Information asked for :
 - (2) Period for which information is sought :
6. Date as on completion of 30 days after submitting Application in Form A.
7. Reasons for Appeal –
 - (A) No decision is received within 30 days of submission of application in Form A.
 - (B) Aggrieved by the decision of State Public Information Officer dated :

8. Ground for appeal. Brief facts of the case.
9. Last date for filling the appeal :
10. Prayer Relief sought for :

I hereby state that the information and particulars given above are true to the best of my knowledge and belief .

Place :

Date :

Name of appellant :

Signature of appellant :

e-mail address, if any :

Telephone No. (Office)

(Residence)

.....cut from here

From :

The State Public Information Officer,
Mizoram Legislative Assembly Secretariat,
Assembly House,
Aizawl – 796001.

I.D No.....

Date

1. Received an appeal application of Shri/Smta resident of in Form G prescribed under Sub-rule (1) of rule 6 of the Mizoram Legislative Assembly Right to Information Rules, 2006.

Signature of the recipient

Office of the Appellate Authority

Telephone No :.....

E-Mail

Website.....

**MANUALS OF MIZORAM LEGISLATIVE ASSEMBLY
UNDER CLAUSE 4(1) (B) OF
THE RIGHT TO INFORMATION ACT, 2005
(No. 22 of 2005)**

1.1 Organisation: Mizoram Legislative Assembly is a constitutional body constituted under Article 187 of the constitution of India which states, among other things, that “the House or each House of the Legislature of a State shall have a separate Secretarial staff”. The Secretariat is currently situated in Treasury Square, Aizawl in its own building.

As laid down in Clause (3) of article 187 of the constitution of India, the Governor of Mizoram, after consultation with the Speaker, has made rules regulating the recruitment and conditions of service of persons appointed to the Secretarial staff of Mizoram Legislative Assembly namely the Mizoram Legislative Assembly Secretariat (Recruitment and conditions of Service Rules, 1995 as amended from time to time.

Mizoram Legislative Assembly Secretariat, as it is, is headed by the Speaker who is an elected representative of the people. The Secretarial staff is headed by the Secretary who is appointed by the Governor in consultation with the Speaker. The appointing authority in the case of other Group ‘A’ and ‘B’ posts is the Speaker and the Secretary in the case of Group ‘C’ and ‘D’ staff.

1.2 Functions and Duties: The functions and duties of Mizoram Legislative Assembly Secretariat relates to all matters concerning facilities and amenities of the Members of Legislative Assembly of Mizoram as provided under the rules. It encompasses all matters relating to pay and allowances, pensions, official duties etc. of the Secretariat. To ensure smooth and efficient management of such duties and functions the Secretariat has the following branches :-

- 1 Accounts
- 2 Establishment
- 3 Committees
- 4 General Administration
- 5 Legislation

2. Powers and duties of Officers and staff: The assembly Secretariat is under the Superintendence and control of the Speaker who may by order from time to time, sanction such number of temporary posts with the concurrence of Finance Department. The Speaker has full administrative and financial powers in respect of the Legislature Secretariat which he may delegate to the Secretary or other Officers of Legislature Secretariat as he thinks fit. For the purpose of administration of the Legislature Secretariat, the Secretary exercises all the powers as may be delegated to him by the Speaker under the rules.

2.1 The Secretary is appointed by the governor in consultation with the Speaker. Appointments to Group ‘A’ and ‘B’ are made by the Speaker. The Speaker may, by general or special order, delegate to the Secretary or any other Officer of the Secretariat his power to make appointments to any posts or class of posts specified in such order. Appointment to Group ‘C’ and ‘D’ is made by the Secretary with the approval of the Speaker.

2.2 Subject to availability of posts in the cadre of the service, the Appointment Authority may appoint to the service any person who is holding the existing posts of the Secretariat. The Speaker may, by order, from time to time, constitute Selection Board for the purpose of preparing select in the Secretariat and Selection Committee to recommend suitable candidates for appointment and promotion to Non-Gazetted posts in the Secretariat. Every Officer has a right to appeal to the Speaker against any order passed originally or an appeal against an order by the Secretary imposing or confirming any penalty. Provided that where an order is passed originally by an authority subordinate to the Secretary an appeal against such order shall lie with the Secretary. The orders of the Speaker, whether passed originally or an appeal, shall be final. The Appellate Authority in cases where an order has been passed by the Speaker shall be the Governor.

2.3 The Secretary is the Head of Department for the Secretariat assisted by Additional Secretary, Joint Secretary, Deputy Secretaries, Under Secretaries, Superintendents, Committee Officers, Editors of Debates, Assistant Editor of Debates, Librarian, Liaison Officer in discharging his duties. The employees perform their normal official duties or any other duties as entrusted by the Secretary.

3. Procedure followed in the decision making process, including channels of supervision and accountability: Transaction of the works in the Secretariat is discharged as per Standing Order No. LA/O & M/95-2006/89 of 26.7.2006 vide Annexure 1.

4. There is no norm set by the Secretariat for the discharge of its functions.

5. The Rules, Regulations, Instructions, Manuals and Records held or under the control and used by the employees of the Secretariat for discharging its functions are listed in Annexure 2.

6. Statement of the categories of documents held or under its control:

1. Standing Order

2. General Directions by the Speaker.

3. Rules:

(a) Rules regulating allotment, occupation and vacation of seats in the Mizoram Legislative Assembly Hostels, Aizawl.

(b) The Mizoram Legislative Assembly Secretariat (Recruitment and Conditions of Service) Rules, 1995 as amended from time to time.

(c) Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly.

(d) Rules of Internal Working of the Committee on Public Accounts.

(e) Rules for Internal Working of the Committee on Estimates.

(f) Rules for Internal Working of the Committee on Public Undertakings

(g) Rules for Internal Working of the Committee on Subordinate Legislation

(h) Rules for Internal Working of Library Committee

- (i) Rules for Internal Working of the Committee on Petitions
- (j) Rules for Internal Working of the Committee on Government Assurances
- (k) Rules for Internal Working of the House Committee
- (l) The Mizoram Pension of Members of Legislative Assembly Rules, 1999 as amended upto date
- (m) The Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000 as amended upto date
- (n) Rules regulating the expenditure out of the Discretionary Grant of the Speaker, Legislative Assembly, Mizoram
- (o) The Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000

4. Acts:

- (a) The Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999 as amended upto date
- (b) The Mizoram Salaries and Allowances of the Leader of the Opposition Act, 1999 as amended upto date
- (c) The Mizoram Salaries and Allowances of Minister Act, 1999 as amended upto date
- (d) The Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999 as amended upto date.

7. Mizoram Legislative Assembly does not have any provisions for any arrangement for consultation with or representation by the members of the public in relation to the formulation of its policy or administration. As such members of the public do not contribute or partake in the formulation of its policy or administration.

8. Statement of the Committees : Mizoram Legislative Assembly does not have any boards, councils or any other bodies as its part for the purpose of its advice. It however has the following Committees comprising of Members of Legislative Assembly:-

A. Financial Committees.

- 1. Public Accounts Committee
- 2. Estimates Committee
- 3. Public Undertakings Committee

B. General Committees.

- 1. General Purpose Committee
- 2. House Committee
- 3. Rules Committee
- 4. Business Advisory Committee
- 5. Select Committee

6. Petitions Committee
7. Committee of Privileges
8. Subordinate Legislation Committee
9. Government Assurances Committee
10. Committee on Papers Laid on the Table
11. Library Committee
12. Budget Committee
13. Ethics Committee

C. Subject Committees I to V

The Meetings of the above Committees are not open to the public and the minutes of such meetings are not accessible for the public as mentioned in Rule 215 and 217 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly.

9. Directory of Officers and employees: Annexure 3 - 147
10. Monthly remuneration of Officers and employees: Annexure 4 - 494
11. The Secretariat has no agency requiring allotment of separate budget.
12. The Legislative Secretariat does not operate subsidy programmes.
13. There are no recipients of concessions, permits etc
14. The Legislature Secretariat has its own website i.e., www.mizoramassembly.in, all relevant information regarding the Legislature Secretariat and the current Sixth Session is placed here.
15. The Legislature Secretariat has a Library maintained for the Legislators and Secretarial staff, not open to general public.
16. State Public Information Officer - Pu Vanlalnghenga, Additional Secretary, Mizoram Legislative Assembly, Phone: 2322388/2301183 (O)

STANDING ORDER

1. The Assembly Secretariat, an Independent Secretariat, is under the superintendence and control of the Speaker. The Speaker has full administrative and financial powers in respect of the Legislature Secretariat. The Speaker may delegate such powers as he thinks fit to the Secretary or other officers of the Legislature Secretariat. For the purpose of administration of the Legislature Secretariat, the Secretary shall exercise all the powers as may be delegated to him by the Speaker.

2. In Supersession of Standing Order issued vide No. LA/O&M/95-2006/89 dated 26.7.2006 and as per provisions of rule 4 and 32 of the Mizoram Legislative Assembly Secretariat (Recruitment and Conditions of Service) Rules, 1995 as amended from time to time, the works of Mizoram Legislative Assembly Secretariat will be transacted as indicated below with immediate effect and until further orders.

I. The following cases shall be submitted by the Secretary to the Speaker for orders/disposal:

1. Assembly Questions, Bills, Resolutions, Motions and any other matters relating to Assembly Session.
2. Summoning and prorogation of the State Assembly.
3. Resignation of Member of Legislative Assembly.
4. Sanction of tour programme of Assembly Committee.
5. Proposal for constitution and modification of Assembly Committee.
6. Approval for nomination of MLA as member of Boards/Committees constituted by Government.
7. Appointment and deputation of Officers and Staff as per Recruitment Rules 1995 as amended from time to time.
8. Disciplinary proceedings in respect of Group A Officers.
9. Framing, revision and relaxation of Service and Recruitment Rules.
10. Creation of posts.
11. Extension, re-employment/termination/retrenchment of all employees.
12. Appeals made by Officers and Staff.
13. Voluntary retirement of Officers and Staff.
14. Budget and Schemes.
15. Acceptance of PARs of Secretary, Additional Secretary, Joint Secretary and Deputy Secretary.
16. Sanction of Air Travel Permission.
17. Condemnation of Motor vehicles.
18. Purchase of new vehicle.
19. Any matter the Secretary may consider necessary.

II. The following cases shall be disposed of by the Secretary:

1. Court cases.
2. All Assembly Committees.
3. Proceedings of Selection Board/Selection Committee in respect of Group A,B,C & D staff.
4. Matters relating to purchase of equipment and inventory.
5. All kinds of leave of Officers.
6. Casual Leave/Restricted Holiday in respect of Additional Secretary and Joint Secretary.
7. Reporting of PARs of Additional Secretary and Private Secretary to Secretary.
8. Review of PARs of Joint Secretary and Deputy Secretary.
9. Acceptance of PARs of Under Secretary, Editor of Debates, Superintendent, Committee Officer, Assistant Editor of Debates, Librarian, Liaison Officer & Private Secretary to Secretary.
10. All expenditure proposals.
11. Pension and Family Pension cases of Legislators.
12. Distribution of works among Officers and Staff.
13. Any other works as may be assigned to him from time to time.

III. The following cases shall be disposed of by the Additional Secretary:

1. Proposal for retention of posts.
2. Casual Leave/Restricted Holiday in respect of Deputy Secretary.
3. Reporting of PARs of Joint Secretary and Personal Assistant to Additional Secretary.
4. Review of PARs of Under Secretary and Editor of Debates.
5. Acceptance of ACRs of Assistant/Translator/Sr. Operator and Personal Assistant to Speaker/Deputy Speaker/Additional Secretary.
6. Accounts, Committee, Establishment, General Administration, Legislation and Library Branches.
7. Any other works as may be assigned to him from time to time.

IV. The following cases shall be dealt with by Joint Secretary:

1. Casual Leave/Restricted Holiday in respect of Under Secretary and Editor of Debates.
2. Issue of Orders/Instructions/Notifications for which approval of appropriate authority has been obtained.
3. Reporting of PARs of Deputy Secretary and Personal Assistant to Joint Secretary.
4. Review of PARs of Committee Officer, Superintendent and Assistant Editor of Debates.
5. Acceptance of ACRs of UDC, LDC and performance reports of Driver and other staff.
6. Accounts, Committee, Establishment, General Administration, Legislation and Library Branches.
7. Any other works as may be assigned to him from time to time.

V. The following cases shall be dealt with by Deputy Secretary (Establishment)

1. Establishment Branch.
2. All kinds of leave of Group B, C & D
3. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
4. Reporting of PARs of Under Secretary under his charge and Personal Assistant to Deputy Secretary.
5. Review of ACRs of Assistant under his charge.
6. Acceptance of performance report of IV Grade staff.
7. Issue of Instruction/Orders/Notification for which approval of appropriate authority has been obtained.
8. Any other works as may be assigned to him from time to time.

VI. The following cases shall be dealt with by Deputy Secretary (General Administration)

1. General Administration Branch.
2. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
3. Reporting of PARs of Under Secretary under his charge and Personal Assistant to Deputy Secretary.
4. Review of ACRs of Assistant/Sr. Operator under his charge.
5. Issue of Instruction/Orders/Notification for which approval of appropriate authority has been obtained.
6. Any other works as may be assigned to him from time to time.

VII. The following cases shall be dealt with by Deputy Secretary (Accounts)

1. Accounts
2. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
3. Reporting of PARs of Under Secretary under his charge and Personal Assistant to Deputy Secretary.
4. Review of ACRs of Assistant under his charge.
5. Issue of Instruction/Orders/Notification for which approval of appropriate authority has been obtained.
6. Any other works as may be assigned to him from time to time.

VIII. The following cases shall be dealt with by Deputy Secretary (Committee)

1. Committee
2. Library
3. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent/Librarian under his charge.
4. Reporting of PARs of Under Secretary under his charge, Librarian and Personal Assistant to Deputy Secretary.
5. Review of ACRs of Assistant under his charge.
6. Issue of Instruction/Orders/Notification for which approval of appropriate authority has been obtained.
7. Any other works as may be assigned to him from time to time.

IX. The following cases shall be dealt with by Deputy Secretary (Legislation)

1. Legislation
2. Translation
3. Editing of Proceedings.
4. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
5. Reporting of PARs of Under Secretary/Editor of Debates under his charge and Personal Assistant to Deputy Secretary.
6. Review of ACRs of Assistant/Translator under his charge.
7. Issue of Instruction/Orders/Notification for which approval of appropriate authority has been obtained.
8. Any other works as may be assigned to him from time to time.

X. The following cases shall be dealt with by Under Secretary (Establishment)

1. Establishment
2. Library
3. Library Committee
4. Assembly Pay Committee
5. Distribution of works under his charge.
6. Issue of Orders/Instruction/Notification for which approval of appropriate authority has been obtained.
7. General Correspondences relating to Establishment matters.
8. Reporting of PARs of Superintendent/Committee Officer/Librarian under his charge.
9. Review of ACRs of staff under his charge and P.A to Speaker/ Deputy Speaker.
10. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent/Librarian under his charge.
11. Any other works as may be assigned to him from time to time.

XI. The following cases shall be dealt with by Under Secretary (General Administration)

1. General Administration
2. House Committee
3. General Purposes Committee
4. Distribution of works under his charge.
5. Issue of Orders/Instruction/Notification for which approval of appropriate authority has been obtained.
6. General Correspondences relating to General Administration matters.
7. Reporting of PARs of Superintendent/Committee Officer under his charge.
8. Review of ACRs of staff under his charge and performance report of Driver.
9. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
10. Any other works as may be assigned to him from time to time.

XII. The following cases shall be dealt with by Under Secretary (Legislation)

1. Legislation
2. Business Advisory Committee
3. Distribution of works under his charge.
4. Issue of orders/Instruction/Notification for which approval of appropriate authority has been obtained.
5. General Correspondences relating to Legislation matters.
6. Reporting of PARs of Superintendent/Committee Officer under his charge.
7. Review of ACRs of staff under his charge.
8. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
9. Any other works as may be assigned to him from time to time.

XIII. The following cases shall be dealt with by Under Secretary (Accounts)

1. Accounts
2. Drawing and Disbursing Officer
3. Budget Committee
4. Distribution of works under his charge.
5. Issue orders/Instruction/Notification for which approval of appropriate authority has been obtained.
6. General Correspondences relating to Accounts matters.
7. Reporting of PARs of Superintendent/Committee Officer under his charge.
8. Review of ACRs of staff under his charge.
9. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
10. Any other works as may be assigned to him from time to time.

XIV. The following cases shall be dealt with by Under Secretary (Committee)

1. Committee
2. Distribution of works under his charge.
3. Issue of orders/Instruction/Notification for which approval of appropriate authority has been obtained.
4. General Correspondences relating to Committee matters.
5. Reporting of PARs of Superintendent/Committee Officer under his charge.
6. Review of ACRs of staff under his charge.
7. Casual Leave/Restricted Holiday in respect of Committee Officer/Superintendent under his charge.
8. Any other works as may be assigned to him from time to time.

XV. The following cases shall be dealt with by Editor of Debates

1. Translation and Transcription of Assembly Proceedings
2. Reporting of PARs of Assistant Editor of Debates/Superintendent.
3. Casual Leave/Restricted Holiday in respect of Assistant Editor of Debates/Superintendent under his charge.
4. Any other works as may be assigned to him from time to time.

PARs of Under Secretary/Editor of Debates shall be reported by respective Deputy Secretary in charge of the Branch.

PARs of Committee Officer/Superintendent shall be reported by respective Under Secretary in charge of the Branch.

PARs of P.S to Speaker/Deputy Speaker shall be reported and accepted by the Speaker and Deputy Speaker respectively.

ACRs of P.A to Speaker/Deputy Speaker shall be reported by the P.S to Speaker/Deputy Speaker respectively.

Performance Report of Driver shall be reported by Superintendent (G.A) and the performance reports of IV Grade staff shall be reported by respective Section Officer.

Application for Casual Leave/Restricted Holiday should be submitted through the next superior Officer.

All Files should be submitted through the next superior Officer for which decision of the higher authority is required.

GENERAL DIRECTION BY THE SPEAKER

Chamber of the House

1. The Chamber of the House shall not be used for any purpose other than sitting of the House and Conference of Presiding Officers.

Attendance of Members

2. To facilitate maintenance of an accurate record of attendance of Members, all Members, excepting the Speaker, Ministers, Ministers of State and Deputy Speaker, whenever they attend the sittings of the House or meetings of the Assembly Committees, may sign the Attendance Register which will be maintained by the Assembly Secretariat. For the convenience of Members, the Attendance Register shall be kept in the Lobby of the Assembly Hall during the sittings of the House, and in the Committee Rooms during the meetings of the Assembly Committees. A Member, who has not signed the Attendance Register within the first half of the working hours of the day, shall be treated as absent. This Attendance Register shall also be taken as a basis for allowing daily allowance to Members.

3. A Member of the Committee, who has not attended the meeting of the Committee more than half of the working hours of the day shall be treated as absent.

4. A Member should seek prior permission of the Speaker for his absence during the sitting of the Assembly irrespective of the number of days of absence.

Correspondence with Members of the Assembly

5. When a letter of a Member of the Legislative Assembly addressed to the Speaker comes in the possession of the Government, the Government should at once forward it to the Speaker, for delay in transmission of the same may constitute a breach of privilege of the House. If the Government has to take any action on the letter, they can do it by keeping a copy of thereof but the original letter should be sent immediately to the Speaker.

Arrangement of drinking water in the Assembly House

6. No Member shall either drink water or be served drinking water inside the Assembly Hall while the House is in session.

Submission of files inside the House.

7. No files should be submitted to the Ministers or anyone inside the House while the House is in session unless it requires immediate personal attention or intervention of the person concerned.

Allotment of accommodation in the Legislators Home. (Ref. The First Report of House Committee presented to the House on 17th October 2001)

8. As the Legislators' Home at Tuikhuahtlang is now ready for occupation, any Member willing to occupy/avail accommodation in the Legislators' Home may submit to the Secretary, an application in the prescribed form which is available in the Assembly Secretariat.

9. The MLA Hostel at Khatla shall no longer be available for permanent occupation with effect from 1st April 2002. No reservation of accommodation can be made by a guest while he is out of station and the Hostel staff shall not be responsible for the custody of his belongings, if any, left in the Hostel while he is out of station. On the other hand, a Member, if he is required to perform official duties out of station in connection with the business of the Assembly committee or any other Assembly matters while he is staying in the MLA Hostel, may reserve his rooms during such an absence and leave his personal belongings in the custody of the Hostel staff.

10. As per rule 13 of the 'Mizoram Legislative Assembly Hostel Rules' all the charges for trunk calls made from the M L A Hostel's telephone shall be paid by the caller.

11. The rent for occupation of the Legislators' Home shall be paid by the occupant calculated from the actual months of occupation.

Suspension of a Member.

12. A Member suspended from the service of the House, shall not be entitled to enter the precincts of the House except for the purpose of attending a meeting of the Committee of which he may have been named a Member before suspension.

13. While computing the period of suspension, the day on which the Member is suspended from the service of the House shall be taken in account, but it shall not include any such period during which the House remains adjourned for more than three days.

Parties of the House.

14. (i) Only those parties and groups which have common principles and programmes and which have contested the election on the basis of the declaration of such principles and programmes shall be recognized.

(ii) They should have their programmes both within and outside the House. They should work according to their principles both within and outside the House.

(iii) It shall be necessary for the recognition of parties and groups that their strength should at least be one-fourth of the total number of members of the House and two (2) members respectively.

Proceedings of the House.

15. A copy or copies of the portion of the proceedings of the Assembly shall not be supplied to any Member before it is printed, until the corrected speeches of the Members concerned have been received back. A Member can, however, see the proceedings and take notes therefrom if it is needed for a particular purpose, which should be mentioned by him.

Tour of the Assembly committees.

16. The approval of the Speaker should be obtained before a tour is undertaken by a Committee of the Assembly.

Arrangement of transport for Members of the Assembly Committees.

17. The Administrative Departments, as well as the officers or institution subordinate to them or concerned with them, shall arrange to provide necessary transport for Members of the visiting Committee, sub-committee or Study Group of any Committee of the Assembly to and from the Assembly premises, institutions, projects etc. at the respective places either by utilizing the staff car/transport at their disposal or by hiring such transport if necessary.

Procedure of accepting membership of a Government Committee by the Chairman and Members of Assembly Committees.

18. (i) Whenever the Chairman or any Member of an Assembly Committee is invited to accept membership of any Committee constituted by the Government, the matter shall be placed before the Speaker for approval before the appointment is accepted.

(ii) When the Speaker considers it inappropriate that the Chairman or Member of an Assembly Committee should serve in the Committee constituted by the Government so long as he remains a Member of the Assembly Committee, the latter shall not accept the appointment of membership of the Committee constituted by the Government.

Questions

19. When an answer to a question is given that the information is being collected, it would be taken as if the government has asked for postponement of the question under rule 49 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly. If postponement of a question is necessary for the second time, the Minister concerned may submit an explanatory note showing causes along with the letter for postponement. The postponement of a question for a second time will be granted only in exceptional cases.

20. Whenever the Government is not in a position to answer short notice questions, it should send in writing, the reasons thereof so that the Speaker may be able to consider the matter properly and this would avoid unnecessary delay in taking further action on the question concerned.

21. The Minister should come fully prepared to answer supplementary questions, which are directly based on the main question.

22. When a Minister replies that the papers relating to a certain question may be seen in his office, he should make them available in his office on the day the question is answered in the House, and should himself come to his office that day half an hour earlier. In case the papers cannot be made available on that day he should get the question relating to him postponed to some other day.

23. If a Member deems it necessary to ask questions which have lapsed due to prorogation of the Assembly, he may give fresh notice for them enclosing full text of the questions again to the Legislative Assembly Secretariat. No action will be taken if a Member merely writes that his lapsed questions may be revived.

24. If a question is answered in the House, all other questions which are substantially identical and fixed for subsequent dates become inadmissible and the Members should co-operate with the Legislative Assembly Secretariat by informing it about their substantially identical questions fixed for any subsequent dates. Similarly, if the Government Departments receive notice of a question substantially identical for a second time for answer, instead of answering the question, they should invite the attention of the Legislative Assembly Secretariat that such and such question has already been asked in the House or has been fixed for answer on such and such date, and in such case, the question shall be removed from the list of question.

25. Question relating to each Minister should be given on separate sheets of paper. If the notices of questions are not received in this manner, it will not be possible for the Legislative Assembly Secretariat to take action on those questions and they will be returned in original without any answer.

26. Statement to be made by Ministers in the House to amend answers to supplementary questions must be accompanied by original questions and answers.

27. Supplementary questions cannot be asked on a statement made by a Minister to amend the answer given to a supplementary question.

28. If answers to original questions are to be amended, the question whose answer is to be given in an amended form, together with the original answer will be printed in the agenda before the starred question. The new amended answer by the Government should also be printed there under heading 'amended answer' which should be read with a short explanatory note. The questioner will be given an opportunity to put supplementary questions. But when answer to such an original question whose questioner has ceased to be a Member of the House at the time of correction, is sought to be corrected. The Minister concerned may correct such an answer by making a correction statement in the house and the correction statement shall be printed in the List of Business in a separate annexure after another question.

29. Under rule 36(5) of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, the quota of five (5) starred questions fixed for each Member includes short notice questions also but does not include postponed questions.

30. Questions should not be answered by simply referring to the portions of questions that the answer to the first portion is this and that the second portion this, but the answers should be self-contained so that they may be clearly intelligible.

31. Questions which give advantage to the enemy or to a foreign power shall not ordinarily be admitted. But if there are some such questions which relate to matters concerning the border of the country, about which it is not clear that they help subversive elements and they are forwarded to the Government after being admitted, the Minister concerned may draw the attention of the Speaker as to the

advantage that can result in answering such questions. After the Speaker is satisfied that it is not in public interest to answer such questions, such questions shall be disallowed.

Admissibility of Question.

32. Beside the conditions of admissibility of questions mentioned in Rule 43, a question shall be inadmissible on any of the following grounds:-

- (i) It seeks information on matters which tend to encourage fissiparous and divisive tendencies and weaken the unity and integrity of the country;
- (ii) It relates to a matter of day-to-day administration or tends to further interests of an individual or a few individuals;
- (iii) It relates to a matter falling primarily within the jurisdiction of the Chief Election Commissioner, C&AG, Courts and other such functionaries;
- (iv) If it relates to petitions and memoranda received by a Minister which are not of public importance;
- (v) It relates to a matter under negotiation with a government of other country and the disclosure may affect the course of negotiations to the detriment of the national interests; and
- (vi) It relates to a matter within the jurisdiction of the Speaker.

33. Notwithstanding anything contained in Rule 43 and the practice being followed heretofore, a question pertaining to matter for the last five (5) years may be admitted.

Ballot of Private Members' Bills and Resolution.

34. A private Member, who wishes to introduce a Bill or to move a Resolution, shall give notice in writing addressed to the Secretary, of his intention and shall together with the notice, submit a copy of the Bill or Resolution.

35. All such notices received by the Secretary shall be entered in the concerned Registers called 'Notice Register for Bills/Resolution' maintained by the Assembly Secretariat and shall be entered in a serial order for each ballot according to the dates of receipt.

36. When notices are received under Direction, the Secretary shall submit a copy of the Resolutions and Bills to the Speaker after they have gained priority at the ballot.

37. The ballot for Private Members' business shall be generally held on Friday in respect of resolutions, and on Wednesday in respect of Bills falling 7 and 10 days before the non-official day respectively and notices of Resolution and Bills included in the ballot held in accordance with Direction No. 34.

Provided that any notice received after 3:00 P.M. may be included in the next ballot.

Note: If the date to be fixed for the ballot under these directions is a holiday, the ballot will be held on the last working day before that day and notices received before 3:30 P.M. of that day shall be included in the ballot.

38. (i) The ballot shall be held at 4:00 P.M. at a place to be notified by the Secretary to Members.

(ii) Any Member who wishes to attend the ballot may do so.

(iii) Numbered metal or disc bearing as many numbers as there are notices, shall be thoroughly mixed up and placed in a cloth bag.

(iv) The Secretary or some persons directed by him shall take out one disc at a time and the first number taken out shall entitle the Member whose name appears against that number in the Notice Register, to the first priority to move the Bill or the Resolution, the second number the second priority and so on until all numbers have been drawn.

(v) The priority obtained in the ballot will determine the order in which items are to be taken up in the Assembly on the first available Friday after the date of the ballot for non-official business. All notices not finding a place in the ballot shall lapse.

Utilization of Zero Hour.

39. A new practice called Zero Hour has recently cropped up and utilized in Mizoram Legislative Assembly. In Order to maintain discipline and utilize the Zero Hour fruitfully and effectively, the Speaker desires that not more than two subjects be raised in a day. Any member desiring to utilize Zero Hour should inform the Speaker in writing, half an hour before the commencement of a sitting on the day on which a member wants to raise any subject during Zero Hour, clearly indicating the subject matter. However, it shall be the discretion of the Speaker to allow such subject to be raised/mentioned during Zero Hour. In any case the duration of the Zero Hour shall not exceed half an hour.

TERMS AND CONDITIONS OF ALLOTMENT FOR ACCOMMODATION OF MEMBERS IN THE LEGISLATORS' HOME, AIZAWL.

1. Definitions:

In these terms and conditions, unless the context otherwise requires:

“Day” means a day according to Gregorian calendar.

“Family” means husband, wife, children, stepchildren, parents, minor brothers and sisters residing and wholly dependent on a member.

(c) “Government” means Government of Mizoram.

(d) “Home” means Legislators’ Home.

(e) “House” means a House of the Mizoram State Legislature.

(f) “Member” means a member of Mizoram Legislative Assembly.

(g) “Month” means a month reckoned according to Gregorian calendar.

(h) “Secretary” means the Secretary of Mizoram State Legislature and includes Additional Secretary, Joint Secretary, Deputy Secretary and Under Secretary.

2. Terms and Conditions:

(1) The Home shall be under the administrative control of the Secretary of the Mizoram Legislative Assembly. All applications for accommodation shall be addressed to the Secretary, Mizoram Legislative Assembly in a prescribed form.

(2) Only a sitting MLA and his family shall be provided with accommodation in the Legislators’ Home.

Provided that a member who does not own any accommodation of his own at Aizawl shall be given priority.

(3) There are - 2 bedrooms, sitting and kitchen joined rooms in this Home. One Family Suite is meant for one family and one Bachelor Room is meant for single occupancy.

(4) The rates of rent for such accommodation shall be as under :

(a) Family suite – Rs. 1500.00 (Rupees one thousand and five hundred) only per month.

(b) Bachelor Room – Rs. 700.00 (Rupees seven hundred) only per month.

(c) Dormitory – Rs. 15.00 (Rupees fifteen) only per night.

(5) The allottee shall have to abide by the terms and conditions which shall inter alia contain the following conditions:

(a) That the allottee shall use the Home only for himself and his family and shall not sublet it.

(b) In case a member wants to accommodate his guest in the Home he may have a dormitory room reserved for him at usual rent subject to availability of accommodation.

(c) That the allottee shall abide by the terms and conditions for the time being in force in respect of sanitation, maintenance and proper preservation of the Home.

(d) The member against whom there are arrears of rent shall not be allotted any accommodation until the arrears are cleared.

- (6) The rent and other charges due from a member shall be deducted at source from his salary.
- (7) The rent for accommodation shall be charged from the date from which it is occupied by the member.
- (8) A member shall be entitled to occupy the Home throughout his term of office as a member and for a period of fifteen days immediately thereafter.
- (9) Electricity and water shall be supplied free of cost. However, a member who has been allotted accommodation in this Home shall forfeit to receive cash allowance for that purpose.
- (10) Gambling, drinking of liquor and entertaining person of loose moral character in the premises is prohibited.
- (11) Any damage, breakage or loss of furniture and other property shall be made good by the person responsible for damage, breakage or loss by paying the price of kind at the current market rate.
- (12) Employees attached to the Home shall not be engaged for personal errands or private works.
- (13) No one shall be allowed to stay in the Home without the permission granted by the prescribed authority.
- (14) Raising livestock in the premises of this Home is not allowed.

- (15) No cultivation of any kind is allowed on the terrace of the building.
- (16) If any allottee contravenes any of the provisions of these terms and conditions the matter shall be referred to the Speaker or the Chairman of the House Committee who may take such action as he may deem fit.
- (17) A member shall occupy the suite/room within one month from the date of allotment failing which the allotment shall be liable to cancelation.

RULES REGULATING ALLOTMENT, OCCUPATION AND VACATION OF SEATS IN THE MIZORAM LEGISLATIVE ASSEMBLY HOSTELS

1. **Short title and Commencement**
 - a) These rules shall be called the “Mizoram Legislative Assembly Hostels Rules, 1975”

2. **Definitions**

In these rules, unless the context otherwise requires :-

 - a) “Hostels” means the Mizoram Legislative Assembly Hostels No. I and No. II at Aizawl;
 - b) “Members” means a member of the Mizoram Legislative Assembly;
 - c) “Session” means a session of the Mizoram Legislative Assembly;
 - d) “Secretary” means the Secretary to the Mizoram Legislative Assembly;
 - (e) “Under Secretary” means the Under Secretary to the Mizoram Legislative Assembly.
 - (f) “Liaison Officer” means an employee of the Mizoram Legislative Assembly whose service is attached to the Hostels and designated as such.
 - (g) “Receptionist” means an Employee of The Mizoram Legislative Assembly whose service is attached to the Hostels and designated as such.

3. **Control of the Hostels**

The Mizoram Legislative Assembly Hostels shall be under the Administrative control of the Secretary/Under Secretary.

4. **Occupation**
 - (1) the Hostel is primarily meant for the occupation of the sitting Members, but subject to accommodation being available during inter-session period the following categories of non-members coming to Aizawl on Government business may be accommodated for a period not exceeding one week on payment of usual rent.
 - (i) Sitting MPs of Mizoram.
 - (ii) Ex-MLAs/Ex-MPs of Mizoram.
 - (iii) Sitting MPs of other states.
 - (iv) MLAs/Ex-MLAs/Ex-MPs of other states.

 - (2) The Seats may be occupied by members from one week before the commencement of a session or a Committee meeting and three days after the termination of the same. At other times, the Hostels may be occupied by members whenever they come to Aizawl on public duty.

 - (3) No member shall be permitted to occupy more than one room at a time.

The words “The Hostel shall, on no account, be made available for occupation by any member with or without family as all time residence” Omitted by Mizoram Legislative Assembly Hostels(Amendment) Rules, 1986 on 20.3.1986

- (4) No person, other than a member, shall be allowed to stay in the Hostels during Session.
- (5) No one shall be allowed to occupy the dining room or lounge.
- (6) No one shall be allowed to stay in the Hostels without permission granted by the Controlling Officer.
- (7) The Receptionist shall submit to the Controlling Officer occupation chart every day

5. Reservation of Hotel Seats

- (1) The Hostel seats shall be reserved for the members during the Assembly Session.
- (2) Reservation of seats or seats shall made by persons mentioned in categories at item (i) to (iv) in advance on application being made to the Secretary/Under Secretary stating clearly the date (s) on which the occupation is desired.
- (3) In the case of persons not mentioned in categories at item (i) to (iv) of sub-rule (1) of rule 4 request for accommodation shall be made by the relevant Department/of the Government for whose purpose their presence at Aizawl is necessary. In all such cases at least one week's notice for reservation shall ordinarily be given and the request shall be sponsored by an Officer not below the rank of a Secretary to the Government or Head of the Department unless relaxed, under exceptional circumstances, to the Secretary.
- (4) During Inter-Session period at least one room of the Hostels shall always be kept reserved for meeting urgent needs of the members.
- (5) All requests for allotment of seats in the Hostels for any State Guest shall come from the Secretariat Administration Department/General Administration Department.
- (6) Members, while coming to attend session of the Assembly or sittings of any Committee, and desiring accommodation in the hostels, shall

inform the Secretary, sufficiently in advance of the date of the commencement of session or meeting. The allotment of seats will be made on the basis of first come-first serve.

6. Cancellation of Reservation

Failure to occupy the seat on the due date shall amount to cancellation of the reservation.

7. Rent for Hostels

* The Speaker may, by a Notification issued from time to time, fix the rates of room rent and cattering charges in the New MLA Hostel as and when considered necessary.

*Substituted vide First Report of House Committee in September, 2007

8. Entry into Register

(1) Every occupant must enter the date and time of his arrival immediately when the accomodation is allotted to him

(2) The occupants shall also enter in the Register the date and hour of his departure

(3) All occupants whether Members or Non-Members shall inform the Receptionist about their vacation at least one day ahead.

9.Payment for Rent

(a) Rent including other charges for occupation of the Hostels by Members or Non-Members except the State Guest shall be paid in advance to the Receptionist.

(b) Rent for occupation of seats by any State Guest shall be paid by the Secretariat Administration Department or General Administration Department, as the case may be, after receipt of the bill from the Assembly Secretariat.

(c) The Receptionist shall deposit the rent received/collected by him weekly with the Cashier in the Assembly Secretariat.

(d) The Cashier shall maintain Rent Register and credit the rent to the Treasury every week under the appropriate head of accounts of Public Works Department.

10. **Stock Register**
A stock Register shall be maintained in the Hostels for utensils, properties furniture etc. The Stock Register shall be checked and verified half-yearly by the Controlling Officer or his representative.
11. **Recovery on Account of Damage Breakage etc**
Any damage, breakage or loss of utensil and furniture of the Hostels shall be made good by the persons responsible for the damage, breakage or loss by paying the price of the kind at the current market price.
12. **Gambling, drinking**
 - (1) Gambling, drinking of liquors and entertainment of persons of loose character in the premises is strictly prohibited
 - (2) No occupant shall keep in his room an outsider except a member of his family.
 - (3) No meeting, other than meetings of Legislature Committees shall be held within the premises of the Hostel.
 - (4) No furniture should be removed from one room to another.
13. **Telephone**
 - (1) Telephone provided may be used free of charge for local calls. Trunk calls may be made with prior permission of the Receptionist, and such call must be entered in the Trunk Call 'Register kept for the purpose with Callers' signature.
 - (2) Payment on account of Trunk calls shall be recovered from the callers.
14. **Catering of Food**
 - (1) For the convenience of all the occupants, the Khansamas will be The Caterers but the rates will be approved by the Controlling Officers. The present rate is Rs.70/- (vegetarian), Rs. 100/-(non-vegetarian), Meat - Rs. 50/-*
 - (2) Payment for food/tea etc. shall be made in advance to the Caterers.
 - (3) On no account private cooking shall be permissible in any part of the Hostel building

(4) Lunch and Dinner will be served only in the Dining Hall and no food will be served after 9 : 00 P.M. in summer (March-August) and after 8:00P.M. in Winter (September- July).

15. Violation of Rules

The employees attached to the Hostel shall not be engaged for personal errands or private works.

16. Violation of Rules

Any willful violation of these rules and misbehaviour in the Hostels shall entail expulsion.

**Inserted by minutes of the 19th meeting House Committee on 1.8.2013*

17. Amendment

Amendment to these Rules shall be made on the recommendation of the House Committee of the Legislative Assembly

Provided that the Speaker may at his discretion suspend the application of any of the above rules for the time being.

TERMS AND CONDITIONS FOR ALLOTMENT OF CONFERENCE HALL AND BASEMENTS IN ASSEMBLY ANNEXE BUILDING.

1. Definition:

In these terms and conditions, unless the context otherwise requires:

- (a) “Conference Hall” means the Conference Hall of Assembly Annexe Building.
- (b) “Basement” means the Basement and Basement-I of the Assembly Annexe Building.
- (c) “Day” means a day according to the Gregorian Calendar.
- (d) “Department” means Department of the Government of Mizoram.
- (e) “NGO” means any NGO recognized as such by the Government of Mizoram.
- (f) “Secretary” means the Secretary of Mizoram State Legislative Assembly and includes Additional Secretary, Joint Secretary, Deputy Secretary and Under Secretary.
- (g) “House Committee” means the House Committee of Mizoram Legislative Assembly.
- (h) “Allottee” means the Department or NGO to whom permission is issued.

2. Terms and Conditions:

- (i) The Conference Hall and Basements in the Assembly Annexe Building shall be under the administrative control of the Secretary of the Mizoram Legislative Assembly. All applications for allotment shall be addressed to the Secretary, Mizoram Legislative Assembly.
- (ii) The Conference Hall shall be used only for official purposes.
- (iii) The hiring charge of the Conference Hall shall be Rs. 5000/- per day.
- (iv) The hiring charges of the Basement and Basement – I shall be Rs. 1000/- and Rs. 2000/- for basement I per day.
- (v) The timing shall be from 10:00 A.M. – 5:00 P.M. in summer and 10:00 A.M. – 4:00 P.M. in winter.
- (vi) The allottee shall have to abide by the terms and conditions as framed by the House Committee from time to time.
- (vii) The Secretary, Mizoram Legislative Assembly shall have the power to consider and decide any other matters pertaining to the Conference Hall and Basements.



The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

VOL . XXIV Aizawl, Tuesday 6.6.1995, Jyaistha 16, S.E. 1917, Issue No. 128

NOTIFICATION

No.A. 12018/7/80-APT (B), the 29th May, 1995. In exercise of the powers conferred by Clause (3) of Article 187 of the Constitution of India, the Governor of Mizoram after consultation with the Speaker, Mizoram Legislative Assembly, hereby makes the following Rules regulating the Recruitment and conditions of service of persons appointed to the Secretarial staff of the Mizoram Legislative Assembly, namely :-

1. **Short title and commencement** :
 - i) These Rules shall be called “The Mizoram Legislative Assembly Secretariat (Recruitment and Conditions of Service) Rules, 1995” (As amended).
 - ii) They shall come into force from the date of publication in the Mizoram Gazette.
2. **Definition** : In these rules, unless the context otherwise requires :-
 - a) “APPOINTING AUTHORITY” means and includes the Governor in the case of Secretary, the Speaker in the case of other Group ‘A’ and ‘B’ posts and the Secretary in the case of Group ‘C’ and ‘D’ staff.
 - b) “ASSEMBLY” means the Mizoram Legislative Assembly.
 - c) “BOARD” means the Selection Board constituted by the Speaker from time to time.
 - d) “CHIEF MINISTER” means the Chief Minister of Mizoram.

e) “COMMITTEE” means the Selection Committee constituted by the Speaker from time to time.

f) “DEPUTATION” means the temporary loan of the services of an officer in the Secretariat to any office outside the Secretariat or vice-versa.

g) “FINANCE DEPARTMENT” means the Finance Department of the Government of Mizoram.

h) “GOVERNMENT” means the Government of Mizoram.

i) “GOVERNOR” means the Governor of Mizoram.

j) “MEMBER” means a member of the Service.

k) “RULE” means the Mizoram Legislative Assembly Secretariat (Conditions of Service) Rules 1995.

l) “SCHEDULE” means the Schedules appended to these rules.

m) “SECRETARIAT” means the Mizoram Legislative Assembly Secretariat.

n) “SECRETARY” means the Secretary of the Mizoram Legislative Assembly.

o) “SPEAKER” means the Speaker of the Mizoram Legislative Assembly.

p) “YEAR” means the Gregorian Calendar year.

3. **Cadre :
constitution
of the Service**

1) There shall be an Assembly Secretariat under the superintendence and control of the Speaker.

2) There shall be in the Secretariat :

a) Such number of permanent posts as are created from time to time.

b) The Speaker may, by order from time to time, sanction such number of temporary posts with the concurrence of the Finance Department.

4. **Administration :
& control of the
Legislature
Secretariat.**

The Speaker shall have full administrative and financial powers in respect of the Legislature Secretariat.

Provided that he may delegate such powers as he thinks fit to the Secretary or other officers of the Legislature Secretariat.

5. **Power of the Secretary.** For the purpose of the administration of the Legislature Secretariat, the Secretary shall exercise all the powers as may be delegated to him by the Speaker under the rules.

6. **Initial appointment to the Service** : Subject to availability of posts in the cadre of the service, the Appointing Authority may, at the commencement of these rules appoint to the service any person who at such commencement of the rules is holding the existing posts of the Secretariat :
 Provided that the existing member of the service, the post which he is holding is no longer in existence or redesignated at the commencement of these rules shall be considered on seniority-cum-merit by the Appointing Authority for appointment to the appropriate grade of post;

 Provided further that, the existing member of the service, the scale of pay of the post which he is holding is changed but the duties and responsibilities attached to the post remains the same, shall not be entitled to the benefit of fixation of pay under F.R. 22(I).

 EXPLANATION : For the purpose of this sub-rule, a person who would have held a particular post but for his being on leave or training or foreign service or but for his temporary or officiating or adhoc appointment to an equivalent or higher post, shall be deemed to be holding such post subject to fulfillment of the provisions of these rules.

7. **Method of recruitment** : Recruitment to a post or class of posts may be made by any one of the following methods, namely :-
 a) by promotion of a person employed in the Secretariat;
 b) by Limited Departmental Examination;
 c) by direct recruitment;
 d) by transfer on deputation of a person serving outside the Secretariat in connection with the affairs of the Union or of a State.

8. **Promotion** : Recruitment to a Gazetted post from non-Gazetted post when made by promotion shall be made on the basis of selection and the rest shall be made on the basis of non-selection.

9. **Limited Departmental Examination** : There shall be a Limited Departmental Examination conducted by Assembly Secretariat for consideration of appointment to the respective promotion posts amongst persons who possess the required qualifications and satisfy the conditions prescribed under these rules.

10. **Direct : Recruitment**
- 1) Recruitment to the gazetted posts when made by direct recruitment shall be made by selection on the basis of a written examination and personal interview from amongst persons who possess the required qualifications and satisfy the conditions prescribed under these rules.
 - 2) Subject to the availability of candidates belonging to the Scheduled Caste and Scheduled Tribes possessing essential qualifications prescribed for appointment thereto due regards shall be paid to reservation of posts for members of such Caste and Tribes.
11. **Holding of Examination**
- 1) The examination shall be conducted by the Assembly Secretariat in the manner as notified by the authority from time to time.
 - 2) The date and venue in which the examination shall be held and shall be fixed by the Assembly Secretariat or it shall be conducted at such intervals as the Speaker may, from time to time determine.
 - 3) The minimum marks to be obtained by the candidates for consideration of appointment to the respective posts in respect of direct recruitment and Limited Departmental Examination shall be 45% of the total marks prescribed under Schedule I, II, III, IV, V and VI as the case may be.
12. **Appointing Authority**
- 1) The Secretary shall be appointed by the Governor in consultation with the Speaker.
 - 2) Appointments to Group 'A' and 'B' shall be made by the Speaker :

Provided that the Speaker may, by general or special order, delegate to the Secretary or any other officer of the Secretariat his power to make appointments to any posts or class of posts specified in such order.
 - 3) Appointments to Group 'C' and 'D' shall be made by the Secretary with the approval of the Speaker.
13. **Appointment to : various posts**
- Appointment to a post in a cadre of the service shall be in the following manner :
- (1) SECRETARY : 100% by promotion from Additional Secretary who has rendered 2 (two) years regular service in the grade, failing which from persons already in the feeder grade on regular basis, who has completed 22(twenty two) years regular service calculated from the year of entry in any Gazetted posts, again failing which by deputation from officers

holding analogous posts under Govt. of Mizoram or Central Government or Lok Sabha or Rajya Sabha, preferably having experience in Parliamentary practices and procedures. The period and terms of deputation shall be governed by the usual terms and conditions of deputation in force from time to time.

(2) **ADDITIONAL SECRETARY :** 100% by promotion from Joint Secretary who has rendered 5 (five) years regular service in the grade, failing which from persons already in the feeder grade on regular basis, who has completed 20 (twenty) years regular service calculated from the year of entry in any Gazetted posts.

(3) **JOINT SECRETARY :** 100% by promotion from Deputy Secretary who has rendered 5 (five) years regular service in the post, failing which from persons already in the feeder grade on regular basis who have completed not less than 15 (fifteen) years regular service calculated from the year of entry in any Gazetted posts.

(4) **DEPUTY SECRETARY :** 100% by promotion from Under Secretary who has rendered 5 (five) years regular service in the post, failing which from persons already in the feeder grade on regular basis who have completed not less than 10 (ten) years regular service calculated from the year of entry in any Gazetted posts.

(5) **UNDER SECRETARY :** 100% by promotion from Superintendent/Committee Officer who have rendered not less than five years regular service in the respective posts.

(6) **SUPERINTENDENT -**

(a) 60% by promotion from Assistant who has rendered a minimum of 5(five) years regular service in the grade.

(b) 40% by Limited Departmental Examination conducted by the Secretariat from Assistant/Translator who has a Bachelor's degree from a recognized University and rendered at least 5 (five) years regular service in the grade and also from non-graduate having rendered at least 7(seven) years regular service in any of the above grades.

(7) **ASSISTANT :-**

a) 50% by promotion from amongst the UDC who have rendered 5 years service in the post.

b) 25% by Limited Departmental Examination from amongst the UDC who possess Bachelor's Degree of a recognized University and have rendered 3(three) years service in the post and non-graduate who have rendered at least five years service in the post.

- c) 25% by direct recruitment from candidates having Bachelor's Degree of a recognized University.
- (8) **UPPER DIVISION CLERK (UDC) :-**
- a) 60% by promotion from LDC who has rendered at least 5 (five) years regular service in the grade.
 - b) 20% by Limited Departmental Examination from amongst LDCs, who possess Bachelor's degree from a recognized University with a minimum length of service of 3(three) years in the grade and non-graduate who have rendered at least five years service in the grade.
 - c) 20% by direct recruitment from candidates possessing Bachelor's degree from recognized Universities.
- (9) **LOWER DIVISION CLERK (LDC) :-**
- a) 90% of vacancies of these posts shall be filled by direct recruitment from candidates who had passed Higher Secondary School Leaving Certificate Examination (HSSLC) or its equivalent from recognized Board/University and have a minimum speed of 30 words per minute in typing.
 - b) Remaining 10% shall be filled from amongst Group 'D' staff of the Secretariat who have rendered at least 5 years service in the grade and have passed HSSLC Examination or its equivalent from any recognized Board/Institute with a minimum speed 30 words per minute in typing.
- (10) **PEON/LIBRARY ATTENDANT/CHOWKIDAR/COOK/DHOB/MALI/SWEEPER/BEARER :-**
100% vacancies of this post shall be filled from candidates who passed Class-VIII from a recognized School and should have working knowledge of Mizo language of Middle School Standard.
- (11) **COMMITTEE OFFICER :-**
- a) 25% by Departmental Examination from Translator/ Assistant who have rendered at least five years experience in the respective post and who hold a Bachelor's Degree of a recognized University.
 - b) 75% by direct recruitment from persons possessing Bachelor's Degree of a recognized University.

- (12) **LIAISON OFFICER :-**
100% by direct recruitment from person possessing Bachelor's Degree of recognized University.
- (13) **EDITOR OF DEBATES :-**
100% vacancies shall be filled up by promotion from amongst the Assistant Editor of Debates who have rendered at least 5 (five) years service in the post.
- (14) **ASSISTANT EDITOR OF DEBATES :-**
100% promotion from Translator who has rendered at least 5 years of service in the grade and the method of recruitment shall be selection.
- (15) **TRANSLATOR :-**
a) 30% by promotion through Limited Departmental Examination from amongst graduate UDC possessing Bachelor's Degree of a recognized University with 5 years regular service in the post.
b) 70% by direct recruitment from candidate possessing Bachelor's Degree of a recognized University Preference will be given to Law Graduate.
- (16) **PRIVATE SECRETARY TO SPEAKER/DEPUTY SPEAKER**
The qualifications required for a Private Secretary to the Speaker and the Deputy Speaker is Grade-I in English Stenography. In case appointment is made from outside the Assembly Secretariat the tenure of the office will be co-terminous with the Speaker/Deputy Speaker.
- (17) **P.A TO SPEAKER/DEPUTY SPEAKER :-**
The Speaker or Deputy Speaker may appoint any person who possesses a Bachelor Degree of a recognized University. The tenure of the Office will be co-terminous with the Speaker/Deputy Speaker.
- (18) **LIBRARIAN :-**
100% vacancies shall be filled up by promotion from Assistant/Translator who has rendered not less than 3(three) years service in the grade having Bachelor's Degree of a recognized University and B.Lib Science or Bachelor Degree in Library and Information Science. Failing which by direct recruitment from persons having Bachelor's Degree of a recognized University and Bachelor's Degree in Library and Information Science from a recognized University.

- (19) **STENOGRAPHER GRADE – I :-**
100% of the posts shall be filled by promotion from members of Stenographer Grade-II of Mizoram Legislative Assembly Secretariat who have rendered not less than seven years regular service in the grade.
- (20) **STENOGRAPHER GRADE – II :-**
(a) **50%** vacancies reserved for promotion from amongst members of Stenographer Grade – III of Assembly Secretariat who possess a speed of 100 words per minute in English Stenography and 40 words per minute in typing and who have rendered at least 5 years regular service in the grade. Speed test shall be conducted before sitting of Selection Committee.
(b) **25%** of the post in this grade shall be filled by promotion from amongst the members of Stenographer Grade III of Assembly Secretariat with not less than 5(five) years regular service in the grade on the basis of merit-cum-seniority.
(c) remaining **25%** vacancies shall be filled by direct recruitment from candidates having a minimum qualification of Pre-University or its equivalent from a recognized University with a minimum speed of 100 words per minute in English Stenography and 40 words per minute in typing.
- (21) **STENOGRAPHER GRADE – III :-**
100% vacancies of the post shall be filled by direct recruitment from candidates possessing minimum educational qualification of HSLC or its equivalent from a recognized Board/Institute with a minimum speed of 80 words per minute in English Stenography and 30 words per minute in typing.
- (22) **SENIOR TAPE RECORDIST (SENIOR OPERATOR):**
100% vacancies of the post shall be filled by promotion from Operator (Tape recordist) who have rendered not less than 5 years service in the grade.
- (23) **OPERATOR (TAPE RECORDIST) :-**
100% vacancies of the post shall be filled by promotion from Assistant Operator (Assistant Tape Recordist) who have rendered not less than 5 years service in the grade.
- (24) **ASSISTANT OPERATOR (ASSISTANT TAPE RECORDIST)**
100% vacancies of the post shall be filled up by direct recruitment from a candidate who pass HSLC and possessing a certificate in Electronics/Electrician/Radio Engineering/Mechanical Engineering of any recognized University.

- (25) **MARSHAL :-**
100% vacancies shall be filled by Transfer/deputation from Ex-Army/Police/Para-Military personnel not below the rank of Sub-Inspector for a period of 2(two) years.
- (26) **DRIVER :-**
100% of the post shall be filled by direct recruitment from a candidate who pass Class-VIII examination having (i) Valid Driving Licence for light/heavy vehicles with 2 years automobile experience in driving (ii) Conversant with working knowledge of various components of vehicles and their maintenance and be able to carry out minor roadside repair to a broken down vehicle safely.
- (27) **DESPATCH RIDER :-**
100% of the post shall be filled by direct recruitment from a candidate who pass Class-VIII having Driving Licence for motor cycle with 2 years unblemished experience in driving.
- (28) **MACHINEMAN (PRINTER) GRADE – I :-**
100% promotion from Machineman Grade-II who have rendered 5 years regular service in the grade.
- (29) **COMPOSITOR – III :-**
Recruitment of this post shall be 100% by direct recruitment from candidates who have passed Middle School Leaving Certificate Examination from a recognized Board/University having at least 5 years practical experience in any Press.
- (30) **FRAMER :-**
Recruitment to this post shall be 100% by direct recruitment from persons having experience in Printing and composing for at least 5 years with educational qualification of Class-VIII and working knowledge of Mizo language upto Middle School Standard.
- (31) **BINDERY ASSISTANT :-**
100% of the post shall be filled up by direct recruitment from persons who have passed Class-VIII from a recognized School and should have working knowledge of Mizo language of Middle School Standard.
- (32) **COMPUTER OPERATOR :-**
100% by direct recruitment from candidates who had passed Pre-University Course/HSSLC with 1 (one) year Diploma in Computer Application from Govt. of Mizoram recognized Institution or 'O' Level of NIELIT.

14. CONDITION OF ELIGIBILITY :

In order to be eligible to compete in the examination, a candidate must satisfy the following conditions, namely :-

AGE : In regard to direct recruitment for all the non-gazetted posts, the candidates shall not be less than 18 years and not more than 35 years of age and for all the gazetted posts the candidates shall not be less than 21 years and not more than 35 years of age.

The crucial date for determining age limit shall in each case, be the closing date for receipt of application from candidates.

Provided that in the case of candidates belonging to the Schedule Castes and Schedule Tribes, the upper age limit is relaxable by 5 years for all Gazetted and non-gazetted posts.

Provided further that there shall be no bar for employees of the Assembly Secretariat and Government of Mizoram Secretariat Service personnel who have rendered not less than 10 years regular service.

15. CONSTITUTION OF SELECTION BOARD/COMMITTEE :

a) The Speaker may, by order, from time to time, constitute Selection Board for the purpose of preparing select list for appointment to Group 'A' and Group 'B' Gazetted posts in the Secretariat.

b) The Speaker may, by order, from time to time, constitute Selection Committee to recommend suitable candidates for appointment and promotion to Non-Gazetted posts in the Secretariat.

16. APPLICATION FOR PERMISSION TO APPEAR IN THE COMPETITIVE EXAMINATION CONDUCTED BY THE SELECTION BOARD/SELECTION COMMITTEE :-

(1) Application for permission to sit for the competitive examination for direct recruitment to the gazetted and non-gazetted posts shall be invited through open advertisement in such newspaper as may be considered proper;

(2) Application shall be made in the standard forms as prescribed by the Assembly Secretariat.

(3) No candidate shall be admitted to the examination and personal interview unless he holds a certificate of admission accompanied by passport size photograph duly signed by the Secretary or any other officer duly authorized by the Secretary on his behalf.

17. SYLLABI :-

The Syllabi for competitive examinations for filling up of the vacancies shall be as specified in Schedule I. The Syllabi for departmental examination for filling up vacancy in the post of Superintendent and Committee Officer shall be as specified in Schedule II and for the post Assistant, Translator, UDC & LDC shall be as specified in Schedule III, IV, V & VI.

Provided that the Appointing Authority may modify syllabi from time to time as and when considered necessary.

18. FEE :-

A candidate for direct recruitment shall pay at the time of submission of the application such fee as may be mentioned in the advertisement.

19. SELECTION OF CANDIDATES :-

The Board/Committee shall prepare a list of candidates for direct recruitment to a post or class of posts in order of merit on the basis of the aggregate marks secured by such candidates and forward it to the Appointing Authority.

20. SELECT LIST :-

The list of candidates prepared by the Board/Committee under Rule 19 shall be treated as select list after duly approved by the Appointing Authority and shall be valid for a period of 12 months from the date of approval of the Appointing Authority.

21. SENIORITY :-

(1) Seniority of a member in a cadre, appointed by direct recruitment or promotion shall be determined according to the order of merit of the respective lists if he joins the appointment within 30 days from the date of issue of the order or within the extended periods as may be granted by the Appointing Authority.

(2) If a member fails to join the appointment within the initial 30 days of issue of the order or within the extended period, seniority shall be determined in accordance with the date of joining in respect of such particular person.

(3) Seniority of a member appointed to cadre, if he joins the appointment within the period prescribed under sub-rule (1) of Rule 21 shall be determined as follows :-

- | | | | | |
|-----|-------------------------------|---|----|-----------------------------------|
| (a) | For Superintendent | - | 1) | Promotion. |
| | | | 2) | Limited Departmental Examination. |
| (b) | For Stenographer
Grade II | - | 1) | Promotion. |
| | | | 2) | Direct Recruitment. |
| (c) | For Assistant/UDC | - | 1) | Promotion |
| | | | 2) | Limited Departmental Examination |
| | | | 3) | Direct Recruitment. |
| (d) | For Lower Division Clerk | - | 1) | Direct Recruitment. |
| | | | 2) | Promotion (from Group 'D') |
| (e) | Committee Officer/Translator- | | 1) | Limited Departmental Examination |
| | | | 2) | Direct Recruitment. |

22. PROBATION AND CONFIRMATION :

Every person appointed to a permanent post by direct recruitment with a view to his eventual substantive appointment to that post shall be on probation for a period of two years.

Provided that the Speaker or Secretary or any other Officer to whom power is delegated may, by order extend or reduce the period of probation in the case of any person appointed to any post specified in such order.

23. GENERAL QUALIFICATION :

Every person eligible for appointment under these Rules shall –

- (i) be a citizen of India;
- (ii) be of good character;
- (iii) be of sound health and active habit, free from any bodily defect or infirmity which rendered him/her unfit for appointment;
- (iv) not have more than one wife/husband living;

Provided that the Appointing Authority may, if satisfied, that such marriage is permissible under the personal law applicable to such persons and the other party to the marriage and there are grounds for so doing, exempt any person from the operation of this Rule.

24. LEAVE, PENSION AND AGE OF COMPULSORY RETIREMENT :

- (1) The rules relating to the grant of leave and pension to Officers and the age at which they shall be compulsorily retired from service shall be as specified in the Schedule VII.

Provided that the holder of the post of Secretary at the commencement of these rules shall be governed in matter of leave, pension and age of retirement by the provisions specified in the Schedule VIII or any other rules in force applicable to the Officer.

- (2) The Speaker may, from time to time, by general or special order, after consultation with the Board amend any provisions in the Schedule VII.

25. OTHER CONDITIONS OF SERVICE :

In respect of all other matters regulating conditions of service of officers for which no provision or insufficient provision has been made in these rules, officers shall be governed by such rules as are applicable to the officers of the corresponding rank in the Civil Secretariat of the Government of Mizoram subject to such modification, variation or exceptions, if any in such rules, as the Speaker may, after consultation with the Board by order from time to time, specify.

26. EXPLANATION :

For the purpose of this rule, the Speaker may, after consultation with the Board by order, specify the posts in the Assembly Secretariat which shall correspond to the posts in the Civil Secretariat of the State Government.

27. DEPUTATION :

Any Officers or employees of Assembly Secretariat may, with the permission of the Speaker, be posted on deputation to any other Departments or Public Undertakings under Govt. of Mizoram/Central/State/U.T. Administration.

28. POWER OR RELAXATION :

Where the Speaker is satisfied that the operation of any rule or provision in the matter of the conditions of service of an officer causes undue hardship in any particular case, the Speaker may, after consultation with the Board by order dispose with, or relax the requirements of, that rule or provision to such extent and subject to such conditions as may be considered necessary for dealing with the case in a just and equitable manner.

29. PENALTIES :

Penalties may with good and sufficient reasons be imposed on an officer or official in accordance with the prevailing service rules applicable to the officer or officials of the State Government.

30. APPEALS :

(1) Every officer shall have a right to appeal to the Speaker against any order passed originally or an appeal against an order by the Secretary imposing or confirming any penalty;

Provided that where an order is passed originally by an authority subordinate to the Secretary, an appeal against such order, shall lie to the Secretary.

(2) The orders of the Speaker, whether passed originally or an appeal, shall be final.

Provided that the Speaker may, of his own motion or on application, revise or rescind any orders passed by him under this rule;

(3) No appeal shall be entertained under this rule unless it is submitted within a period of three months from the date on which the appellant receives a copy of the order appealed against.

(4) The Appellate Authority in cases where an order has been passed by the Speaker shall be the Governor.

31. AUTHENTICATION OF ORDERS :

Any order passed by the Speaker under the provisions of these rules and executed in the name of the Speaker shall be authenticated in such manner as the Speaker may, by general or special order, from time to time specify.

32. TRANSACTION OF BUSINESS :

The Speaker may, from time to time, by general or special order provide for the convenient and efficient transaction of business arising out of the administration of these rules and the procedure to be followed for the purpose.

Provided that such order may also specify the matter or class of matters which shall be brought to the personal notice of the Speaker before any orders are issued.

33. RESIDUARY POWERS :

Subject to the provisions of Rules 28, all matters not specifically provided for in these rules, whether incidental or ancillary to the provisions of these rules or otherwise, shall be regulated in accordance with such orders as the Speaker may, from time to time, make.

34. REGULATION :

The Speaker may make regulations not inconsistent with these rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

35. INTERPRETATION :

All questions relating to the interpretation of these rules shall be referred to the Speaker, whose decision thereon shall be final;

Provided that all questions relating to the interpretation of these rules and any orders issued under these rules after consultation with the Board shall be decided by the Speaker after consultation with the Board.

36. REPEAL AND SAVING :

Save as otherwise expressly provided in these rules, all rules corresponding to these rules and in force immediately before the commencement of these rules, are hereby repealed;

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

Sd/-

Secretary to the Govt. of Mizoram,
Deptt. of Personnel & Adm. Reforms.

SCHEDULE – I

The Syllabi for Competitive Examination for Direct Recruitment to the post of Committee Officer

1. (a) The Examination shall comprise of written examination and interview. The written examination will consist of three compulsory subjects and two optional subjects.
- (b) There will be one paper in General English and General Essay carrying 100 marks. All other subjects will consist of two papers carrying 100 marks each.
- (c) Interview will also carry 100 marks.
- (d) Each paper will be of three hours' duration.
- (e) The question papers for the examination will be of conventional (essay) type and will be set in English (for compulsory and optional subjects) and Mizo (for Mizo papers only).
- (f) A candidate must write the answer papers in his own hand, and under no circumstances will be allowed to take the help of a scribe to write the answer papers for him.

A. COMPULSORY SUBJECTS :

- (i) General English
- (ii) General Studies Paper I & II
- (iii) General Essay

B OPTIONAL SUBJECTS : (Paper I & II)

- | | |
|--|---------------------------|
| (i) Economics | (ii) Education |
| (iii) English | (iv) Geography |
| (v) History | (vi) Law |
| (vii) Mizo | (viii) Philosophy |
| (ix) Political Science & International Relations | |
| (x) Psychology | (xi) Public |
| Administration | |
| (xii) Sociology | (xiii) Civil Engineering. |

A candidate shall not be allowed to offer the following combinations of subjects, namely :

- (a) Political Science & International Relations AND Public Administration
- (b) Education AND Psychology.

COMPULSORY SUBJECT

1. ENGLISH

The aim of the paper is to test the candidate's ability to read and understanding serious discursive prose and to express his ideas clearly and correctly in English/Indian language concerned. The pattern of questions would be broadly as follows :-

- | | |
|-------------------------------------|---------------------|
| (i) Comprehension of given passages | (ii) Precis writing |
| (iii) Usage and Vocabulary | (iv) Short Essay |

2. GENERAL STUDIES

General Studies Paper-I and Paper-II will cover the following areas of knowledge –

PAPER – I

- (1) Modern History of India and Indian Culture.
- (2) Current events of national and international importance.
- (3) Statistical analysis, graphs and diagram.
- (4)

PAPER – II

- (1) Indian Polity
- (2) Indian Economy and Geography of India and
- (3) The role and impact of science and technology in the development of India.

In Paper – I, Modern History of India and Indian Culture will cover the broad history of the country from about the middle of the nineteenth century and would also include questions on Gandhi, Tagore, Nehru and Cultural heritage and traditional practices in Mizoram. The part relating to statistical analysis, graphs and diagrams will include exercise to test the candidate's ability to draw common sense, conclusions from information presented in statistical, graphical or diagrammatical form and to point out deficiencies, limitations or inconsistencies therein. In Paper II, the part relating to Indian Polity will include questions on the political system in India. In the part pertaining to the Indian Economy and Geography of India, questions will be put on planning in India and the physical, economic and social geography of India. In the third part relating to the role and impact of science and technology in the development of India, questions will be asked to test the candidate's awareness of the role and impact of science and technology in India, emphasis will be on applied aspects.

3. GENERAL ESSAY :

ECONOMICS

PAPER – I

1. The framework of an Economy : National Income Accounting.
2. Economic choice : Consumer behaviour and market forms.
3. Investment decisions and determination of income and employment. Macro-economic models of income, distribution and growth.
4. Banking, Objectives and instruments of Central Banking and Credit policies in a planned developing economy.
5. Types of taxes and their impacts on the economy. The impacts of the size and the content of budgets. Objectives and instruments of budgetary and fiscal policy in a planned developing economy.
6. International trade. Tariffs. The rate of exchange. The balance of payment. International monetary and banking institutions.

PAPER – II

1. The Indian Economy : Guiding principles of Indian economic policy – Planned growth and distributive justices – Eradication of poverty. The institutional framework of the Indian economy. Federal government structure – Agriculture and industrial sectors – Public and private sectors. National income – its sectoral and regional distribution. Extent and incidence of poverty.
2. Agriculture Production : Agriculture Policy : Land Reforms, Technological change, Relationship with the Industrial Sector.
3. Industrial Production : Industrial Policy, Public and private sector, Regional distribution, Control of monopolies and monopolistic practices.
4. Pricing Policies for agricultural and industrial outputs. Procurement and Public Distribution.
5. Budgetary trends and fiscal policy.
6. Monetary and credit trends and policy – Banking and other financial institutions.
7. Foreign trade and the balance of payments.
8. Indian Planning : Objectives, strategy, experience and problems.

EDUCATION

PAPER – I

HUMAN DEVELOPMENT AND EDUCATION

1. *Education and Psychology* : Nature, Scope and Relationship between Education & Psychology; role of Educational Psychology in the field of Education.
2. *Growth and Development* : Meaning of Growth Development and Maturation, Principles of Growth and Development and their Educational Implications; Physical, Emotional, Social, Language and Intellectual Development at various stages with special emphasis on Adolescence period; Piaget's Stages of Cognitive Development.
3. *Intelligence and Creativity* : Meaning and Nature of Intelligence and Creativity. Spearman's and Thurstone's theories of Intelligence; role of Education in the development of creativity.
4. *Equality of Educational Opportunities* : Policy measures and status, Education as an instrument of social change and modernization; Role of Education in value development.
5. *Learning and Motivation* : Nature of Learning and Motivation; Learning theories of Pavlov, Skinner and Tolman; Transfer of Learning; Role of Motivation in Learning.

6. *Personality and Mental Health* : Concepts of Personality and Mental Health, Types and Trait approaches to personality; Techniques of personality assessment; Adjustment Mechanisms, Role of Guidance and counseling in the improvement Mechanism, Role of Guidance and Counselling in the improvement and Maladjustment.

PAPER – II

EDUCATIONAL THOUGHT AND SYSTEMS

1. Legal and Constitutional provision of Education, Role of local bodies, State and Centre in providing education.
2. Contribution to Education of Dewey, Gandhi, Tagore and Montessori.
3. Modern Trends and practices in Education, Educational Technology and Mass Media, International Cooperation in Education, Distance Education and Open Learning System, Environmental Education; National Literacy Mission (NLM).
4. Need and importance of Educational Aims; Immediate and Ultimate aims of Education, Process of Educational Planning, Budgeting, Accounting and Auditing in Education.
5. (a) Objectives and curriculum, organizational set-up, finance and resources mobilization recommended by -
 - (i) Kothari Commission (1964-66)
 - (ii) New Educational Policy (1986) and its revised version (1992)
- (b) (i) School without burden (Yash Pal Committee)
- (ii) Education for all (Delhi summit)
- (c) Education in the North – East with special reference to -
 - (i) Special Cultural and Organizational features of tribal communities.
 - (ii) Problems and Issues.
 - (iii) Role of Education in the modernization of Tribal Communities.

ENGLISH ELECTIVE

PAPER – I : 100 Marks

A detailed literacy study of the Victorian era with special reference to the works of the following writers :

1. Alfred Lord Tennyson
2. Robert Browning
3. Matthew Arnold
4. Rossetti
5. Swinburne
6. Thackeray
7. George Eliot
8. Thomas Hardy
9. John Ruskin
10. Thomas
11. John Stuart Mill
12. Walter Pater

PAPER – II : 100 Marks

First – hand reading of the following texts to test critical ability :

- | | | | |
|-----|-----------------|---|---|
| 1. | Shakespeare | - | Twelfth Night,
King Lear
The Tempest |
| 2. | Milton | - | Samson Agonistes |
| 3. | Jane Austen | - | Pride and Prejudice |
| 4. | Wordsworth | - | Lyrical Ballads |
| 5. | Charles Dickens | - | Oliver Twist |
| 6. | George Eliot | - | Adam Bede |
| 7. | Thomas Hardy | - | The Return of the Native |
| 8. | Yeats | - | Easter 1916
Sailing to Byzantium
The Tower
The Winding Stair |
| 9. | T.S. Eliot | - | The Wasteland |
| 10. | D.H. Lawrence | - | Sons and Lovers |

GEOGRAPHY**PAPER – I****PRINCIPLES OF GEOGRAPHY****Section A : Physical Geography :**

1. Geomorphology - Origin and evolution of the earth's crust, earth movements and plate tectonics volcanism; rocks; weathering and erosion; cycle of erosion – Davis and Penck fluvial, glacial and marine and karst landforms; rejuvenated and polycyclic land – forms.
2. Climatology – The atmosphere, its structure and composition, temperature, humidity, precipitation pressure and winds; jet stream, air masses and fronts; cyclones and related phenomena; climatic classification : Koppen and Thornthwaite; groundwater and hydrological cycle.
3. Soils and Vegetation - Soil genesis, classification and distribution; Biotic successions and major biotic regions of the world with special reference to ecological aspects of savanna and monsoon forest biomes.
4. Oceanography – Ocean bottom relief; salinity, currents and tides; ocean deposits and coral reef, marine resource-biotic mineral and energy resources and their utilization.
5. Ecosystem - Ecosystem concept, interrelations of energy flows, water circulation, geomorphic processes, biotic communities and soils, land capability; Man's impact on the ecosystem, global ecological imbalances.

Section B : Human and Economic Geography :

1. Development of Geographical thought – Contributions of European and Arab Geographers. Determinism and Possibilism; regional concept, system approach, models and theory, quantitative and behavioural revolutions in geography.

2. Human Geography – emergence of man and races of mankind; cultural evolution of man, Major Cultural relays of the world; international migrations, past and present, world population distribution and growth; demographic transition and world population problems.
3. Settlement Geography – Concepts of rural and urban settlements; Origin of urbanization, Rural settlement pattern, central place theory, ranksize and primate city distributions; city classifications; urban spheres of influence and the rural urban fringe; the internal structure of cities – theories and cross culture comparisons, problems of urban growth in the world.
4. Political Geography – Concepts of nation and state, frontier boundaries and buffer zones; concept of heartland and rainland; federalism; political regions of the world; world geopolitics; resources, development and international politics.
5. Economic Geography – World economic development measurement and problems; world resources, their distribution and global problems; world energy crisis, the limits to growth; world agriculture – typology and world agricultural regions theory of agricultural location; diffusion of innovation and agricultural efficiency; world food and nutrition problems; world industry – theory of location of industries, world industrial patterns and problems, world of trade – theory and world patterns.

PAPER – II

GEOGRAPHY OF INDIA

Physical Aspects – Geological history, physiography and drainage systems, origin and mechanism of the Indian Monsoon, identification and distribution of drought and flood prone areas, soils and vegetation, land capability, schemes of natural physiographic drainage and climate regionalism.

Human Aspects – Genesis ethnic/racial diversities; tribal areas and their problems and role of language, religion and culture in the formation of regions; historical perspectives and unity and diversity; population distribution, density and growth, population problems and policies, Resources conservation and utilization of land mineral, water, biotic and marine resources, man and environment – ecological problems and their management.

Agriculture – The infrastructure irrigation, power fertilizers and seeds; institutional factors land holdings, tenure, consolidation and land reforms; agricultural efficiency and productivity, intensity of cropping, crop combinations and agricultural regionalization, green revolution, dry-zone agriculture and agricultural land use policy; food and nutrition; rural economy, animal husbandry, social forestry and household industry.

Industry – History of industrial development factors of localization; study of mineral based, agro-based and forest based industries, industrial decentralization and industrial policy; industrial complexes and industrial regionalization, identification of backward areas and rural industrialization.

Transport and Trade – Study of the network of roadways, railways, airways and waterways, competition and complementarily in regional context; passenger and commodity flow, intra and interregional trade and the role of rural market centres.

Settlements - Rural settlement patterns; urban development in India; Census concepts of urban areas, functional and their archaical patterns of Indian cities, city regions and the rural urban fringe; internal structure of Indian cities; town planning slums and urban housing; national urbanization policy.

Regional Development and Planning – Regional policies in Indian Five Years Plan; experience of regional planning in India, multi-level planning state, district and block level planning. Centre State relations and the Constitutional framework for multi-level planning. Regionalization for planning for metropolitan regions; tribal and hill areas, drought prone areas, command areas and river basins; regional disparities in development in India.

Political Aspects – Geographical basis of Indian federalism, state reorganization; regional consciousness and national integration; the international boundary of India and related issues; India and geopolitics of the Indian Ocean areas.

HISTORY

PAPER – I

SECTION – A : HISTORY OF INDIA (Down to A.D. 750)

1. The Indus Civilization : Origins, Extent; Characteristic features; Major Cities. Trade and contacts, causes of decline, survival and continuity.
2. The Vedic Age : Vedic Literature Geographical area known to Vedic Texts. Differences and similarities between Indus Civilization and Vedic Culture, Political, Social and Economic patterns, Major Religious ideas and rituals.
3. The Pre-Maurya Period : Religious movements (Jainism, Buddhism and other sects). Social and Economic Conditions Republic and growth of Magadha Imperialism.
4. The Maurya Empire : Sources, rise, extent and fall of the empire, Administration, Social Economic Conditions, Ashoka's Policy and Reforms, Art.
5. The Post-Maurya Period (200 BC – 300 AD) : Principal dynasties in Northern and Southern India, Economy and Society : Sanskrit, Prakrit and Tamil Religion (Rise of Mahavana and their stick cults). Art (Gandhara, Mathura and other schools). Contacts with Central Asia.
6. The Gupta Age : Rise and fall of the Gupta Empire, the Vakatas, Administration, Society, Economy, Literature, Art and Religion. Contacts with South East Asia.
7. The Post-Gupta Period (BC 500-750) : Pushyabhytis, the Mukharis. The later Guptas. Harshavardhana and his times. Chalukyas of Badami. The Pallavas, Society, Administration and Art. The Arab conquest.
8. General review of Science and Technology, Education and Learning.

SECTION – B : MEDIEVAL INDIA (750 AD TO 1765 AD)

INDIA : 750 A.D. TO 1200 A.D.

1. Political and Social conditions, the Rajputs – their Polity and social structure, land structure and its impact on society.
2. Trade and commerce.
3. Art, Religion and Philosophy, Sankaracharya.
4. Maritime Activities; contacts with the Arabs, Mutual, Cultural impacts. Rashtrakutas, their role in History-Contribution to Art and Culture. The Chola Empire Local self-government, features of the Indian Village System; Society, Economy, Art and Learning in the South.

5. Indian Society on the eve of Mahmud of Ghazni's Campaigns; Al-Biruni's Observations.

INDIA : 1200-1765

6. Foundation of the Delhi Sultanate in Northern India; causes and circumstances; its impact on the Indian Society.
7. Khilji Imperialism, significance and Implications, Administrative and economic regulations and their impact on State and the People.
8. New Orientation of State Policies and Administrative Principles under Muhammad bin Tughlag; Religious Policy and Public Works of Firoz Shah.
9. Disintegration of the Delhi Sultanate : Causes and its effects on the Indian Polity and Society.
10. Nature and character of State : Political ideas and institutions. Agrarian structure and relations, growth of Urban Centres, Trade and Commerce, Conditions of artisans and peasants, new Crafts, Industry and Technology. Indian Medicines.
11. Influence of Islam on Indian Culture : Muslim mystic movements, nature and significance of Bhakti saints, Maharashtra Dharma, role of the Vaisnave revivalist Movement; Social and Religious Significance of the Chaitanya Movement, impact of Hindu Society on Muslim Social Life.
12. The Vijayanagar Empire : Its origin and growth; contribution to art; literature and culture, social and economic conditions, system of administration; break-up of the Vijayanagar Empire.
13. Sources of History : Important Chronicles, Inscriptions and Travellers' Accounts.
14. Establishment of Mughal empire in Northern India : Political and social conditions in Hindustan on the eve of Babur's invasion; Babur and Humayun. Establishment of the Portuguese control in the Indian Ocean, its political and economic consequences.
15. Sur Administration, political, revenue and military administration.
16. Expansion of the Mughal Empire under Akbar : political unification; new concept of monarchy under Akbar; Akbar's religio-political outlook; Relations with the non-Muslim.
17. Growth of regional languages and literature during the medieval period. Development of art and architecture.
18. Political ideas and institutions; Nature of the Mughal State, Land Revenue Administration; The Mansabdari and the jagirdari systems, the land structure and the role of Zamindars, agrarian relations, the military organization.
19. Aurangzeb's religious policy, expansion of the Mughal empire in Deccan; Revolts of Aurangzeb – character and consequences.
20. Growth of urban centres; industrial; economy-urban and rural : Foreign Trade and Commerce. The Mughals and the European trading companies.
21. Hindi Muslim relation; trend of integration; composite culture(16th to 18th centuries).
22. Rise of Shivaji : his conflict with the Mughals, administration of Shivaji: expansion of the Maratha power under the Peshwas (1707-1761). Maratha political structure under the first three Peshwas, Chauth and Sardeshmukhi, Third Battle of Panipat, cause and effects, emergence of the Maratha confederacy, its structure and role.
23. Disintegration of the Mughal empire, emergence of the new Rajput States.

PAPER – II

SECTION – A : MODERN INDIA (1757 – 1947)

1. Historical forces and Factors which led to the British conquest of India with special references to Bengal, Maharashtra and Sind : Resistance of Indian powers and causes of their failure.
2. Evolution of British Paramountcy over princely States.
3. Stages of colonialism and changes in Administrative and policies. Revenue, Judicial and Social and Educational and their linkages with British colonial interests.
4. British economic policies and their impact. Commercialization of agriculture, Rural indebtedness, Growth of Agriculture Labour, Destruction of handicraft industries, Drain of Wealth, Growth of modern industry and rise of a capitalist class. Activities of the Christian Missions.
5. Efforts at regeneration of Indian society – Socio – religious movements, social, religious, political and economic ideas of the reformers and their vision of future, nature and limitation of 19th century “Renaissance”, caste movements in general with special reference to South India and Maharashtra, tribal revolts, specially in Central and Eastern India.
6. Civil rebellions, Revolt of 1857, Civil Rebellions and peasant Revolts with special reference to Indigo revolt, Deccan riots and Mappila Uprising.
7. Rise and Growth of Indian National Movement. Social basis of Indian nationalism policies. Programme of the early nationalists and militant nationalists, militant revolutionary group terrorists. Rise and Growth of communalism. Emergence of Gandhiji in Indian Politics and his techniques of mass mobilization : Non-cooperation, Civil Disobedience and Quit India Movement; Trade Union and peasant movements State(s) people movements. Rise and growth of Left-wing within the Congress Socialists and communists; British official response to national Movement Attitude of the Congress to Constitutional changes 1909-1935. Indian National Army, Naval mutiny of 1946. The partition of India and Achievement of Freedom.

SECTION – B : WORLD HISTORY (1500 – 1950)

- A. Geographical discoveries – decline of feudalism, Beginning of Capitalism. Renaissance and Reformation in Europe. The new absolute monarchies – Emergence of the Nation State. Commercial Revolution in Western Europe- Mercantilism. Growth of Parliamentary institutions in England. The Thirty Year's War. Its significance in European History, ascendance of France.
- B. The emergence of a scientific view of the world. The age of Enlightenment. The American revolution – its significance. The French Revolution and Napoleonic Era (1789-1815). Its significance in World History. The growth of liberalism and democracy in Western Europe (1815-1914). Scientific and Technological background to the Industrial revolution – Stages of the Industrial Revolution in Europe. Socialist and Labour Movements in Europe.
- C. Consolidation of large Nation States. The Unification of Italy. The founding of the German Empire. The American Civil War. Colonialism and imperialism in Asia and Africa in the 19th and 20th Centuries. China and the Western Powers. Modernisation of Japan and its emergence as a great power. The European Powers and the Ottoman Empire (1815-1914), the First World War – The Economic and social impact of the War – The Peace of Paris 1919.

- D. The Russian Revolution, 1917 economic and social reconstruction in Soviet Union, rise of Nationalist Movements in Indonesia, China and Indo-China. Rise and establishment of Communism in China. Awakening in the Arab World. Struggle for freedom and reform in Egypt – Emergence of Modern Turkey under Kemal Ataturk. The rise of Arab nationalism. World Depression of 1929-32. The New Deal of Franklin D. Roosevelt. Totalitarianism in Europe – Fascism in Italy, Nazism in Germany. Rise of Militarism in Japan. Origins and impact of Second World War.

LAW

PAPER – I

1. CONSTITUTIONAL LAW OF INDIA

1. Nature of the Indian Constitution : The distinctive features and its federal character.
2. Foundational Rights : Directive Principles and their relationship with Fundamental rights : Fundamental Duties.
3. Right to Equality.
4. Right to Freedom of Speech and Expression.
5. Right to Life and Personal Liberty.
6. Religious, Cultural and Educational Rights.
7. Constitutional position of the President and relationship with Council of Ministers.
8. Governor and his powers.
9. Supreme Court and High Courts, their power and jurisdiction.
10. Union Public Service Commission and State Public Service Commission : Their powers and functions.
11. Principles of Natural Justice.
12. Distribution of Legislative powers between the Union and the States.
13. Delegated Legislation : its constitutionality, judicial and legislative controls.
14. Administrative and financial relations between the Union and the State.
15. Trade, Commerce and Intercourse in India.
16. Emergency provisions.
17. Constitutional safeguards to Civil Servants.
18. Parliamentary privileges and immunities.
19. Amendment of the Constitution.

11. INTERNATIONAL LAW

1. Nature of International Law.
2. Source : Treaty Customs. General principles of Law recognized by civilized nations, subsidiary means for the determination of law, Resolution of International organs and regulations of specialized Agencies.
3. Relationship between International Law and Municipal Law.
4. State Recognition and State Succession.
5. Territory of States : modes of acquisition, boundaries, International Rivers.
6. Sea : Inland Waters, Territorial Sea, Contiguous Zone, Continental Shelf, Exclusive Economic Zone and Ocean beyond national jurisdiction.
7. Air – space and aerial navigation.
8. Outer space : Exploration and use of Outer Space.
9. Individuals, nationality, statelessness, Human rights and procedures available for their enforcement.

10. Jurisdiction of State : basis of jurisdiction, immunity from jurisdiction.
11. Extradition and Asylum.
12. Diplomatic Missions and Consular Posts.
13. Treaties : Formation, application and termination.
14. State responsibility.
15. United Nations : Its principal organs, powers and functions.
16. Peaceful settlement of disputes.
17. Lawful resource to force, aggression, self-defence, intervention.
18. Legality of the use of nuclear weapons : ban on testing of nuclear weapons, Nuclear Non-Proliferation Treaty.

PAPER – II

I LAW OF CRIMES AND TORTS :

Law of Crimes

1. Concepts of Crimes; actus means ream mens rea in statutory offences, punishments, mandatory sentences, preparation and attempt.
2. Indian Penal Code :
 - a) Application of the Code
 - b) General exceptions
 - c) Joint and constructive liability
 - d) Abetment
 - e) Criminal conspiracy
 - f) Offences against the State
 - g) Offences against Public tranquility
 - h) Offences by or relating to public servants.
 - i) Offences against human body
 - j) Offences against property
 - k) Offences relating to marriage : Cruelty by husband or his relatives to wife
 - l) Defamation
3. Protection of Civil Rights Act, 1955.
4. Dowry Prohibition Act, 1961.
5. Prevention of food Adulteration Act, 1954.

Law of Torts

1. Nature of tortious liability.
2. Liability based upon fault and strict liability.
3. Statutory liability.
4. Vicarious liability
5. Joint Tort - feasors.
6. Remedies.
7. Negligence.
8. Occupier's liability and liability in respect of structures.
9. Detenue and conversion.
10. Defamation.
11. Nuisance.
12. Conspiracy.
13. False imprisonment and malicious prosecution.

II. LAW OF CONTRACTS AND MERCANTILE LAW

1. Formation of contract.
2. Factors vitiating consent.
3. Void, voidable, illegal and unenforceable agreements.
4. Performance of contracts.
5. Dissolution of contractual obligations, frustration of contracts.
6. Quasi - Contract.
7. Remedies for breach of contract.
8. Sale of goods and hire purchase.
9. Agency.
10. Formation and dissolution of Partnership.
11. Negotiable Instruments.
12. The Banker - Customer relationship.
13. Government control over private Companies.
14. The Monopolies and Restrictive Trade Practices Act, 1969.
15. The Consumer Protection Act, 1986.

MIZO ELECTIVE**PAPER – I**

1. Mizo Elective Paper - I Part - A - Poetry carries 60 marks. This will be a brief introduction to the critical study of Mizo poetry from Pre - British period to the present day.
2. The Second part of this paper will be Part B - Drama and carries 40 marks. There are two dramas one of which is Mizo origin and the other one is translation. This part of the paper requires the students to learn characteristics of drama with special reference to the two dramas.

MIZO ELECTIVE PAPER - II

The second paper namely, A - Prose and B - Fiction will be critic Prose and Fiction of Mizo origin.

MIZO ELECTIVE PAPER - I

Paper - 1	100 marks
A - Poetry	60 marks
B - Drama	40 marks

POETRY

- (a) Kum 1900 hma lam hlate -
- | | | | |
|----|------------------|---|---------|
| 1) | Salulam Zai | - | chang 5 |
| 2) | Chawngchen Zai | - | chang 5 |
| 3) | Chai Hla | - | chang 5 |
| 4) | Laltheri Zai | - | chang 5 |
| 5) | Saikuti Zai | - | chang 5 |
| 6) | Hrangchhawni Zai | - | chang 5 |
| 7) | Awithangpa Zai | - | chang 5 |

- (b) Kum 1900 - 1920 chhung hlate -
- | | | |
|--|---|---------------------------|
| 1) Tlangthim chhak lam kei ka en ang | - | Zosaphluia (D.E. Jones) |
| 2) Thlalerka ka vahvaii chhung hian | - | Liangkhaia |
| 3) Ka lungchhia hi man pek kha hria in | - | Zosaphthara (E. Rowlands) |
- (c) Kum 1920 - 1940 chhung hlate -
- | | | |
|-----------------------------|---|------------|
| 1) Pialral ka ngai | - | chang 5 |
| 2) Lei lal puan ropui | - | C.Z. Huala |
| 3) Tlang a dang lung a leng | - | Saihnuna |
- (d) Kum 1940 - 1965 chhung hlate -
- | | | |
|--|---|---------------|
| 1) Ramthar Zai | - | chang 5 |
| 2) Chunnu lungmawl ka di Parte | - | (Kaihlek hla) |
| 3) Hmangaihna | - | Vankhama |
| 4) Leng dun ila | - | Lalzuithanga |
| 5) Vanhnuaui khuavel sakhming chhiarin | - | Rokunga |
- (e) Kum 1965 hnu lam hlate -
- | | | |
|--------------------------|---|--------------|
| 1) Kan hun tawng zingah | - | Suakliana |
| 2) Ka pianna Zawlkhawpui | - | Rokunga |
| 3) Ram ngaih hla | - | F. Rokima |
| 4) Tho la, ding ta che | - | V. Thangzama |

DRAMA/LEMCHAN

- | | | |
|---------------------|---|---------------------|
| 1) Liandova te Unau | - | Lalthangfala Sailo |
| 2) Doctor Faustus | - | Christopher Marlowe |

TEXT/BOOK

- | | |
|---|------------------------|
| 1) Rimawi Ram (Compiled & Edited by Lalthangfala Sailo for {CTBEB}) | |
| 2) Doctor Faustus | - Lettu C. Laltlankima |
| 3) Liandova te Unau | - Lalthangfala Sailo |

MIZO ELECTIVE PAPER - II

Paper - II	100 marks
A - Prose	60 marks
B - Fiction	40 marks

PROSE/THU

- | | | |
|------------------------------------|---|----------------------|
| 1) Thlirtu | - | Kaphleia |
| 2) Zofaten kawng kan bo ve | - | Zikpuii Pa |
| 3) Harsatna | - | J. Malsawma |
| 4) Rihdil leh Mizoram | - | Siamkima Khawlhiring |
| 5) Huaisen | - | Darchhawna |
| 6) Khuai lui ral | - | Lalzuia Colney |
| 7) Mizo tlawmngaihna a sir leh lam | - | Sangzuala Pa |

FICTION/THAWNTHU PHUAH

- | | | | |
|----|------------------------|---|---------------|
| 1) | Sialton Official | - | C. Thuamluaia |
| 2) | Phira leh Ngurthanpari | - | Lalzuithanga |
| 3) | Pangpar bawm (lehlín) | - | Rokhuma, Rev. |

PHILOSOPHY

PAPER – I

Metaphysics and Epistemology

Candidates will be expected to be familiar with theories and types of epistemology and Metaphysics - Indian and Western - with special reference to the following :-

- (a) Western-Idealism, Realism, Absolutism, Empiricism, Rationalism, Logical 'I' Positivism; Analysis; Phenomenology; Existentialism and Pragmatism.
- (b) Indian-Paramans and Paramanys; Theories of truth and error; Philosophy of language of meaning; Theories of reality with reference to main system (Orthodox and Heterodox) of Philosophy.

PAPER – II

Socio - Political Philosophy and Philosophy and Religion

1. Nature of Philosophy - its relation to life, thought and culture.
2. The following topics with special reference to the Indian context including Indian Constitution - Political Ideologies : Democracy, Socialism, Facism, Theocracy, Communism and Sarvodaya. Methods of Political Action : Constitutionalism, Revolution, Terrorism and Satyagraha.
3. Tradition, change and Modernity with special reference to Indian Social Institution.
4. Philosophy of Religious language and meaning.
5. Nature and scope of Philosophy of Religion, Philosophy of Religion, with special reference to Buddhism, Jainism, Hinduism, Islam, Christianity and Sikhism.
 - (a) Theology and Philosophy of Religion.
 - (b) Foundation of religious belief, reason, revelation, faith and mysticism.
 - (c) God, Immorality of Soul, Liberation and Problem of Evil and Sin.
6. Moksha - Paths leading to Moksha.

POLITICAL SCIENCE AND INTERNATIONAL RELATIONS

PAPER - I

SECTION - A

Political Theory

1. Main features of ancient Indian Political thought : Manu and Kautilya; Ancient Greek thought, Plato, Aristotle; General characteristics of European Medieval political thought; St. Thomas Aquinas, Marsiglio of Padua; Machiavelli; Hobbes, Locke, Montesquieu, Rousseau, Bentham, J.S. Mill, T.H. Green, Hegel, Marx, Lenin and Mao-tse-Tung.

2. Nature and scope of Political Science, Growth of Political Science as a discipline, Traditional vs Contemporary approaches; Behaviourism and post behavioural developments; Systems theory and other recent approaches to political analysis, Marxist approach to political analysis.
3. The emergence and nature of the modern State : Sovereignty; Monistic and Pluralistic analysis of sovereignty; Power, Authority and Legitimacy.
4. Political Obligation : Resistance and Revolution; Rights, Liberty, Equality, Justice.
5. Theory of Democracy.
6. Liberalism, Evolutionary Socialism (Democratic and Fabian) : Marxian Socialism; Fascism.

SECTION - B

Government and Politics with special reference to India

1. Approaches to the study of Comparative Politics : Traditional, Structural, Functional approach.
2. Political Institution : The Legislature, Executive and Judiciary; Parties and Pressure Groups; Theories of Party System; Lenin, Michels and Duverger; Electoral system, Bureaucracy - Weber's view and modern critique of Weber.
3. Political Process : Political Socialization, modernization and communication; the nature of the non - western political process; A general study of the constitutional and political problems affecting Afro - Asian societies.
4. Indian Political System :
 - (a) The Roots : Colonialism and nationalism in India; A general study of modern Indian social and political thought; Raja Ram Mohan Roy, Dadabhai Nauroji, Gokhale, Tilak, Sri Aurobindo, Iqbal, Jinnah, Gandhi, B.R. Ambedkar, M.N. Roy and Nehru.
 - (b) The Structure : Indian Constitution, Fundamental Rights and Directive Principles, Union Government, Parliament, Cabinet, Supreme Court and Judicial Review, Indian Federalism, Centre State relations, State Government, Role of the Governor, Panchayati Raj.
 - (c) The Functioning : Class and Caste in Indian Politics, politics of regionalism, linguism and communalism, Problems of secularization of the policy and national integration. Political elites, the changing composition; Political parties and political participation; Planning and Developmental Administration; Socio-economic changes and its impact on Indian democracy.

PAPER - II

PART - I

1. The nature and functioning of the sovereign nation state system.
2. Concepts of International Politics : Power, National Interest; Balance of Power, "Power Vacuum".
3. Theories of International Politics : The Realist theory; Systems theory; Decision making.
4. Determinants of foreign policy : National Interest, Ideology, elements of National Power (including nature of domestic socio - political institution).

5. Foreign Policy Choices : Imperialism, balance of Power; Allegiances; Isolationism; Nationalistic Universalism (Pax Britannica, Pax Americana, Pax Sovietica) : The “Middle Kingdom” Complex of China; Non - alignment.
6. The Cold War : Origin, evaluation and its impact on international relations : Defence and its impact; a new Cold War?
7. Non - alignment : Meaning, Bases (National and International) the non - aligned movement and its role in international relations.
8. De-colonization and expansion of the international community : Neo-colonialism and racialism their impact on international relations : Asian - African resurgence.
9. The present international economic order Aid, trade and economic development. The struggle for the New International Economic Order; Sovereignty over natural resources; the crisis in energy resources.
10. The Role and international law in international relations : The International Court of Justice.
11. Origin and Development of International Organizations : The United Nations and Specialized Agencies, their roles in international relations.
12. Regional Organization : OAS, OAU, the Arab League, the ASEAN, the EEC, their role in international relations.
13. Arms race disarmament and arms control : Conventional and nuclear arms, the Arms Trade, its impact on Third World role in international relations.
14. Diplomatic theory and practice.
15. External intervention : ideological, political and economic, “Culture imperialism” covert intervention by the major powers.

PART – II

1. The uses and misuses of nuclear energy; the impact of nuclear weapons in international relations, the Partial Test - ban Treaty; the Nuclear Non-Proliferations.
2. The problems and prospects of the Indian Ocean being made a peace zone.
3. The conflict situation in West Asia.
4. The (Post War) foreign policies of the major powers : United States, Soviet Union, China.
5. The Third World in international relations : the North - South “Dialogue” in the United Nations and Outside.
6. The India’s foreign policies and relations; India and the Super Powers : India and its neighbour, India and South - East - Asia; India and African problems; India’s economic diplomacy, India and the question of nuclear weapons.

PSYCHOLOGY

PAPER - I

FOUNDATION OF PSYCHOLOGY

1. *The scope of Psychology :*
Place of Psychology in the family of social and behavioural sciences.
2. *Methods of Psychology :*
Methodological problems of psychology, General design of psychological research. Types of psychological research. The characteristic of psychological measurement.
3. *The nature, origin and development of human behaviour :*
Heredity and environment, Cultural factors and behaviour the process of Socialization. Concept of National Character.
4. *Cognitive Process :*

Perception, Theories of perception, perceptual organization, Person perception, perceptual defence. Transactional approach to perception, Perception and personality, Figural alter – effect, Perception styles, Perceptual abnormalities. Vigilance.

5. *Learning :*
Cognitive, Operant and Classical conditioning approaches. Learning phenomena : Extinction, Discrimination and Generalization. Discrimination learning, Probability learning, Programmed learning.
6. *Remembering :*
Theories of remembering. Short term memory, long term memory. Measurement of memory. Forgetting Reminiscence.
7. *Thinking :*
Problem solving concept formation. Strategies of concept formation, processing. Creative thinking, Convergent and Divergent thinking. Development of thinking of children theories.
8. *Intelligence :*
Nature of Intelligence. Theories of intelligence. Measurement of intelligence. Measurement of creativity, Aptitude Measurement of aptitudes. The concept of Social intelligence.
9. *Motivation :*
Characteristic of motivated behaviour. Approach to motivation. Psycho-analytic theory. Drive theory, Need Hierarchy theory. Vector valence approach. Concept of level aspiration. Measurement of Motivation. The apathetic and the alienated individual. Incentives.
10. *Personality :*
The concept of personality. Trait and type approaches. Factorial and dimensional approaches. Theories of personality : Freud, Allport, Murray, Cattell, Social learning theories and Field theory. The Indian approach to personality, the concept of Gunas. Measurement of personality; Questionnaires; Rating Scales; Psychometric Tests; Protective Tests; Observation Method.
11. *Language and Communication :*
Psychological basis of language. Theories of language Development. Skinner and Chomsky. Non - verbal communication; Body language, Effective communication. Source and receiver characteristics. Persuasive Communications.
12. *Attitude and Values :*
Structure of attitudes. Formation of attitudes. Theories of attitudes. Attitudes Measurement. Types of attitude scale. Theories of attitude change values. Types of values. Motivational properties of values. Measurement of values.
13. *Recent trends :*
Psychology and the computer. Cybernetic model of behaviour. Stimulation studies in psychology. Study of consciousness. Altered states of consciousness. Sleep, dream, meditation and hypnotic trance : drug induced changes. Sensory human problems in aviation and space flight.
14. *Models of Man :*
The mechanical Man. The organic man. The Organisational man. The Humanistic Man. Implications of the different models for behaviour changes. An integrated model.

PART – II

PSYCHOLOGY : ISSUES AND APPLICATIONS

1. *Individual Differences*
Measurement of individual differences. Types of psychological tests. Construction of psychological tests. Characteristic of a good psychological test. Limitations of psychological tests.
2. *Psychological Disorders*
Classification of disorders and nosological systems. Neurotic, Psychotic and psychophysiologic disorders, Psychopathic personality. Theories of psychological disorders. The problems of anxiety, depression and stress.
3. *Therapeutic Approaches*
Psychodynamic approach. Behaviour therapy. Client-centred therapy. Cognitive therapy. Group therapy.
4. *Application of psychology to Organisational industrial problems*
Personal selection, Training, Work motivation. Theories of work motivation. Job designing. Leadership training. Participatory management.
5. *Small Group*
The concept of small group. Properties of groups, Group at work, theories of group behaviour, Measurement of group behaviour. Interaction process analysis. Inter-personal relations.
6. *Social Change*
Characteristic of social change, Psychological basis of change. Steps in the change process. Resistance to change. Factors contributing to resistance. Planning for change. The concept of change proneness.
7. *Psychology and the Learning processes*
The learner. School as an agent of socialization. Problems relating to adolescents learning situation. Gifted and retarded children and problems related to their training.
8. *Disadvantaged Groups*
Types : Social, cultural and economic, psychological consequences of disadvantage. Concept of deprivation. Educating the disadvantaged groups. Problems of motivating the disadvantaged groups.
9. *Psychology and Economic Development*
The problems of ethnic of prejudice. Nature and prejudice. Manifestation of prejudice. Development of prejudice. Measurement of prejudice. Amelioration of prejudice. Prejudice and personality. Step to achieve social integration.
10. *Psychology and Economic Development*
The nature of achievement motivation. Motivating people for achievement. Promotion of entrepreneurship. The entrepreneurship Syndrome. Technological change and its impact on human behaviour.
11. *Management of Information and Communication*, psychological factors in Information Management. Information overload. Psychological basis of effective Communication. Mass Media and their role in Social change. Impact of Television. Psychological basis of effective advertising.
12. *Problems of Contemporary Society*. Stress, Management Stress. Alcoholism and drug addiction. The Socially deviant. Juvenile Delinquency. Crime Rehabilitation of the deviant. The problem of the aged.

PUBLIC ADMINISTRATION

PAPER - I ADMINISTRATIVE THEORY

- I. Basic Premises : Meaning, scope and significance of Public Administration; Private and Public Administration; its role in developed and developing societies; Ecology of administration, social, economic, cultural, political and legal; Evolution of Public Administration as an art and a science; New Public Administration.
- II. Theories of Organisation : Scientific management (Taylor and his Associates); The Bureaucratic theory of Organisation (Weber); Classical theory of organisation (Henri Fayol, Luther Gulic and others); The Human Relations Theory of Organisations (Elton Mayo and his Colleagues); Behaviour Approach, Systems Approach; Organisationsal Effectiveness.
- III. Principles of Organization - Hierarchy, Unity of Command : Authority and Responsibility. Co-ordination, span of Control, supervision, Centralization and Decentralization; Delegation.
- IV. Administrative Behaviour : Decision making with special reference to the contribution of Herbert Simon, theories of Leadership; Communication; Morale; Motivation (Maslow and Herzberg).
- V. Structure of Organization : Chief Executive, type of Chief Executives and their functions; line, staff and auxiliary agencies; Department; Corporations, Companies. Boards and Commissions. Headquarters and Field relationship.
- VI. Personnel Administration : Bureaucracy and Civil Services; position Classification; Recruitment; Training; Career Development; Performance Appraisal; Promotion, Pay and Service Conditions; Retirement Benefits; Discipline; Employer-Employee Relations, Integrity in Administration, Generalists and Specialists, Neutrality and Anonymity.
- VII. Financial Administration : Concept of Budget, Preparation and Execution of the Budget; Performance Budget; Legislative Control, Accounts and Audit.
- VIII. Accountability and Control : The concept of Accountability and Control; Legislative, Executive and Judicial Control over Administration, Citizen and Administration.
- IX. Administrative Reforms : O & M work study; Work Measurement, Administrative Reforms; Process and Obstacles.
- X. Administrative Law : Importance of Administrative Law; Delegated Legislation; Meaning, Types , Advantages. Limitations, Safeguards. Administrative Tribunals.
- XI. Comparative and Development Administration : Meaning, Nature and Scope, Comparative Public Administration, Contribution of Fred Riggs with particular reference to the Prismatic - Sale model. The concept, scope and significance of Development Administration. Political, Economic and Social Culture context of development Administration. The Concept of Administrative Development.
- XII. Public Policy : Relevance of Policy Making in Public Administration. The process of Policy formulation and implementation.

PAPER - II INDIAN ADMINISTRATION

- I. Evolution of Indian Administration - Kautilya; Mughal period; British period.
- II. Environmental Setting contribution, Parliamentary, Democracy, Federalism, Planning, Socialism.

- III. Political Executive at the Union Level - President, Prime Minister, Council of Ministers, Cabinet Committees.
- IV. Structure of Central Administration - Secretariat, Cabinet Secretariat, Ministries and Departments, Boards and Commission, Field Organisations.
- V. Centre - State Relations - Legislative, Administrative, Planning and Financial.
- VI. Public Services - All India Services, Central Services, State Services, Local Civil Services, Union and State Public Service Commission, Training of Civil services.
- VII. Machinery for Planning - Plan formulation at the National Level; National Development Council; Planning Commission; Planning Machinery at the State and Districts Levels.
- VIII. Public Undertakings - Forms, Management, Control and Problems.
- IX. Administration of Law and Order, role of Central and State agencies in maintenance of Law and Order.
- X. State Administration - Governor, Chief Ministers, Council of Ministers, Secretariat, Chief Secretary, Directorates.
- XI. District and Local Administration - Role and Importance, District Collector, Land Revenue, Law and Order and Development function, District Rural Development Agency, Special Development Programmes.
- XII. Local Administration - Panchayati Raj, Urban Local Government, Features, Forms, Problems, Autonomy of Local Bodies.
- XIII. Administration for Welfare - Administration for the welfare of Weaker Sections with particular reference to Scheduled Castes, Scheduled Tribes and Programmes for the Welfare of Women.
- XIV. Issues of Areas in Indian Administration - Relationship between Political and Permanent Executives, Generalists and Specialists in Administration, Integrity in Administration, People's participation in Administration, Redressal of Citizens Grievances; Lok Pal and Lok Ayuktas, Administrative Reforms in India.

SOCIOLOGY

PAPER - I

GENERAL SOCIOLOGY

Scientific study of Social phenomena : The emergence of Sociology and its relationship with other disciplines, science and social behaviour, the problems of objectivity, the scientific method and design of sociological research, techniques of data collection and measurement including participant and non - participant observation, interview schedule and questionnaires and measurement of attitudes.

Pioneering contribution of sociology : The seminal ideas of Durkheim, Weber, Radcliffe-Brown, Malinowski, Parsons, Merton and Marx - historical materialism, alienation, class and class struggle, Durkheim - division of labour, social fact, religion and society, Weber - social action, types of authority, bureaucracy, rationality, Protestant ethics and the spirit of capitalism, ideal types.

The individual society : Individual behaviour, social interaction, society and social group, social system, status and role, culture, personality and socialization, conformity, deviance and social control, role conflict.

Social Stratification and mobility : Inequality and Stratification, different conceptions at class, theories of Stratification, caste and class, class and society, types of mobility, intergenerational mobility, open and closed models of mobility.

Family, Marriage and Kinship : Structures and functions of family, structural principles of kinship, family, descent and kinship, change in society, change in age and sex rates and change in marriage and family, marriage and divorce.

Formal organizations : Elements of formal and informal structures, bureaucracy, modes of participation - democratic and authoritarian forms, voluntary associations.

Economic System : Property concepts, social dimensions of division of Labour and types of exchange, social aspects of pre - industrial and industrial economic system, industrialization and changes in the political, educational, religious, familiar and stratificational spheres, social determinants and consequences of economic development.

Political system : The nature of social power-community power structure, power of the elite, class power, organization power, power of unorganized masses; power, authority and legitimacy; power in democracy and in totalitarian society; political parties and voting.

Educational system : Social origins and orientation of students and teachers, equality of educational opportunity, education as a medium of cultural reproduction, indiscrimination, social stratification and mobility, education and modernization.

Social change and development : Social structure and social change, continuity and change as fact and as value; process of change, theories of change, social disorganization and social movements; types of social movements, direct and social change, social polity and social development.

PART - II

SOCIETY OF INDIA

Historical meanings of the Indian Society : Traditional Hindu social organization, socio-cultural dynamics through the ages, especially the impact of Buddhism, Islam and the modern West, factors in continuity and change.

Social Stratification : Caste system and its transformation aspects of ritual, economic and caste status, cultural and structural views about caste, mobility in caste, issue of equality and social justice and caste among the Hindus and the non - Hindus, casteism, the Backward Classes and the Scheduled Caste, untouchability and its eradication, agrarian and industrial class structure.

Family marriage and kinship, regional variation in kinship systems and its socio-cultural correlates, changing aspects of kinship, the joint family - its structural and functional aspects and its changing form and disorganization, marriage among different ethnic groups and economic categories, its changing trend and its future; impact of legislation and socio-economic change upon family and marriage, inter-generation gap and youth unrest, changing status of women.

Economic system : The jajmani system and its bearing on the traditional society, market economy and its social consequences, occupational diversification and social structure profession trade unions, social determinants and consequences of economic development, economic inequalities, exploitation, corruption.

Political system : The functioning of the democratic political system in a traditional society, political parties and their social composition, social structure origins of political elites and their social orientations, decentralization of power and political participation.

Educational system : Education and the society in the traditional and the modern context, educational inequality and change, education and social mobility, educational problems of women, the backward classes and scheduled castes.

Religion : Demographic dimensions, geographical distribution and neighbourhood living patterns of major religious categories, inter - religious interaction and its manifestation in the problems of conversion, minority status and communalism, secularism.

Tribal, Society and their integrations : Distinctive features of tribal communities, tribes and caste, acculturation and integration.

Rural Social system and community development : Socio-cultural dimensions of the village community, traditional power structure, democratization and leadership, poverty, indebtedness and bonded labour, social consequences of land reforms, community development programme and other planned development projects and Green Revolution, New strategies of rural development.

Urban social organisation : Continuity and change in the traditional cases of social organization, namely, kinship, caste and religion in the urban context, stratification and mobility in urban communities, ethnic diversity and community integration, urban neighbourhood, rural - urban differences in demographic and socio-cultural characteristics and their social consequences.

Population dynamics : Socio-cultural aspects of sex and age structure, marital status, fertility and morality, the problem of population explosion, social, psychological, cultural and economic factors in the adoption of family planning practices.

Social change and modernization : Problems of Role conflict - Youth unrest - intergenerational gap, changing Status of Women, Major sources of social changes and resistance to change, impact of West, reform movement, social movements, industrialization and urbanization, pressure groups. Factors of planned change - Five Year Plans legislative and executive measures, process of change - sanskritization, westernization and modernization. Means of modernization - mass media and education, problem of change and modernization - structural contradictions and breakdowns.

Current social Evils : Corruption and nepotism - Smuggling - Black Money.

CIVIL ENGINEERING

PAPER - I

PART - A : ENGINEERING MECHANICS, STRENGTH OF MATERIAL AND STRUCTURAL ANALYSIS

ENGINEERING MECHANICS

Units and Dimensions. SI Units, Vectors, Concepts of Force, Concepts of particle and rigid body. Concurrent, non-concurrent and parallel forces in a plane, moment of force and Varignon's theorem, free body diagram, conditions of equilibrium, principle of virtual work, equivalent force system. First and second moment of area, mass moment of Inertia, Static friction, Inclined Plane and bearings, Kinematics and Kinetics, Kinematics in Cartesian and Polar co-ordinates, motion under uniform and non-uniform acceleration, motion under gravity, Kinetics of particle : Momentum and energy principles, 'D' Alembert's Principle, Collision of elastic bodies, rotation of rigid bodies, simple harmonic motion, Flywheel.

STRENGTH OF MATERIALS

Simple Stress and Strain, Elastic constants, axially loaded compression members, Shear force and bending moment, theory of simple bending, Shear Stress distribution across cross sections, Beams of uniform strength, leaf spring. Strain energy in direct stress, bending & shear. Deflection of beams : Macaulay's method, Mohr's moment area method. Conjugate beam method, unit load method. Torsion of Shafts. Transmission of power, close coiled helical springs, Elastic stability of columns, Euler's, Rankine's and Secant formulae. Principal Stresses and Strains in two dimensions, Mohr's Circle, Theories of Elastic Failure, Thin and Thick cylinder : Stresses due to internal and external pressure - Lamé's equations.

STRUCTURAL ANALYSIS

Castigliano's theorem I and II, unit load method of consistent deformation applied to beams and pin joined trusses. Slope - deflection, moment distribution, Kani's method of analysis and column Analogy method applied to indeterminate beams and rigid frames.

Rolling loads and influences lines, influences lines for Shear Force and Bending moment at a section of beam. Criteria for maximum shear force and bending moment in beams traversed by a system of moving loads. Influences lines for simply supported plane pin joined trusses.

Arches : Three hinged, two hinged and fixed arches, rib shortening and temperature effects, influence lines in arches.

Matrix method of analysis : Force method and displacement method of analysis of indeterminate beams and rigid frames. Plastic Analysis of beams and frames. Theory of plastic bending, plastic analysis, statical method, mechanism method.

Unsymmetrical bending : Moment of inertia, product of inertia, position of Neutral Axis and Principal axes, calculation of bending stresses.

PART - B : DESIGN OF STRUCTURES : STEEL, CONCRETE AND MASONRY STRUCTURES, STRUCTURAL STEEL DESIGN

Structural Steel : Factor of safety and load factors. Rivetted, bolted and welded joints and connections. Design of tension and compression member, beams of built up section, rivetted and welded plate girders, gantry girders, stanchions with battens and lacing, slab and gusseted column bases. Design of highway and railway bridges : Through and deck type plate girder, Warren girder, Pratt truss.

DESIGN OF CONCRETE AND MASONRY STRUCTURES

Concept of mix design : Reinforced Concrete Working Stress and Limit State method of design - Recommendations of IS codes of one way and two way slabs, stair case slabs, simple and continuous beams of rectangular T and L sections. Compression members under direct load with or without eccentricity, isolated and combined footings.

Cantilever and Counterfort type retaining walls.

Water tank : Design requirement for Rectangular and circular tanks resting on ground.

Prestressed concrete : Method and system of prestressing, anchorages, Analysis and design of sections for flexure based on working stress, loss of prestress. Design of brick masonry as per I.S. Codes. Design of masonry retaining walls.

PART - C : FLUID MECHANICS, OPEN CHANNEL FLOW AND HYDRAULIC MACHINES

Fluid Mechanics : Fluid properties and their role in fluid motion, fluid statics including forces acting on plane and curve surfaces.

Kinematics and Dynamics of Fluid Flow : Velocity and accelerations, stream lines, equation of continuity, irrotational and rotational flow, velocity potential and stream functions, flownet methods of drawing flownet, sources and sinks, flow separation, free and forced vortices. Control volume equation, continuity, momentum, energy and moment of momentum equations from control volume equation, Navier - Stokes equation, Euler's equation of motion, application to fluid flow problems, pipe flow, plane, curved, stationary and moving vanes, sluice gates, weirs, orifice meters and venturi meters.

Dimensional Analysis and Similitude : Buckingham's Pi-theorem, dimensionless parameters, similitude theory, model laws, undistorted and distorted models.

Laminar Flow : Laminar flow between parallel, stationary and moving plates, flow through tube.

Boundary layer : Laminar and turbulent boundary layer on a flat plate, laminar sub-layer, smooth and rough boundaries, drag and lift.

Turbulent flow through pipes : Characteristics of turbulent flow, velocity distribution and variation of pipe friction factor, hydraulic grade line and total energy line, siphons, expansions and contractions in pipes, pipe networks, water hammer in pipes and surge tanks.

Open channel flow : Uniform and non-uniform flows, momentum and energy correction factors flows, momentum and energy correction factors, specific energy and specific force, critical depth, resistance equations and variations of roughness coefficient, rapidly varied flow, flow in contractions, flow at sudden drop, hydraulic jump and its application surges and waves, gradually varied flow, classification of surface profiles, control section, step method of integration of varied flow equation, moving surges and hydraulic bore.

HYDRAULIC MACHINES AND HYDRO POWER

Centrifugal pumps - Types, characteristics, Net positive Suction Height (NPSH), specific speed, Pumps in parallel, Reciprocating pumps, airvessels, hydraulic ram, efficiency parameters, rotary and positive displacement pumps, diaphragm and jet pumps. Hydraulic turbines, types classification, choice of turbines, performance parameters, controls, characteristics, specific speed, Principles of hydropower development. Type, layouts and component works, Surge tanks, types and choice. Flow duration curves and dependable flow. Storage and pondage. Pumped storage plants. Special features of mini, micro-hydel plants.

PART - D : GEO - TECHNICAL ENGINEERING

Types of soil, phase relationships, consistency limits particles size distribution, classifications of soil, structure and clay minerology. Capillary water and structural water, effective stress and pore water pressure. Darcy's law, factors affecting permeability, determination of permeability, permeability of stratified soil deposits. Seepage pressure, quick sand condition, compressibility and consolidation, Terzaghi's theory of one dimensional consolidation, consolidation test. Compaction of soil, field control of compaction. Total stress and effective stress parameters, pore pressure coefficients. Shear strength of soils, Mohr Coulomb failure theory, Shear tests. Earth pressure at rest, active and passive pressures. Rankine's theory,

Coulomb's wedge theory, earth pressure on retaining wall, sheet pile walls, braced excavation. Flooring capacity, Terzaghi and other important theories, net and gross bearing pressure. Immediate and consolidation settlement. Stability of slope, Total Stress and Effective Stress methods, Conventional methods of stress, stability number. Subsurface exploration, methods of boring, sampling, penetration tests, pressure meter tests. Essential features of foundation, types of foundation, design criteria, choice of type of foundation, stress distribution in soils, Boussinessq's theory, Newmark's chart, pressure bulb, contact pressure, applicability of different bearing capacity theories, evaluation of bearing capacity from field tests, allowable bearing capacity. Settlement analysis, allowable settlement. Proportioning of footing, isolated and combined footings, rafts, buoyancy rafts, pile foundation, types of piles, pile capacity, static and dynamic analysis, design of pile groups, pile load test, settlement of piles, lateral capacity, Foundation for Bridges, Ground improvement techniques - preloading, sand drains, stone column, grouting, soil stabilisation.

PAPER - II

PART - A : CONSTRUCTION TECHNOLOGY, EQUIPMENT, PLANNING: LAND MANAGEMENT CONSTRUCTION TECHNOLOGY

Engineering Materials : Physical properties of construction materials : Stones, Bricks and Tiles; Lime, Cement and Surkhi Mortars; Lime concrete and Cement Concrete, properties of freshly mixed and hardened concrete, flooring tiles, use of ferro - cement, fibre - reinforced and polymer concrete, high strength concrete and light weight concrete. Timber : Properties and uses : defects in timber, seasoning and preservation of timber, Plastic, rubber and damp - proofing materials, termite proofing, materials for low cost housing.

CONSTRUCTION

Building components and their functions, Brick masonry : Bonds, jointing, Stone Masonry, Design of brick masonry walls as per I.S. codes, factors of safety, serviceability and strength requirements; plastering, pointing. Types of Floors & Roofs, Ventilators, Repair in buildings.

Functional planning of building : Building orientation, circulation, grouping of areas, privacy concept and design of energy efficient building; provisions of National Building Code. Building estimates and specifications; cost of works; valuation.

CONSTRUCTION EQUIPMENT

Standard and special types of equipment, preventive maintenance and repair, factors affecting the selection of equipment, economical life, time and motion study, capital and maintenance cost.

Concreting equipments : Weight batcher, mixer, vibration, batching plant concrete pump.

Earth work equipment : Power shovel, hoe, bulldozer, dumper, trailers and tractors, rollers, sheep foot roller.

Construction Planning and Management : Construction activity, schedules, job layout, bar charts, organization of contracting firms, project control and supervision. Cost reduction measures.

New work analysis : CPM and PERT analysis, Float Times, cashing of activities, contraction of network for cost optimization, updating, cost analysis and resources allocation.

Elements of Engineering Economics, methods appraisal, present worth, annual cost, benefit cost, incremental analysis. Economy of scale and size. Choosing between alternatives including levels of investments. Project profitability.

PART - B : SURVEY AND TRANSPORTATION ENGINEERING

Survey : Common methods of distance and angle measurements, plane table survey, levelling traverse survey, triangulation survey, corrections and adjustments, contouring, topographical map. Surveying instruments for above purposes, Techeometry. Circular and transition curves. Principle of photogrammetry.

Railways : Permanent way, sleepers, rail fastenings, ballast, points and crossings, design of turn outs, stations and yards, turn tables, signals and interlocking, level crossing construction and maintenance of permanent ways, super elevation, creep of rail, ruling gradient, tract resistance, tractive effort, relaying of track.

Highway Engineering : Principles of highway planning, highway alignments; Geometrical design : Cross section, camber, super elevation, horizontal and vertical curves. Classification of roads : low cost roads, flexible pavements, rigid pavements, design of pavements and their construction, evaluation of pavement failure and strengthening. Drainage of roads : Surface and sub-surface drainage. Traffic Engineering : Forecasting techniques, origin and destination survey, highway capacity. Channelised and unchannelised intersections, rotary design elements, markings, sign, signals, street lighting : Traffic surveys, Principle of highway financing.

PART - C : HYDROLOGY, WATER RESOURCES AND ENGINEERING

Hydrology : Hydrological cycle, precipitation, evaporation, transpiration, depression storage, infiltration, overland flow, hydrograph, flood frequency analysis, flood estimation, flood routing through a reservoir, channel flow routing – Muskingam method.

Ground water flow : Specific yield, storage coefficient, coefficient of permeability, confined and unconfined aquifers, aquitards, radial flow into a well under confined and unconfined conditions, tube wells, pumping land recuperation tests, ground water potential.

Water Resources Engineering : Ground and surface water resources, single and multipurpose projects storage capacity of reservoirs, reservoirs losses, reservoir sedimentation, economics of water resources projects.

IRRIGATION ENGINEERING : Water requirements of crops : consumptive use, quality of water for irrigation, duty and delta, irrigation methods and their efficiencies.

Canals : Distribution systems for canal irrigation, canal capacity, canal losses, alignment of main and distributory canals, most efficient section, lined canals, their design, regime theory, critical shear stress, bed load, local and suspended load transport, cost analysis of lined and unlined canals, drainage behind lining.

Water logging : Causes and control, drainage system design, salinity.

Canal structures : Design of cross regulators, head regulators, canal falls, aqueducts, metering flumes and canal outlets.

Diversion head work : Principles and design of weirs of permeable and impermeable foundation, Khosla's theory, energy dissipation, stilling basin, sediment excluders.

Storage works : Types of dams, design, principles of rigid gravity and earth dams, stability analysis, foundation treatment, joints and galleries, control of seepage.

Spillways : Spillway types, crest gates, energy dissipation.

River training : Objectives of river training, methods of river training.

PART - D : ENVIRONMENTAL ENGINEERING

Water supply : Estimation of surface and subsurface water resources, predicting demand for water, impurities of water and their significance, physical, chemical and bacteriological analysis, waterborne diseases, standard for potable water.

Intake of water : Pumping and gravity schemes. Water treatment, principles of coagulation, flocculation and sedimentation, slow, rapid, pressure, filters, chlorination, softening, removal of taste, odour and salinity.

Water storage and distribution : Storage and balancing reservoirs, types, location and capacity. Distribution system, layout, hydraulics of pipe lines, pipe fittings, valves including check and pressure reducing valves, meters, analysis of distribution systems, leak detection, maintenance of distribution systems, pumping stations and their operations.

Sewage systems : Domestic and industrial wastes, storm sewage - separate and combined systems, flow through sewers, design of sewers, sewer appurtenances manholes, inlets, junctions, siphon. Plumbing in public buildings.

Sewage characterisation : BOD, COD, solids, dissolved oxygen, nitrogen and TOC. Standards of disposal in normal water course and on land.

Sewage treatment : Working principles, units, chambers, sedimentation tanks, trickling filters, oxidation ponds, activated sludge, recycling of waste water.

Solid waste : Collection and disposal in rural and urban contexts, management of long - term ill - effects.

Environmental pollution : Sustainable development. Radioactive wastes and disposal. Environmental impact assessment for thermal power plants, mines, river valley projects; air pollution, pollution control acts.

Before filling up of the Application form the Candidate must carefully study the Rules and Instruction issued by the Mizoram Legislative Assembly Secretariat.

1.	Name (as recorded in Matriculation or equivalent certificate) (In block letters)	:							
2.	Father's name	:							
3.	Address								
	(a) Permanent/Home Address	:							
	(b) Present Address (for communication)	:							
4.	Date of Birth in Christian era (as recorded in Matriculation or equivalent certificate) (Attach supporting documents).	:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Date</th> <th style="width: 33%;">Month</th> <th style="width: 33%;">Year</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> <td></td> </tr> </tbody> </table>	Date	Month	Year			
Date	Month	Year							
5.	Sex (Write 'M' for Male and 'F' for Female in the box)	:							
6.	Nationality	:							
7.	Community (Scheduled Caste/Tribe).	:							
8.	Educational and other qualifications from Matriculation (Attach supporting documents) :								

[illegible]

9. If reservation/relaxation is claimed : _____
indicate which Scheduled Caste/Scheduled Tribe, etc.

10. If you are employed under Government, or have at any time been employed under Government, give details of the service rendered in various Offices and scale of pay of the post held :

Name of Deptt/Office	Post in which employed and scale of pay	Period of service
1	2	3

11. Have you ever been convicted by a criminal : _____
court or penalised in the Disciplinary action
and if so, in what circumstances and what
was the sentence/penalty.

12. Indicate 2 (two) optional subjects in which : 1. _____
you wish to be examined. No change in the 2. _____
selection of Optionals allowed once given.

13. Give list of documents attached to the application (SC/ST Certificate, Educational qualifi-cational certificates, Mark sheets, Treasury Challan, etc.)

1.

2.

3.

4.

5.

6.

7.

8.

DECLARATION

I hereby declared that all statements made in this application are true, complete and correct to the best of my knowledge and belief. I understand that in the event of any information being found false or incorrect or ineligibility being detected before or after the examination, action can be taken against me by the authority.

Place _____

Date _____
Candidate

Signature of the

For use of the Government Servant only.

CERTIFICATE BY THE HEAD OF DEPARTMENT

Certified that Mr/Miss/Mrs _____
holds a temporary/permanent post under the Central/State Government. His/Her character as far as known to me is good and I am not aware of any circumstances which show that he/she would be unsuitable for any appointment to any of the services/posts if successful in the examination.

Date : _____

Signature _____

Designation

(Seal)

SCHEDULE - I (B)***Syllabi for Competitive Examination for Direct Recruitment to the following posts*****1. NON - GAZETTED POST :****(a) TRANSLATORS**

PAPER - I	-	General English	-	100 Marks
PAPER - II	-	Translation	-	100 Marks
PAPER - III	-	General Knowledge	-	100 Marks
Personal Interview	-		-	50 Marks
		TOTAL	-	350 Marks

(b) ASSISTANT/UDC

PAPER - I	-	General English	-	100 Marks
PAPER - II	-	Arithmetics	-	50 Marks
PAPER - III	-	General Knowledge	-	100 Marks
Personal Interview	-		-	50 Marks
		TOTAL	-	300 Marks

(c) LOWER DIVISION CLERK

PAPER - I	-	General English	-	100 Marks
PAPER - II	-	(a) General Knowledge	-	50 Marks
		(b) Arithmetics	-	50 Marks
Personal Interview	-		-	50 Marks
		TOTAL	-	250 Marks

(d) STENOGRAPHER - II

(A) <u>Minimum Speed Required</u>		<u>Time Allowed</u>
100 Words per minute	(a)	3 minutes for dictation
	(b)	10 minutes for reconciliation
	(c)	30 minutes for typing
	(d)	Maximum permissible errors : 10%

Candidates who qualify themselves in the shorthand speed test shall be eligible to sit in the written examination.

(B) WRITTEN EXAMINATION

	<u>Subject</u>	<u>Full Marks</u>
PAPER - I	General English	100
PAPER - II	General Knowledge	100

(C) PERSONAL INTERVIEW - 50 Marks

(e) STENOGRAPHER - III

- (A) English Stenography :
- (i) 80 words per minute for 5 minutes dictation given by an expert in English Stenography
 - (ii) 10 minutes for reconciliation
 - (iii) 30 minutes for typing
 - (iv) Maximum permissible errors : 10%

Candidates who qualify themselves in the Shorthand Speed test only shall be eligible to sit in the written examination.

(B) WRITTEN EXAMINATION

	<u>Subject</u>	<u>Full Marks</u>
PAPER - I	General English	100
PAPER - II	General Knowledge	100

(C) PERSONAL INTERVIEW - 50 Marks**SCHEDULE - I (C)**

Syllabus for Competitive Examination for Direct recruitment to the post of Liaison Officer shall be the same as Committee Officer except Optional Subjects which excludes namely : (i) Education, (ii) Geography, (iii) Philosophy, (iv) Psychology and (v) Civil Engineering.

SCHEDULE - I (D)***Syllabus for LIBRARIAN***

Syllabus for Competitive Examination for Direct recruitment to the post of Librarian.

- | | | | | | |
|----|---------------|---|---|---|------------------|
| 1. | PAPER-I | - | General English | - | 100 Marks |
| 2. | PAPER-II | - | General Knowledge | - | 100 Marks |
| 3. | PAPER-III | - | FOUNDATIONS OF LIBRARY AND INFORMATION SCIENCE | - | 200 Marks |
| | | - | | | |
| | UNIT-I | - | Library Organisation and Admission | - | 100 Marks |
| | (i) | | Libraries : Concepts, role and types | | |
| | (ii) | | Fundamentals of Library planning -site, building, furniture, etc. | | |
| | (iii) | | Laws of Library Science | | |
| | (iv) | | Library Cooperation | | |
| | (v) | | Professional Organisations | | |
| | (vi) | | Acquisitions of Library reading materials and their processing | | |
| | (vii) | | Circulation | | |

		(viii)	Stock verification		
		(ix)	Conservation and preservation of Library materials		
UNIT-II	-		Information Sources and Services	-	60 Marks
		(i)	Data, information and knowledge		
		(ii)	Sources of information		
		(iii)	Repacking of information		
		(iv)	Reference and information services		
		(v)	Bibliography and Documentation		
UNIT-III	-		Organisation of Knowledge (Theory)	-	40 Marks
	A.		Library Classification (Theory)		
		(i)	Fundamentals of Library classification		
		(ii)	Classification schemes		
	B.		Library Cataloguing (Theory)		
		(i)	Fundamentals of Library Cataloguing		
		(ii)	Types of Library catalogues		
		(iii)	Kinds of entries		
		(iv)	Centralised and cooperative cataloguing		
4.	PAPER-IV	-	LIBRARY AND INFORMATION SCIENCE	-	200 Marks
	UNIT-I	-	LIBRARY CLASSIFICATION (Practical)	-	100 Marks
			Classification of titles/books/periodical according to Dewey Decimal Classification scheme.		
	UNIT-II	-	LIBRARY CATALOGUING (Practical)	-	100 Marks
			Preparation of complete catalogue of titles/books/periodicals in accordance with Anglo American Cataloguing Rules - 2 (AACR - 2)		
5.	PAPER-V	-	LIBRARY AND INFORMATION SCIENCE	-	150 Marks
			INFORMATION TECHNOLOGY		
		(i)	Fundamental of Information Technology		
		(ii)	Internet		
		(iii)	Networking and Telecommunications		
		(iv)	Library Automation		
		(v)	Digital Library		
			PERSONAL INTERVIEW	-	100 Marks
			Aptitude test	-	50 Marks

Published and Issued by Controller, Printing & Stationery Department, Government of
Mizoram

Printed at the Mizoram Government Press, Aizawl. C/750

SCHEDULE – II***Syllabus for Limited Departmental Examination for promotion to the posts of Superintendent and Committee Officer***

PAPER - I	-	General English
PAPER - II	-	a) FR 1-49, 52-56 b) Sr 3 - 13, 17 - 195 (TA Rules) 196 - 203 c) CCS (Pension) Rules, 1972 d) Govt. of Mizoram (Allocation of Business) Rules, 1987 as amended from time to time. e) Govt. of Mizoram (Transaction of Business) Rules, 1987 as amended from time to time.
PAPER - III		(a) GFR Chapter 1, 2, 3, 4, 6, 7, 9, & 12 (b) CTR - Part III & V. (c) Delegation of Financial Power Rules, 1978
PAPER - IV		(a) CCS (CCA) Rules, 1965 (Rule 2, 4, 8, 10 - 28) (b) CCS (Conduct) Rules, 1964 (c) Medical attendance Rules (d) Central Secretariat Manual of Office Procedure.
PAPER – V	-	a) Constitution of India – Articles 52 - 74 - (The Executive, the President & Vice President) Articles 79 – 123 - Parliament Articles 148 – 151 - Comptroller & Auditor General of India Articles 168 – 213 - State Legislature Articles 311 - Dismissal, Removal & Reduction in rank of person employed in civil capacities under the Union and the States. Tenth Schedule to the Constitution [Article 102(2) & 191(2)] b) Practice and Procedure of Parliament - Chapter IX - Summoning & Prorogation of Parliament and Dissolution of Lok Sabha Chapter XI - Powers, Privileges & Immunities of Houses & their Committees & Members Chapter XIV - Recognition of Political Parties in Parliament Chapter XVIII - Arrangement of Business & List of Business

Chapter XXI -	Motion for Adjournment on a matter of Public Importance
Chapter XXII -	Legislation
Chapter XXIV -	Subordinate Legislation
Chapter XXV -	Resolution
Chapter XXVI -	Motions
Chapter XXVII -	Discussion on matter of urgent public importance for short duration
Chapter XXVIII -	Motions of confidence and no-confidence in the Council of Ministers
Chapter XXX -	Parliamentary Committees
Chapter XXXIII -	Petitions & Representations

PAPER – IV

- a) Rules of Procedure & Conduct of Business in Mizoram Legislative Assembly.
- b) The Mizoram Salaries, Allowances & Pension of Member of the Legislative Assembly Act, 1999 as amended from time to time.
- c) The Mizoram Salaries & Allowances of the Speaker and the Deputy Speaker Act, 1999 as amended from time to time.
- d) The Mizoram Salaries & Allowances of Minister Act, 1999 as amended from time to time.
- e) The Mizoram Salaries & Allowances of the Leader of the Opposition Act, 1999 as amended from time to time.
- f) The Mizoram Salaries & Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999 as amended from time to time
- g) The State of Mizoram Act, 1986.
- h) The Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000, as amended from time to time.

SCHEDULE III

Syllabus for Limited Departmental Examination for promotion to the post of Assistant.

PAPER - I - General English

PAPER - II -

- a) Central Secretariat Manual of Office procedure
- b) SR 17 - 195 (TA Rules)
- c) FR & SR Part - III (Leave Rules)

PAPER --III -

- a) Instruction for submission : Receipt and Transmission of Petitions addressed to the President etc.
- b) CCS (Conduct) Rules 1964
- c) CCS (CCA) Rules, 1965 (Rules 2,4,8,10)
- d) CCS (Temporary Service) Rules, 1965
- e) GFR - Chapter 1,3,12(1)
- f) CTR - Part - III & IV

- PAPER – IV** -
- a) Rules of Procedure & Conduct of Business in Mizoram Legislative Assembly.
 - b) Chapter VII,IX,XIV,XV of Practice and Procedure of Parliament.
 - c) The Mizoram Salaries, Allowances & Pension of Member of the Legislative Assembly Act, 1999 as amended from time to time.
 - d) The Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999 as amended from time to time.
 - e) The Mizoram Salaries & Allowances of Minister Act, 1999 as amended from time to time.
 - f) The Mizoram Salaries & Allowances of the Leader of the Opposition Act, 1999 as amended from time to time.
 - g) The Mizoram Salaries & Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999 as amended from time to time.
 - h) The Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000 as amended from time to time.

SCHEDULE – IV

Syllabus for Limited Departmental Examination for promotion to the post of Translator.

PAPER - I - General English

PAPER - II -

- a) Translation
- b) Rules of Procedure & Conduct of Business in Mizoram Legislative Assembly.

SCHEDULE – V

Syllabus for Limited Departmental Examination for promotion to the post of Upper Division Clerk (U.D.C).

PAPER - I - General English

PAPER - II -

- a) CCS (Conduct) Rules 1964
- b) CCS (CCA) Rules, 1965 (Rules 10 - 28)
- c) Leave Rules
- d) TA Rules

PAPER – III -

- a) Rules of Procedure & Conduct of Business in Mizoram Legislative Assembly.
- b) The Mizoram Salaries and Allowances & Pension of Member of the Legislative Assembly Act, 1999 as amended from time to time.

SCHEDULE – VI***Syllabus for Departmental Examination for promotion to the post of Lower Division Clerk (L.D.C) from Group D staff.***

PAPER - I	-	General English
PAPER - II	-	General Knowledge & Arithmetic

SCHEDULE – VII

The Conditions of service of Officers (other than Secretary) in the matter of leave, pension and age of retirement, shall be governed by the rules and orders specified against the relevant entry.

LEAVE	:	The Central Civil Service (Leave) Rules, 1972.
PENSION	:	(i) The Central Civil Service (Pension) Rules, 1972. (ii) Central Civil Services (Extra-ordinary Pension) Rules. (iii) Civil Pensions (Commutation) Rules.
AGE OF RETIREMENT	:	Fundamental Rules, 56.

EXPLANATION : Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these Rules and such further orders as may be issued under the provisions of these Rules from time to time.

-
- (1) As made applicable to Officers of this Secretariat Specified in this Schedule vide R & C.S. Order NO. 1.30/72 dated 10.8.72 as amended from time to time.
 - (2) As made applicable to Officers of this Secretariat specified in this Schedule vide R & C.S. Order NO. PGF-104/73 dated 25.1.73 as amended from time to time.
 - (3) As made applicable to Officers of this Secretariat specified in this Schedule vide R & C.S. Order NO. PGF-27/65 dated 8.9.65 as amended from time to time.

SCHEDULE – VIII

The conditions of service of Secretary in the matter of leave, pension and age of retirement, shall be governed by the rules and orders specified against the relevant entry :-

LEAVE : The All India Services (Leave) Rules, 1955, as amended from time to time provided that the Speaker may, in his discretion relax the limit upto which earned leave may be accumulated under sub-rule (2) of the rule 10 of the said Rules in any case where he considers that such relaxation is necessary.

PENSION : (i) (a) Civil Services Regulations read with Liberised Pension Rules issued as a result of recommendations of the Central Pay Commission with the Government of India, Ministry of Finance Memorandum No. F.3.(1)-Est(Spl)/47, dated the 17th April, 1950 and No. F.3(16)-Est(Spl)/50 dated the 2nd January, 1951 and subsequent supplemental orders issued from time to time

(ii) Central Civil Service (Extraordinary Pension) Rules.

(iii) Civil Pension (Commutations) Rules.

AGE OF RETIREMENT : Sub-Clause (iii) of clause (c) of Fundamental Rules 56.

EXPLANATION : Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules and such further orders as may be issued under the provisions of these rules from time to time.

(NGURTHANZUALA)
SECRETARY

Published and Issued by Controller, Printing & Stationery Department, Government of Mizoram

Printed at the Mizoram Government Press, Aizawl. C/750

**RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN
MIZORAM LEGISLATIVE ASSEMBLY**

CHAPTER - 1

Short title and definitions

Short title

1. These rules may be called "The Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly."

Definitions

2. (1) In these rules, unless the context otherwise requires:-
- (a) "Governor" means the Governor of the State of Mizoram appointed by the President under Article 155 of the Constitution;
 - (b) "Assembly" means the Mizoram Legislative Assembly;
 - (c) "Assembly Committee" means a Committee which is appointed or elected by the House or nominated by the Speaker and which works under the of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Assembly Secretariat;
 - (d) "Bulletin" means the Bulletin of the House containing:-
 - (i) a brief record of the proceedings of the House at each of its sittings;
 - (ii) information on any matter relating to or connected with the business of the House or other matters which in the opinion of the Speaker may be included therein, and
 - (iii) information regarding Assembly Committee;
 - (e) "Clear day" includes Sunday and Holidays, but does not include the day of receipt of a notice by the Secretary;
 - (f) "Constitution" means the Constitution of India;
 - (g) "Division" means taking of votes by sending the members to lobbies or by adopting any other method under which preparation of lists of members voting on either side is provided;
 - (h) "Finance Minister" means the Minister-in-charge of the Finance Department or any other Minister authorized to perform his functions;

- (i) "Gazette" means the Mizoram Gazette.
- (j) "House" means the Mizoram Legislative Assembly;
- (k) "Lobby" means the Division Lobbies or any other place specified by the Speaker within the precincts of the Assembly premises;
- (l) "Member" means a member of the Assembly and includes a Minister;
- (m) "Member-in-charge of the Bill" means in the case of Government Bill any member acting on behalf of the Government and in any other case the member who has introduced the Bill;
- (n) "Minister" means a member of the Council of Ministers, a Minister of State, a Deputy Minister;
- (o) "Motion" means a proposal made by a member for the consideration of the Assembly and includes a resolution and an amendment to a motion;
- (p) "Naming of Members" means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;
- (q) "Precincts of the House" means and includes the Legislative Assembly building and the grounds surrounding it enclosed within the fencings and such other places as the Speaker may from time to time specify;
- (r) "President" means the President of India;
- (s) "Private Member" means a member other than a Minister;
- (t) "Private Members' Business" means business of which notice is given by Private Members but does not include Motion of Thanks for Governor's Address;
- (u) "Prorogation" means the ending of a session by an order of the Governor under Article 174 of the Constitution;
- (v) "Secretary" means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;
- (w) "Session" means the whole period from the time Assembly meets to the time when it is prorogued;
- (x) "Sitting" means the sitting of the members of the House for transacting business on any day from its commencement till the House rises for the day;

- (y) "Table" means the Table of the House;
 - (z) "Leader of the House" means the Chief Minister, if he is an elected member of the House, or any other member elected as such by the Ruling Party and recognized by the Speaker;
 - (zz) "Leader of the Opposition" means the Leader of the largest recognised party in the Opposition and recognised as such by the Speaker.
- (2) Words and expressions used in the Constitution and not defined above shall in these rules, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER - II

Summons to Members, Seating, Oath or Affirmation and Roll of Members

Summons to Members

3. (1) The Chief Minister shall in consultation with the Speaker advise the Governor for summoning the Assembly under clause (1) of Article 174 of the Constitution.

(2) On issue of such summons by the Governor under clause (1) of Article 174 of the Constitution, the Secretary shall issue a summons to each member specifying the date and place for session of the House at least fifteen days before date of commencement of the Session :

Provided that when a Session is called at short notice on emergency, the summons may not be issued to each member separately but an announcement of the date and place of the Session shall be published in the Gazette and members shall be informed by telegram.

Seating of Members

4. The member shall sit in such order as the Speaker may determine.

Oath or Affirmation

5. (1) A member who has not already made and subscribed an oath or affirmation in pursuance of Article 188 of the Constitution may do so at the commencement of a sitting of the Assembly or at any other time of the sitting of the Assembly as the Speaker may direct or on any day after giving previous notice in writing to the Secretary.

(2) No member shall be entitled to take part in any proceedings of the House unless he has made and subscribed an oath or affirmation in pursuance of Article 188 of the Constitution.

Roll of Members

6.

There shall be a Roll of Members of the Assembly, which shall be signed in the presence of the Secretary by every member, after taking the oath or affirmation before taking his seat.

CHAPTER - III

Election of Speaker and Deputy Speaker and Panel of Chairmen

Election of Speaker by the Assembly

7. (1) When at the beginning of the new Assembly or owing to a vacancy in the office of the Speaker the election of a Speaker is necessary, the Governor shall fix a date for the holding of the election, and the Secretary shall send to every member notice of the date so fixed.

(2) At any time before 3 : 30 P.M. on the day preceding the date so fixed, Any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder and stating –

(a) the name of the member nominated; and

(b) that the proposer has ascertained that such member is willing to serve as Speaker, if elected.

(3) The nomination paper shall be delivered to the Secretary either by the candidate himself or by the proposer or seconder in person.

(4) In the case of a new Assembly, the member appointed by the Governor to perform the duties of the office of Speaker pending the election of a Speaker and in any other case the Deputy Speaker or other member presiding shall read out to the Assembly the names of the members who have been duly nominated together with those of the proposers and seconders and if only one member has been so nominated, shall declare that member elected. If more than one member have been so nominated, the Assembly shall proceed to elect a Speaker by ballot, and in case of two candidates the candidate obtaining the larger number of votes shall be declared elected. In case of equality of votes, it shall be determined by the drawing of lots.

(5) For the purpose of sub-rule (4), a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before reading out the names by the person presiding, made the oath or affirmation as members of the Assembly.

(6) When more than two candidates have been nominated and at the first ballot –

(a) one of such candidates, obtains more votes than the aggregate votes obtained by the other candidates, he shall be declared elected;

(b) if no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and the

balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(7) Where at any ballot any of three or more candidates obtain equal number of votes and one of them has to be excluded from the election under sub-rule (6), the determination as between the candidates whose votes are equal of the candidate who is to be excluded shall be by drawing of lots.

(8) A nomination paper may be withdrawn by the candidate or the proposer before the Assembly meets on the day fixed for the election of the Speaker.

Election of Deputy Speaker

8. (1) When either at the beginning of a new Assembly or owing to the existence of any vacancy in the office of a Deputy Speaker at any time during the life of an Assembly, the election of a Deputy Speaker is necessary, the Speaker or the Governor, when there is no Speaker, shall fix a date for the holding of the election and the Secretary shall send to every member notice of the date so fixed, unless the same is announced to the House by the Speaker in the former case.

(2) At any time before 3:00 P.M., on the day preceding the date so fixed, any member may nominate another member for election by delivering to the Secretary a nomination paper signed by himself as proposer and by a third member as seconder, and stating –

(a) the name of the member nominated; and

(b) that the proposer has ascertained that such member is willing to serve as Deputy Speaker, if elected.

(3) Nomination paper shall be delivered to the Secretary either by the candidate himself or by the proposer or seconder in person.

(4) The election shall take place at a meeting of the Assembly.

(5) On the date fixed for election the Speaker or the person presiding shall read out to the Assembly the names of the members who have been duly proposed together with the names of their proposers and seconders and if only one member has been so proposed for election shall declare that person duly elected. If more than one person has been so proposed, the Assembly shall proceed to elect a Deputy Speaker by ballot and in case of two candidates the candidate obtaining the larger number of votes shall be declared elected.

(6) For the purpose of sub-rule (5) a member shall not be deemed to have been duly nominated or be entitled to vote if he and his proposer and seconder have not, before the reading out of the names by the person presiding made the oath or affirmation as members of the Assembly.

(7) Where more than two candidates have been nominated and at the first ballot –

(a) one of such candidates, obtains more votes than the aggregate votes obtained by the other candidates he shall be declared elected;

(b) if no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and the balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election, until one candidate obtains more votes than the remaining candidate or than the aggregate votes of the remaining candidates, as the case may be.

(8) Where at any ballot any of the three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-rule (7), the determination as between the candidates whose votes are equal of the candidate who is to be excluded, shall be by drawing of lots.

(9) A nomination paper may be withdrawn by the candidate or the proposer before the Assembly meets on the day fixed for the election of the Deputy Speaker.

Power of other person to perform the duties of the office of, or to act as, Speaker

9. While the offices of both the Speaker and the Deputy Speaker are vacant the duty of the office shall be performed by such member of the Assembly as the Governor may appoint for the purpose.

Panel of Chairman

10. (1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate from amongst the members a panel of not more than four Chairmen, any one of whom may preside over the House in the absence of the Speaker and the Deputy Speaker when so requested by the Speaker or, in his absence, by the Deputy Speaker.

(2) A Chairman nominated under sub-rule (1) shall hold office until a new panel of Chairmen is nominated.

Power of persons Presiding

11. The Deputy Speaker or any Chairman of the Assembly shall, when presiding over the Assembly, have the same powers as the Speaker when so presiding, and all references to the Speaker in the rules shall, in the circumstances, be deemed to be references, to any such person so presiding.

Delegation of powers to the Deputy Speaker

12. The Speaker may by order in writing delegate to the Deputy Speaker such of his powers and functions as he may deem fit and for such period as may be determined by the Speaker.

CHAPTER - IV

Sittings of the House

Hours of Sittings

13. The Assembly shall ordinarily sit from 10:30 A.M to 1:00 P.M and from 2 : 00 P.M. to 4:00 P.M on all week days except Saturday :

Provided that the Speaker may, in his discretion according to the exigencies of the business, adjourned earlier or extend the hour of sitting.

When is sitting of the House duly constituted

14. A sitting of the House shall be deemed to be duly constituted when it is presided over by the Speaker or other member competent to preside over a sitting of the House under the Constitution or these Rules.

Adjournment of House

15. (1) The Speaker shall determine the time when a sitting of the House shall be adjourned sine die.

(2) The Speaker shall have the power to adjourn the House whenever he deems necessary but he shall not exercise his power to adjourn the House sine die without the consent of the House :

Provided that when he adjourns the House for a particular time it shall not exceed a period of four weeks :

Provided further that the Speaker may, if he thinks fit, call a sitting of the House before the date or time to which it has been adjourned or at any time after the House has been adjourned sine die, the Secretary shall communicate to each member the date, time, place and duration of the next part of the Session.

Adjournment of House in contravention of Rules

16. (1) Notwithstanding anything contained in these rules, where the Leader of the House is of the view that an order of Adjournment of the House by the Speaker substantially contravenes the provisions of these rules and has the effect of impeding the functioning of the House for the disposal of business, he shall make a request to the Speaker to reconsider his decision and if the Speaker agrees, he shall call a sitting of the House on the day suggested by the Leader of the House.

(2) If the Speaker refuses to reconsider his decision it shall be the duty of the Leader of the House to give notice of a motion that such order of adjournment be inoperative and the House do proceed with the business before it and such notice shall be considered by the House on a date, being the date earlier than the date to which the House had been adjourned, to be named by the Leader of the House in such notice of motion.

(3) It shall be the duty of the Secretary, on receipt of such notice, to circulate it to members and include such matter in the list of business for the said date to be circulated to the members.

(4) If such motion is carried in the House, the House shall proceed with its business as if the order of adjournment referred to in sub-rule (1) of this rule had not been made.

CHAPTER - V

Governor's Address and Message to the Assembly

Governor's Address

17. (1) At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year or from time to time the Governor may address the Assembly as required by Article 176 of the Constitution :

Provided that the taking of the prescribed oath or affirmation by a member and in the case of a first session held after each general election to the Legislative Assembly, the election of the Speaker shall precede the Governor's Address.

(2) After the delivery of the speech by the Governor the Speaker shall report to the Assembly that the Governor had been pleased to make a speech and shall lay a copy of the speech on the Table.

(3) On such report being made, notice may be given of a motion of thanks for discussing the Governor's Address. On receipt of notice of such a motion or even if no such notice is received, the Speaker shall allot a date and time as early as possible compatible with the state of business of the House for discussion of the matters referred to in the address given by the Governor. In case of a motion being moved, such motion shall be duly proposed and seconded.

(4) The address having been adopted with or without amendment shall be forthwith communicated to the Governor by the Speaker.

Scope of discussion

18. On such day or days or part of any day, the Assembly shall be at Liberty to discuss the matters referred to in such address on a motion of thanks moved by a member and seconded by another member.

Amendments

19. Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.

Other Business that may be taken up

20. (1) Notwithstanding that a day has been allotted for discussion on the Governor's Address-

(a) a motion or motions for leave to introduce a Bill or Bills may be made and a Bill or Bills may be introduced on such day, and

(b) other business of a formal character may be transacted on such day before the Assembly commences or continues the discussion on the Address.

(2) The discussion on the Address may be postponed in favour of a Government Bill or other Government business on a motion being made that the discussion on the Address be adjourned to a subsequent day to be appointed by the Speaker. The Speaker shall forthwith put the question, no amendment or debate being allowed.

(3) The discussion on the Address shall be interrupted in the course of a sitting by an adjournment or motion under rule 66.

Government's right of reply

21. The Chief Minister or any other Minister whether he has previously taken part in the discussion or not, shall on behalf of the Government have a general right of explaining the position of the Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that he may fix hour by which the discussion shall conclude.

Time limit for speeches

22. The Speaker may, if he thinks fit, prescribe a time limit for speeches after taking the sense of the House.

Messages from Governor

23. Where a message from the Governor for the Assembly under Article 175 of the Constitution is received by the Speaker, he shall read the message to the Assembly and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

CHAPTER – VI

Arrangement of Business, Provisional Programme and List of Business

(a) Arrangement of Business

Arrangement of Government Business

24. On days allotted for the transaction of Government business, such business shall have precedence and the Secretary shall arrange that business in such order as the Speaker may, after consultation with the Leader of the House, determine :

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation.

Precedence of Private Member's Bill

25. (1) On days allotted for the disposal of Private Members' Bills, such Bills shall have relative precedence in the following order, namely :-

(a) Bills in respect of which the motion is that leave be granted to introduce the Bill;

(b) Bills returned by the President or the Governor with a message under Article 200 of the Constitution;

(c) Bills in respect of which a motion has been carried that the Bill be taken into consideration;

(d) Bills in respect of which the report of a Select Committee has been presented;

(e) Bills which have been circulated for the purpose of eliciting public opinion thereon;

(f) Bills introduced and in respect of which no further motion has been made or carried;

(g) other Bills.

(2) The relative precedence of Bills falling under the same clause of sub-rule (1) shall be determined by ballot to be held in accordance with the orders made by the Speaker and on such day and in such manner as the Speaker may direct :

Provided that the motion in respect of Bills falling under clause (a) of sub-rule (1) shall be entered in the list of business in the order in which notices of such motions have been received in point of time :

Provided further that the relative precedence of Bills falling under clause (f) of sub-rule (1) shall be determined by ballot in accordance with such directions as the Speaker may give.

(3) The Speaker may by special order make such variations in the relative precedence of Bills set out in sub-rule (1) as he may consider necessary or convenient.

Precedence of private Member's resolution

26. The relative precedence of resolution notices of which have been given by private members shall be determined by ballot, to be held in accordance with the orders made by the Speaker, on such day as the Speaker may direct.

Allotment of time Private Member's Business and precedence of Business

27. (1) Every Friday in every session shall be allotted for Private Members' Business:

Provided that the Speaker may in his discretion allot any other day if this day is a holiday or if any Government Business is allotted on this day :

Provided further that the Speaker may allot this day for disposal of Government business in case there is no private members' business to be transacted on this day, and the time may be allotted by the Speaker in consultation with the Leader of the House and the Leader of the Opposition :

Provided further that during the period from the date of presentation of the Budget till the passing of the same, the Speaker may, in consultation with the Business Advisory Committee, allot any one or more of the days for Private Members' Business for the various stages of discussions on the Budget and in that event, an equal number of days shall be allotted for Private Members' business during the same session at such time as the Speaker may decide, in addition to the days of Private Members' Business which are otherwise admissible.

(2) The Speaker may allot different days for the disposal of different classes of Private Members' Business, and on days so allotted for any particular class of business, business of that class shall have precedence.

Business Outstanding at end of day

28. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs.

(b) Provisional Programme and List of Business**Provisional Programme**

29. A provisional programme of business for the session shall be circulated to each of the members of the Assembly by the Secretary at least seven days ahead of the commencement of the Assembly : Provided that the Speaker may relax the rule in exceptional circumstances.

List of Business

30. (1) A list of business for the day shall be prepared by the Secretary and shall be circulated to all members on the previous day.

(2) Save as otherwise provided in these rules, no business requiring notice shall be set down for a day earlier than the day after that on which the period of the notice necessary for that class of business expires.

(3) No business not included in the list of business for the day shall be transacted at any meeting without the leave of the Speaker.

CHAPTER- VII

Meetings, Quorum and Language of the Assembly

Quorum

31. The quorum to constitute a meeting of the Assembly shall be one-fourth of total number of members of the Assembly, inclusive of the person presiding.

Note :- In case of fraction, any figure 0.5 and above shall be treated as a whole number and fractions less than that shall be ignored.

Adjournment for want of Quorum

32. If at any time it is brought to the notice of the Chair that a quorum is not formed the quorum bell shall be rung and if, after an interval of not less than fifteen minutes, the quorum could not be formed the person presiding shall adjourn the House to a later hour on the same date or to the next day on which the Assembly ordinarily sits to be named by him.

Language of the Assembly

33. The business of the Assembly shall be transacted in the official language or languages of the State of Mizoram or in Hindi or in English :

Provided that if any member addresses the Assembly in any of the languages which is not the official language or languages of the State of Mizoram, Hindi or English he shall have to make over in advance to the Secretary a copy of the speech written in English.

Proceeding not invalid for failure to comply with rules

34. (1) No proceedings of the Assembly shall be deemed to be, or ever to have been, invalid by reason of any rule not being, or not having been complied with; but in case of any such non-compliance, any member may raise a point of order.

(2) The manuscript copy of the speech made by the member concerned will be supplied to the member within ten days of making the speech and the member concerned will correct the speech and return the same within fifteen days. If the speech is not corrected and returned within the aforesaid time, it may be printed without correction and no objection regarding the correctness of the speech will be entertained.

CHAPTER – VIII

(a) Questions

Time for questions

35. Unless the Speaker otherwise directs, the first hour of every meeting shall be available for the asking and answering of questions.

Notice of Ordinary questions

36. Unless the Speaker otherwise directs not less than fifteen clear days' notice of a question shall be given.

Form of notice of questions

37. Notice of a question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom the question is addressed and the nature of the question (starred or unstarred), and the date on which the question is proposed to be placed on the list of questions for answers :

Provided that where a reference is made to a member in connection with the notice of a question and no reply is received or a reply received from him is too late for the consideration of the Speaker and the placing of the question, if admitted, on the list of questions for an appropriate date, such a notice shall be deemed to have lapsed.

Ordinary 'Starred' and 'Unstarred' Questions

38. (1) Ordinary questions may be either "Starred" or "Unstarred".

(2) Separate notices shall be given for "Starred" and "Unstarred" questions. "Starred" questions should be distinguished by an asterisk (*):

Provided that questions requiring elaborate statistical information or report may not be "Starred".

(3) "Starred" questions shall be answered orally and the answers to "Unstarred" questions shall be printed or typed along with the questions.

(4) (a) Printed or typed copies of "Unstarred" questions and answers shall be laid on the Table half an hour before the Speaker takes his seat;

(b) Only printed or typed copies of "Starred" question to be answered on a particular day shall be circulated amongst the members on the previous evening.

(5) No member shall be permitted to ask more than five starred questions for oral answers on any day. When two or more members tabled

starred questions on the same subject and one of the questions is admitted, the names of the other members shall be bracketed with the name of the member whose question has been admitted :

Provided that the Speaker may direct that all such questions be consolidated into a single self-contained question covering all the important points raised by the members concerned shall be bracketed and shown against the question in the order of their priority :

Provided further that in computing the number of starred questions which a member is entitled to ask under sub-rule (5), the consolidated question, in the case of the members other than the member whose name appears first in the order of priority shall not be taken into account.

(6) Unless the Speaker otherwise directs, replies to questions notice of which has been given by the Secretary to the Department concerned shall be sent within ten days from the date of receipt of the questions by the Department concerned.

Supplementary question on ordinary 'Starred' and 'Unstarred' question

39. (1) Any member may put supplementary questions to a starred question after it is called by the Speaker for the purposes of further elucidating any matter of fact regarding which any answer has been given.

(2) Members shall be permitted to put any supplementary questions on ordinary "unstarred" question with the permission of the Speaker.

(3) The Speaker may disallow any supplementary question if in his opinion, it infringes the rules regarding question or if a sufficient or reasonable number of supplementary questions has already been put in respect of the same question.

(4) The unstarred questions and answers included in the list for the day will be called serially only, if time permits, but they shall be printed in the proceedings under the heading "Unstarred questions".

Unanswered question

40. (1) If any question placed on the list of questions for oral answer on any day is not called for answer within the time available for answering questions on that day, the Secretary shall circulate the replies within 3 days, and such replies shall form part of the proceedings of the day on which the questions were listed.

(2) When a meeting of the Assembly is cancelled or adjourned without transacting any business, all the questions, both starred and unstarred, originally entered in the list of questions for the day will be treated as unstarred questions for the next sitting, and will be printed along with their answers in the official report of the later day.

Minister may ask for notice of supplementary question

41. When a supplementary question is asked at any meeting of the Assembly and the Minister-in-charge asks for notice, the member who puts the question shall, if he desires to have an answer during the session, supply the copy of the question to the Secretary to the Assembly. If the question is not disallowed by the Speaker, it will be immediately forwarded to the administrative department concerned with the request that it may be answered as soon as possible within the session.

If nevertheless, the question is not answered during the session in which it is put, it will lapse under Rule 292.

Subject matter of question

42. A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be the eliciting of information or suggesting action on a matter of public importance.

Condition of admissibility of question

43. No question may be asked which does not satisfy the following conditions, namely :

(1) It must not bring in any name or statement not strictly necessary to make the question intelligible.

(2) If it contains a statement the member asking it must make himself responsible for the accuracy of the statement.

(3) It must not contain arguments, inferences, ironical or offensive expressions, imputations, epithets or defamatory statements.

(4) It must not ask for an expression of opinion or the solution of a hypothetical proposition.

(5) It must not refer to the character or conduct of any person except in his official or public capacity.

(6) It must not be of excessive length.

(7) It shall not repeat in the same session in substance questions already answered or to which an answer has been refused.

(8) It shall not require information set forth in easily available documents or in ordinary works of reference.

(9) It shall not ask for information on a matter which is under adjudication by a Court of Law having jurisdiction in any part of India.

(10) It shall not ordinarily ask about matters pending before any

statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate any matter but may refer to matters concerned with procedure or subject or stage of enquiry, if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of enquiry.

(11) It shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion.

(12) It shall not make or imply a charge on personal character.

(13) It shall not ask for information on trivial, vague and meaningless matters.

(14) It shall not ordinarily seek information on matters of past history.

(15) It shall not relate to a matter with which a Minister is not officially connected.

(16) It shall not relate to day-to-day administration of Local Bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relation with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.

(17) It shall not refer to debates in the current session.

(18) It shall not criticize decisions of the Assembly.

(19) It shall not seek information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Governor by Law Officers and other subjects, the disclosure of which is against public interest.

(20) It shall not deal with matters before a Committee appointed by the House or with matters within the jurisdiction of the Chairman of a Select Committee or the authorities of the House.

(21) It shall not refer discourteously to a friendly foreign country.

(22) It shall not raise questions of policy too large to be dealt with within the limit of an answer to a question.

(23) In matters which are or have been the subject of correspondence between the Union Government and the Mizoram Government no question shall be asked except as to matters of fact, and the answer shall be confined to statement of facts.

Speaker to decide admissibility of questions

44. The Speaker shall decide on the admissibility of a question under rule 43 and shall disallow any question which in his opinion, is an abuse of the right of questioning or is in contravention of the rules.

Speaker to decide if a question is to be treated as starred or unstarred

45. If in the opinion of the Speaker any question put down for oral answer is of such a nature that written reply would be more appropriate, the Speaker may direct that such question be placed on the list of questions for written answer :

Provided that the Speaker may, if he thinks fit, call upon the member who has given notice of a question for oral answer to state in brief his reasons for desiring an oral answer and, after considering the same, may direct that the question be included in the list of questions for written answer.

Power of disallow questions

46. The Speaker may, within the period of notice, disallow any question or any part of the question on the ground that it relates to a matter which is not primarily the concern of the Government and if he does so, the question or part of the question shall not be placed on the list of questions.

List of questions

47. (1) Questions which have not been disallowed, shall be entered in the list of questions for the day for oral or written answer, as the case may be, in accordance with the orders of the Speaker.

(2) Questions for oral answers shall be called if the time made available for questions permits, in the order in which they stand on the list before any other business is entered upon at the sitting :

Provided that a question not reached for oral answer may be answered after the end of the Question Hour with the permission of the Speaker, if the Minister represents to the Speaker that the question is one of special interest to which he desires to give a reply.

Questions to private members

48. A question may be addressed by a member to a private member provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible and the procedure in regard to such question shall, as far as may be, be the same as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

Questions how put

49. Questions shall be put and answers given in such manner as the Speaker may, in his discretion determine.

Questions of absent member

50. (1) The Speaker may, in his discretion, allow the questions of an absent member to be put by another member duly authorised to do so in writing, but it shall come after the disposal of all other questions listed for the day. In all such cases previous intimation of such authority shall be given to the Speaker.

(2) In case where no intimation has been received by the Speaker from an absent member, the question shall be passed over and the question together with its answer shall form part of the proceedings of the day.

Answer to question not put

51. The Speaker at the request of a Minister/Member may direct that an answer to a question which has been called may be given on the ground of public interest even though the question is not put or the member in whose name it stands is absent.

Withdrawal or postponement of questions

52. A member may, by notice given at any time before the sitting for which his question has been placed on the list, withdraw his question or postpone it to a later day to be specified in the notice and on such later day the question shall be placed on the list after all questions which have not been so postponed :

Provided that a postponed question shall not be placed on the list until two clear days have expired from the day when the notice of postponement has been received by the Secretary.

(b) Short Notice Questions

Short Notice Questions

53. (1) A question relating to a matter of public importance may be asked with notice shorter than fifteen clear days and if the Speaker is of the opinion that the question is of an urgent character he may, in consultation with the Minister concerned, fix a day for the reply to such a question.

(2) Such question will be called immediately after the starred questions listed for the day have been disposed of, and if the question hour has either been dispensed with or has not been provided for, it may be called for answer as the first item of business, and if there is any new member to take oath or affirmation, then immediately thereafter.

(3) If the Minister is unable to answer the question at short notice and the Speaker is of opinion that the question is of sufficient public importance to be orally answered in the House, he may direct that the question be treated as a Starred Question and given priority and answered accordingly.

(4) Where two or more members give short notice questions on the same subject and one of the questions is accepted for answer at short notice, the names of the other members shall be bracketed with the name of the member whose question has been accepted for answer :

Provided that the Speaker may direct that all the notices be consolidated into a single notice, if in his opinion it is desirable to have a single self-contained question covering all the important points raised by members, and the Minister shall then give his reply to the consolidated question :

Provided further that in the case of a consolidated question the names of all the members concerned may be bracketed and shown against the question in the order of priority of their notice.

(5) Where a member desires an oral answer to question at a shorter notice, he shall briefly state the reasons for asking the question with short notice. Where no reasons have been assigned in the notice of the question, the question shall be returned to the member.

(6) The member who has given notice of the question shall be in his seat to read the question when called by the Speaker and the Minister concerned shall give a reply immediately :

Provided that when a question is shown in the names of more than one member the Speaker shall call the name of the first member or, in his absence, any other name.

(7) In other respects, the procedure for short notice questions shall be the same as for ordinary questions for oral answer, with such modifications as the Speaker may consider necessary or convenient.

CHAPTER – IX

Half-an-hour discussion on matter arising out of answers to questions.

Discussion on a matter of Public importance arising out of answers to question

54. (1) The Speaker shall allot half an hour or such time as he deems fit for raising discussion on a matter of sufficient public importance which has been the subject of a recent question, oral or written, and the answer to which needs elucidation on a matter of fact.

(2) A member wishing to raise a matter shall give notice in writing to the Secretary three days in advance of the day on which the matter is desired to be raised, and shall shortly specify the point or points that he wishes to raise :

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question:

Provided further that the notice shall be supported by the signatures of at least another member :

Provided further that the Speaker may with the consent of the Minister concerned waive the requirement concerning the period of notice.

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, and may not admit a notice which, in his opinion, seeks to revise the policy of the Government. Not more than one such matter shall be raised on a particular day.

(4) If more than two notices have been received and admitted by the Speaker, the notice which is prior in point of time shall have precedence:

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any other day unless the members so desire, in which case it shall be included in the ballot for the next available day.

(5) There shall be no formal motion before the House nor voting. The Member who has given notice may make a short statement and it will be open for discussion. The Minister concerned shall give a short reply :

Provided that if the member who has given notice is absent the other member who has supported the notice may, with the permission of the Speaker, initiate the discussion.

CHAPTER – X

Discussion on a matter of urgent public importance for short duration.

Notice of raising discussion

55. Any member desirous of raising discussion on a matter of urgent public importance may give notice in writing to the Secretary specifying clearly and precisely the matter to be raised :

Provided that the notice shall be accompanied by an explanatory note stating reasons for raising discussion on the matter in question :

Provided further that the notice shall be supported by the signatures of at least two other members.

Speaker to decide admissibility

56. If the Speaker is satisfied after calling for such information from the member who has given notice and from Minister concerned as he may consider necessary, that the matter is urgent and is of sufficient importance to be raised in the House at an early date, he may admit the notice and in consultation with the Leader of the House fix the date on which such matter may be taken up for discussion and allow such time for discussion, not exceeding two hours as he may consider appropriate in the circumstances :

Provided that if an early opportunity is otherwise available for the discussion of the matter the Speaker may refuse to admit the notice.

No formal motion

57. There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister shall reply shortly. Any member desirous of taking part in the discussion may be permitted to do so by the Speaker.

Time limit for Speeches

58. The Speaker may, if he thinks fit, prescribe a time limit for the speeches.

CHAPTER - XI**Calling attention to a matter of urgent public importance****Calling attention to a matter of urgent public importance**

59. (1) A member may, with previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and of recent occurrence and the Minister may make a brief statement or ask for time to make statement at a later hour or date.

(2) There shall be no debate on such statement at the time it is made.

(3) Not more than one such matter shall be raised at the same sitting.

(4) In the event of more than one matter being presented for the same day, priority shall be given to the matter which is, in the opinion of the Speaker, more urgent and important.

(5) The proposed matter shall be raised after the questions and before the list of business is entered upon and at no other time during the sitting of the House.

CHAPTER - XII**Statement made by a Minister****Statement made by a Minister**

60. A statement may be made by a Minister on a matter of public importance with the consent of the Speaker but no question shall be asked at the time the statement is made :

Provided that a copy of the statement shall be forwarded to the Speaker one day in advance of the day on which it is proposed to be made. The Speaker may in his discretion, reduce this period in exceptional circumstances.

CHAPTER – XIII

Motion for adjournment on a matter of public importance

Motion for adjournment

- 61.** (1) A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.
- (2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

Restriction on power to make motion

62. The right to move adjournment of the Assembly for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely :-

- (i) not more than one such motion shall be made at the same sitting;
- (ii) not more than one matter can be discussed on the same motion, and the motion must be restricted to a specific matter of recent occurrence;
- (iii) the motion must not revive discussion on a matter which has been discussed in the same session;
- (iv) the motion must not anticipate a matter which has been previously appointed for consideration, or with reference to which a notice of motion has been previously given, regard being had to the probability of the matter anticipated being brought before the House within a reasonable time;
- (v) the motion must not deal with a matter on which a resolution could not be moved;
- (vi) the motion shall not deal with any matter which is under adjudication by a court of Law having jurisdiction in any part of India;
- (vii) the motion shall not raise a question of privilege; and
- (viii) it must not relate to a matter which is not primarily the concern of the Government of Mizoram.

Method of giving notice

63. Notice of an adjournment Motion shall be given to the Secretary not later than 9:30 A.M. on the day on which the motion is proposed to be made and copies thereof shall be endorsed to :-

- (i) the Speaker
- (ii) the Minister concerned :

Provided that notices received after 9:30 A.M. shall be deemed to have been received at 9 : 30 A.M. on the next day on which the House sits.

Motion for discussion on matters before tribunals, commission, etc.

64. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial function or any commission or court of enquiry appointed to enquire into, or investigate any matter shall ordinarily be permitted to be moved :

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or subject or state of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

Mode of asking for leave to move adjournment motion

65. (1) The Speaker, if he gives consent under rule 61 and holds that the matter proposed to be discussed is in order, shall after the questions and before the list of business is entered upon, call the member concerned who shall rise in his place and ask for leave to move the adjournment of the House :

Provided that where the Speaker has refused his consent under rule 61 or is of the opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of motion and state the reasons for refusing consent or holding the motion as being not in order.

(2) If objection to leave being granted is taken the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than ten members of the House rise accordingly, the Speaker shall intimate that leave is granted. If less than ten members of the House rise, the Speaker shall inform the member that he has not the leave of the House.

Time for taking up motion

- 66.** The motion shall be taken up at such hour as the Speaker may decide.

Closure of debate

- 67.** The Speaker may, if he is satisfied that there has been adequate debate, put the question at such hour as he decides, but such debate will not continue for more than two hours.

Time limit for speeches

- 68.** The Speaker shall prescribe time limit for speeches.

CHAPTER – XIV

Legislation

(a) Introduction

Publication of Bills before introduction

69. The Speaker on a request being made to him may order the publications of any Bill (together with the Statement of Objects and Reasons and the financial memorandum accompanying it) in the Gazette, although no motion has been made for leave to introduce the Bill. In that event it shall not be necessary to move for leave to introduce the Bill, and, if the Bill is afterwards introduced, it shall not be necessary to publish it again.

Notice of motion for leave to introduce private member's Bills

70. (1) Any member, other than a Minister, desiring to move for leave to introduce a Bill, shall give notice of his intention and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons, which shall not contain argument :

Provided that the Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(2) If the Bill is a Bill which, under the Constitution cannot be introduced without the previous sanction of the President or the previous sanction or the recommendation of the Governor, the Secretary shall take necessary steps with a view to obtaining the sanction, or recommendation of the President or the Governor, as the case may be. A copy of the Bill shall be sent to the Minister concerned for information. If no such sanction or recommendation is obtained, the notice shall not be valid and the Bill shall not be introduced, moved or taken into consideration.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be one month unless the Speaker allows the motion to be made at shorter notice.

(4) The Speaker may disallow a notice of a Bill in case the Bill does not comply with the requirements of sub-rule (1) of rule 73 or rule 74.

Notice of Identical Bill

71. When a Bill is pending before the House, notice of an identical Bill, whether received before or after the introduction of the pending Bill, shall be removed from, or not entered in the list of pending notices, as the case may be, unless the Speaker otherwise directs.

Introduction of Bill dependent on another Bill pending before the House

72. A Bill which is dependent wholly or partly upon another Bill pending before the House, may be introduced in the House in anticipation of the passing of the Bill on which it is dependent :

Provided that the second Bill shall be taken up for consideration and passing in the House only after the first Bill has been passed by the House and assented to by the Governor or the President, as the case may be.

Financial memorandum and money clause

73. (1) A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law.

(2) Clauses or provisions in Bills involving expenditure from public funds shall be printed in thick type or in italics :

Provided that where a clause in a Bill involving expenditure is not printed in thick type or in italics, the Speaker may permit the member-in-charge of the Bill to bring such clauses to the notice of the House.

Explanatory memorandum to Bills delegating legislative powers

74. A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character.

Discussion of Governor's Ordinances

75. As soon as possible after the Governor has promulgated an Ordinance under clause(1) of Article 213 of the Constitution, printed copies of such Ordinance shall be made available to the members of the Assembly. Within six weeks from the reassembly of the Assembly, any member may after giving three clear days' notice to the Secretary, move a resolution disapproving the Ordinance.

Statement in connection with ordinances

76. (1) Whenever a Bill seeking to replace an Ordinance with or without modification is introduced in the House there shall be placed before the House along with the Bill a statement explaining the circumstances which had necessitated immediate legislation by Ordinance.

(2) Whenever an Ordinance which embodies wholly or partly or with modification the provisions of a Bill pending before the House is promulgated, a statement explaining the circumstances which had necessitated immediate legislation by Ordinance shall be laid on the Table at the commencement of the session following the promulgation of the Ordinance.

Motion for leave to introduce a Bill

77. (1) If a motion for leave to introduce a Bill is opposed, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may, without further debate, put the question thereon:

Provided that where a motion is opposed on the ground that the Bill initiates legislation outside the legislative competence of the House, the Speaker may permit a full discussion thereon.

(2) If such motion be carried, the Secretary shall read the title of the Bill, and the Bill shall thereupon be deemed to be introduced in the Assembly.

Publication

78. As soon as may be after a Bill has been introduced, the Bill, unless it has already been published, shall be published in the Gazette.

(b) Motions after introduction

Motion after introduction

79. When a Bill is introduced, or on some subsequent occasion, the member-in-charge may make one of the following motions in regard to the Bill, namely :-

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then mentioned; or
- (b) that it be referred to a Select Committee composed of such members of the House and with instructions to report on or before such date as may be specified in the motion; or
- (c) that it be circulated for the purpose of eliciting public opinion thereon:

Provided that if a member gives notice of a particular motion specified in (a), (b) and (c), he shall not be permitted to move a different motion:

Provided further that no such motion shall be made

until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so available for four days before the motion is made and such objection shall prevail unless the Speaker, in his discretion, allows a motion to be made.

Discussion of Bill- First Reading

80. (1) On the day on which any such motion is made, or on any subsequent day to which the discussion is postponed, the principle of the Bill and its provisions may be discussed generally but the details of the Bill shall not be discussed further than is necessary to explain its principle.

(2) At this stage no amendments to the Bill may be moved, but if the member-in-charge moves that the Bill –

(a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting public opinion thereon by a date to be mentioned in the motion :

Provided that if an amendment or a motion for appointment of a Select Committee has been moved under this rule any member may move that the House give instructions to the Select Committee to which the Bill is proposed to be referred, to make some particular or additional provision in the Bill and, if necessary or convenient to consider and report on amendments which may be proposed to the original Act which the Bill seeks to amend;

(b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting public opinion, by a date as may be mentioned in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting public opinion has been carried in the Assembly and the Bill has been circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the member-in-charge, if he wishes to proceed with Bill thereafter, shall move that the bill be referred to a Select Committee, unless the Speaker in his discretion, allows a motion to be made that the Bill be taken into consideration.

Persons by whom motions in respect of Bills may be made

81. No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill or by any other member authorised by him and permitted to do so by the

Speaker and no motion that a Bill be referred to a Select Committee or be circulated or re-circulated for the purpose of eliciting public opinion thereon shall be made by a member other than the member-in-charge except by way of amendment to a motion made by the member-in-charge.

Procedure on report after presentation

82. (1) After the presentation of the final report of a Select Committee on a Bill the member-in-charge may move –

(i) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if a copy of the report has not been available for the use of members for four days and such objection shall prevail unless the Speaker, in exercise of his discretion, allows the report to be taken into consideration; or

(ii) that the Bill be recommitted, either –

(a) without limitation, or

(b) with respect to particular clauses or amendments only, or

(c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the member-in-charge moves that the Bill be taken into consideration any member may move, as an amendment, that the Bill be recommitted.

Scope of debate on report of Select Committee

83. The debate on a motion that the bill as reported by the Select Committee be taken into consideration shall be confined to consideration of the report of the Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill.

(c) Consideration and Amendment of Bills

Notice of amendments

84. (1) If notice of a proposed amendment has not been sent to the Secretary two clear days before the day on which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail, unless the Speaker, in his discretion, allows the amendment to be moved.

Nevertheless the Speaker may allow a verbal amendment being proposed at the time of consideration of the Bill clause by clause, provided such amendment is, in his opinion, essential to carrying out the objects of the Bill.

(2) The Secretary shall cause a copy of every notice of a proposed amendment to be made available for the use of each member.

Condition of admissibility of amendments

85. The following conditions shall govern the admissibility of amendments to clauses or schedules of a Bill :-

- (i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (ii) An amendment shall not be inconsistent with any previous decision of the House on the same question.
- (iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (iv) If an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole.
- (v) The Speaker shall determine the place at which an amendment shall be moved.
- (vi) The Speaker may disallow an amendment which is, in his opinion, frivolous or meaningless
- (vii) An amendment may be moved to an amendment which has already been proposed.

Sanction or recommendation of the President or Governor to be annexed to notice of amendment

86. If any member desires to move an amendment which under the Constitution cannot be moved without the previous sanction of the President or previous sanction or recommendation of the Governor, the Secretary shall forward the same to the President or the Governor, as the case may be, with a copy to the Minister concerned for necessary sanction or recommendation and the amendment shall not be moved unless such sanction or recommendation is received :

Provided that no previous sanction or recommendation of the Governor shall be required, if an amendment seeks to -

- (a) abolish or reduce the limits of the tax proposed in the Bill or amendment, or
- (b) increase such tax upto the limits of an existing tax.

Selection of new clause or amendments

87. The Speaker shall have power to select the new clause or amendments to be proposed, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

Arrangement of amendments

88. Amendments of which notice has been given shall, as far as practicable, be arranged in the list of amendments, issued from time to time, in the order in which they may be called. In arranging amendments raising the same question at the same point of a clause, precedence may be given to an amendment moved by the member-in-charge of the Bill. Subject as aforesaid, amendments may be arranged in the order in which notices thereof are received.

Order of amendments - Second Reading

89. Amendments shall ordinarily be considered in the order of the clauses to which they respectively relate.

Mode of moving amendments

90. When a motion that a Bill be taken into consideration has been carried, any member may, when called upon by the Speaker, move an amendment to the Bill of which he has previously given notice :

Provided that in order to save time and to avoid repetition of arguments, a single discussion may be allowed to cover a series of interdependent amendments.

Withdrawal of amendments

91. An amendment moved may, by leave of the House but not otherwise, be withdrawn on the request of the member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.

Submissions of Bills, clause by clause

92. Notwithstanding anything contained in the foregoing rules, it shall be in the discretion of the Speaker, when motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly, clause by clause. When this procedure is adopted, the Speaker shall call each clause separately, and, when the amendments relating to it have been dealt with, shall put the question "that this clause or, that this clause as amended, as the case may be, stands part of the Bill".

Postponement of clause

93. The Speaker may, if he thinks fit, postpone the consideration of a clause.

Consideration of schedule

94. The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put "That this schedule (or, that this schedule as amended, as the case may be) do stand part of the Bill" :

Provided that the Speaker may allow the schedule or schedules, if any, being considered before the clauses are disposed of or along with a clause or otherwise as he may think fit.

Voting group of clauses and schedules

95. The Speaker may, if he thinks fit, put as one question clauses and or schedules, or clauses and or schedules as amended, as the case may be, together to the vote of the House :

Provided that if a member requests that any clause or schedule or any clause or schedule as amended, as the case may be, be put separately, the Speaker shall put that clause or schedule, or clause or schedule as amended, as the case may be, separately.

Clause one, enacting formula, preamble and Title of Bill

96. Clause one, the Enacting Formula, the Preamble, if any, and Title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question : "That clause one, or the Enacting Formula, or the Preamble or the Title (or, that clauses one, Enacting Formula, Preamble or Title as amended, as the case may be) do stand part of the Bill".

(d) Adjournment of debates on and withdrawal of Bills

Adjournment of debate on Bill

97. At any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker.

Withdrawal of Bill

98. The member-in-charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill on the ground that -

- (a) the legislative proposal contained in the Bill is to be dropped; or
- (b) the Bill is to be replaced subsequently by a new Bill which substantially alters the provisions contained therein; or
- (c) the Bill is to be replaced subsequently by another Bill which includes all or any of its provisions in addition to other provisions; and if such leave is granted, no further motion shall be made with reference to the Bill :

Provided that where a Bill is under consideration by a Select Committee of the House notice of any motion for the withdrawal of the Bill shall automatically stand referred to the Committee and after the Committee has expressed its opinion in a report to the Assembly the motion shall be set down in the list of business.

Explanatory statement by member who moves or opposes withdrawal of a motion

99. If a motion for leave to withdraw a Bill is opposed, the Speaker may, if he thinks fit, permit the member who moves and the member who opposes the motion to make brief explanatory statements and may thereafter, without further debate, put the question.

(e) Passing of Bills

Passing of Bills-Third Reading

- 100.**
- (1) If no amendment be made when a motion that a Bill be taken into consideration has been agreed to by the Assembly the Bill may at once be passed.
 - (2) If any amendment be made, any member may object to the passing of the Bill at the same meeting and such objection shall prevail unless the Speaker, in his discretion, allows the Bill to be passed.

(3) When the objection prevails, the Bill shall be brought forward again at a future meeting, and may then be passed with or without further amendment.

Scope of Debate

101. The discussion on a motion that the Bill or the Bills as amended, as the case may be, be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of general character.

Correction of patent errors

102. (1) Where a Bill is passed by the House, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are consequential upon the amendments accepted by the House and the Bill passed and so revised shall be signed by the Speaker.

In case the Bill passed is a money Bill, the Speaker shall sign and certify the same in accordance with the provision of Article 200 of the Constitution.

(2) After a Bill has been so authenticated by the Speaker, the Secretary shall send the authenticated copy to the Governor for assent.

(3) One copy of the Bill so assented to and received from the Governor shall be preserved for verification and record and shall not be allowed to pass out of the custody of the House without the permission of the Speaker.

(f) Reconsideration of Bills returned by the Governor

Reconsideration of Bills returned by the Governor

103. (1) When a Bill passed by the Assembly is returned to the Assembly by the Governor with a message requesting the Assembly to reconsider the Bill or any specified provisions thereof or any such amendments as are recommended in his message, the Speaker shall read the message of the Governor in the Assembly, if in session, or if the Assembly is not in session, direct that it may be circulated for the information of the members.

(2) The Bill as passed by the Assembly and returned by the Governor for reconsideration shall thereafter be laid on the Table.

Notice of motion for consideration of amendments

104. At any time after the Bill has been so laid on the Table, any Minister in the case of a Government Bill, or in any other case, any member may give notice of his intention to move that the amendments recommended by the Governor be taken into consideration.

Motion for consideration

105. On the day on which the motion for consideration is set down in the list of business which shall, unless the Speaker otherwise directs, be not less than two days from the receipt of the notice, the member giving notice may move that the amendments be taken into consideration.

Scope of Debate

106. The debate on such a motion shall be consideration of matters referred to in the message of the Governor or to any suggestion relevant to the subject matter of the amendments recommended by the Governor.

Consideration of amendments

107. If the motion that the amendments recommended by the Governor be taken into consideration is carried, the Speaker shall put the amendments to the House in such manner as he thinks most convenient for consideration.

Procedure on Consideration of amendments

108. An amendment relevant to the subject matter of an amendment recommended by the Governor may be moved, but no further amendment shall be moved to the Bill unless it is consequential upon, incidental or alternative to, an amendment recommended by the Governor.

Passing again of Bill

109. When all the amendments have been disposed of, the member giving notice of the motion under Rule 104 may move that the Bill as originally passed by the Assembly be passed again, or passed again as amended, as the case may be.

Disagreement of the House with message

110. If the motion that the amendments recommended by the Governor be taken into consideration is not carried, the member giving notice of the motion under rule 104 may at once move that the Bill as originally passed by the Assembly be passed again without amendment.

CHAPTER XV

PETITIONS

Scope of petitions

111. Petitions may be presented or submitted to the Assembly with the consent of the Speaker on -

- (i) a Bill which has been published under rule 69 or which has been introduced in the Assembly;
- (ii) any matter connected with the business pending before the Assembly; and
- (iii) any matter of general public interest provided that it is not one –
 - (a) which falls within the cognizance of a court of law having jurisdiction in any part of India or a court of enquiry or a statutory tribunal or authority or a quasi-judicial body or a Commission;
 - (b) which should ordinarily be raised in Parliament or any other State Legislature;
 - (c) which can be raised on a substantive motion or resolution; or
 - (d) for which remedy is available under the law, including rules, regulations, bye-laws made by the Central or Mizoram Government or an authority to whom power to make such rules, regulations etc. is delegated.

General form of petition

- 112.**
- (1) The general form of petition set out in the First Schedule, with such variations as the circumstances of each case require, may be used, and, if used, shall be sufficient.
 - (2) Every petition shall be couched in respectful, decorous and temperate language.
 - (3) Every petition shall be in Mizo, in Hindi or in English and if it is in any other language it shall be accompanied by a translation in English, and shall be signed by the petitioners.

Authentication of petition

- 113.** The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by his signature, and if illiterate, by his thumb impression.

Document not to be attached

- 114.** Letters, affidavits or other documents shall not be attached to any Petition.

Counter Signature

- 115.** (1) Every petition shall, if presented by a member be countersigned by him. If a petition is made in any Indian Language other than Mizo, Hindi or English, its translation in English shall also be countersigned by the member presenting it.
- (2) A member shall not present a petition from himself.

Petition to be addressed to House

- 116.** Every petition shall be addressed to the Assembly and shall conclude with a prayer reciting the definite object of the petitioner in regard to the matter to which it relates.

Notice of Presentation

- 117.** A member shall give advance intimation to the Secretary of his intention to present a petition.

Presentation of petition

- 118.** A petition may be either presented by a member or be forwarded to the Secretary, if the member does not present it himself the Secretary shall report it to the Assembly. The report shall be made in the form set out in the Second Schedule. No debate shall be permitted on the presentation, or the making of such report.

Form of Petition

- 119.** A member presenting a petition shall confine himself to a statement in the following form :-

"Sir,

I beg to present a petition signed bypetitioner (s) regarding" And no debate shall be permitted on this statement.

Reference to Committee on petitions

- 120.** Every petition shall, after presentation by a member or report by the Secretary, as the case may be, stand referred to the Committee on Petitions.

CHAPTER XVI

Resolutions

Notice of resolution and order of moving them

121. (1) A member who wishes to move a resolution shall give 10 clear days' notice before the date appointed for the disposal of private members' resolution and shall together with the notice submit a copy of the resolution which he wishes to move.

(2) No member shall, except with the permission of the Speaker, be permitted to send in notice of more than five resolutions during one session of the Assembly.

(3) Every resolution of which 10 clear days' notice has been given, shall be included in the ballot to be held as hereinafter provided in these rules :

Provided that not more than one resolution standing in the name of a member shall be included in the order of business for the day in question, except with the permission of the Speaker.

Form of Resolution

122. A resolution may be in the form of a declaration of opinion or a recommendation, or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message; of comment, urge or request for action; or call attention to a matter or situation for consideration by Government; or in such other form as the Speaker may consider appropriate.

Form and contents of resolution

123. Subject to the restrictions contained in these rules, a resolution may be moved on a matter of general public interest :

Provided that no resolution shall be admissible which does not comply with the following conditions, namely :-

- (a) it shall be clearly and precisely expressed and shall raise one definite issue;
- (b) it shall not contain arguments, inferences, ironical expressions, imputation, innuendoes or defamatory statements;
- (c) it shall not refer to the conduct or character of any person except in his official or public capacity;
- (d) it shall not relate to any matter which is under adjudication by a Court of law having jurisdiction in any part of India;

- (e) it shall not reflect upon the conduct of the President as distinct from the Government of India or any Governor as distinct from the State Government;
- (f) it shall not reflect upon the conduct in the exercise of his or its judicial functions of any Judge or Court of law having jurisdiction in any part of India; and
- (g) it shall not refer to a matter which is not primarily the concern of the Government of Mizoram.

Ballot for determining relative precedence

124. For the purpose of determining the relative precedence of resolutions of which 10 clear days' notice has been given, the Secretary will prepare a numbered list of all such resolutions and on such day as the Speaker may appoint, a ballot will be held by the Secretary at which any member who wishes to attend may do so.

Speaker to decide admissibility of resolution

125. The Speaker shall decide whether a resolution or a part thereof is or is not admissible under these rules and may disallow any resolution or a part thereof when in his opinion it is an abuse of the right of moving a resolution or calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

Raising discussion on matters before tribunals, commission, etc

126. No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter shall ordinarily be permitted to be moved :

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or subject or state of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

Motion and withdrawal of resolution

127. (1) A member in whose name a resolution appears on the list of business shall when called on, either –

- (a) decline to move the resolution, in which case he shall confine himself to a mere statement to that effect, or

- (b) move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business.
- (2) If the member when called on is absent, the resolution standing in his name shall be considered to have been withdrawn :

Provided that with the consent of such absent member and with the permission of the Speaker any other member may move the resolution :

Provided further that if such a resolution stands in the name of another member present in the House, such member may be permitted by the Speaker to move that resolution.

Limit of discussion

128. The discussion of a resolution shall be strictly limited to the subject of the resolution.

Amendments

129. After a resolution has been moved any member may, subject to all the rules relating to resolutions, move an amendment to such resolution, a copy of which shall be given to the Member moving the resolution.

Notice of amendments

130. (1) If a copy of such amendment has not been sent to the Secretary one clear day before the day fixed for the discussion of the resolution, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker, in his discretion, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed, and send a copy for the information of each member.

Time limit for speeches

131. No speech on a resolution shall, except with the permission of the Speaker, exceed fifteen minutes in duration :

Provided that the mover of a resolution when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

Withdrawal of resolution

- 132.** (1) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.
- (2) No discussion shall be permitted on a motion for leave to withdraw except with the permission of the Speaker.
- (3) When a resolution has been withdrawn with the leave of the House, no resolution, raising substantially the same question, shall be moved during the same session.

Resolutions not discussed

133. A resolution which has been listed for discussion on a particular day, if it is not discussed on that day, shall be renumbered with other resolutions of which 10 clear day's notice is given and listed for discussion on the next private members' days after their priority is determined by a fresh ballot held in accordance with these rules.

Provisions not applicable to government resolution

134. The provisions of Rules 121, 124 and 133 shall not apply to a resolution of which notice is given by a Minister.

Spitting of resolution

135. When any resolution involving several points has been discussed, the Speaker may divide the resolution and put each or any point separately to the vote, as he may think fit.

Lapse of resolution

136. A resolution, which has been admitted, but not discussed during the session, shall stand lapsed :

Provided that any resolution or resolutions which are under discussion shall be concluded during the Session and for that purpose, if necessary, the Speaker may extend time for such discussion.

Copy to government

137. A copy of every resolution which has been passed by the Assembly shall be forwarded to the Government of Mizoram, and actions taken on the resolutions having statutory effects should be reported to the Assembly Secretariat before the next session.

CHAPTER XVII**SPECIAL MOTIONS****Special Motions to get precedence over other motion**

138. Whenever any report or any matter of urgent public importance and of recent occurrence is brought before the House, any member can move a motion for the discussion of that matter. Such a motion will get precedence over motions under rule 139. The Speaker shall fix the time and date for discussion of such a motion.

CHAPTER XVIII

MOTIONS

Discussion on a matter of Public interest by motions

- 139.** (1) Save in so far as is provided by the Constitution or by these rules, a motion on a matter of general public interest can be discussed only with the consent of the Speaker.

Notice of Motion

- (2) Notice of a motion shall be given in writing addressed to the Secretary :

Provided that no member shall, except with the permission of the Speaker, be permitted to send notice of more than three motions during one Session of the Assembly.

If the number of motions admitted by the Speaker is more than one, a ballot shall have to be held for giving precedence to a particular motion.

Conditions of admissibility of motion

- (3) In order that a motion may be admissible it shall satisfy the following conditions, namely, that :-

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall be restricted to a matter of recent occurrence;
- (v) it shall not raise a question of privilege;
- (vi) it shall not revive discussion of a matter which has been discussed in the same session;
- (vii) it shall not anticipate discussion of matter which is likely to be discussed in the same session;
- (viii) it shall not relate to any matter which is under adjudication by a Court of law having jurisdiction in any part of India; and

- (ix) it shall not relate to a matter which is not primarily the concern of the Government of Mizoram.

Speaker to decide admissibility of motions

- (4) The Speaker shall decide on the admissibility of a motion and may disallow a motion or a part thereof.

Discussion of motions or statement made by a Minister

- (5) Any motion tabled by a member to discuss a statement or report made by a Minister under rule 60 may also be the subject matter of the discussions.

Time limit for speeches

- (6) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Motion for raising discussion on matters before tribunals, commissions, etc

140. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter shall ordinarily be permitted to be moved :

Provided that the Speaker may, in his discretion, allow such matter being raised in the House as is concerned with the procedure or subject or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry.

CHAPTER XIX

THE MINISTRY

No-Confidence and resignation

Motion of no-confidence in the Ministry

141. (1) A motion expressing want of confidence in the whole Ministry or a Motion censuring a Minister or a group of Ministers or a motion disapproving the action or actions of a Minister may be made with the consent of the Speaker :

Provided that no motion expressing want of confidence shall be made against an individual Minister or a group of Ministers :

Provided further that no motion expressing want of confidence in the Ministry shall be allowed to be made, if a similar motion has been made in the same session.

(2) The Speaker shall not give his consent to make a motion under the preceding sub-rule, unless the following conditions are fulfilled, namely -

- (a) the member desiring to move the motion has before the commencement of the sitting of the day, given a written notice to the Secretary of his intention to move the motion together with a copy of the motion :
- (b) leave to make the motion has been asked for after the questions and before the list of business of the day is entered upon.

(3) If the Speaker is of opinion that the motion is in order he shall read the motion to the Assembly and shall request those members who are in favour of leave being granted to rise in their places and, if not less than ten members of the House rise accordingly, the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being more than ten days and not less than twenty four hours from the time at which leave is asked, as he may appoint.

(4) If less than ten members of the House rise, the Speaker shall inform the member that he has not the leave of the House.

(5) The Speaker shall, at the appointed hour on the allotted day or

the last of the allotted days, as the case be, forthwith put every question necessary to determine the decision of the House on the motion.

(6) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

Personal statement by Minister on resignation

142. (1) A member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) A copy of the statement shall be forwarded to the Speaker and the Leader of the House one day in advance of the day on which it is made:

Provided that in the absence of a written statement, the points, or the gist of such statement shall be conveyed to the Speaker and the Leader of the House one day in advance of the day on which it is made.

(4) On such statement no debate shall be allowed :

Provided that the Chief Minister shall be entitled, after the member has made his statement, to make a statement pertinent thereto.

CHAPTER XX

FINANCIAL BUSINESS

(a) Budget

Presentation of Budget

- 143.** (1) The Annual Financial statement or the statement of the Estimated Receipts and Expenditure ¹[including performance budget and detailed work programme of the Government of the State of Mizoram in respect of every financial year (hereinafter referred to as "the Budget") shall be presented to the House on such day as the Governor may appoint.
- (2) The Budget shall be presented to the House in such form as the Minister-in-charge of Finance may, after considering the suggestions, if any, of the Estimates Committee, settle.

No discussion on day of presentation

- 144.** There shall be no discussion of the Budget on the day on which it is presented to the House.

Stages of Budget debate

- 145.** The Budget shall be dealt with by the Assembly in two stages, namely –

- (i) a general discussion; and
- (ii) the voting of demands for grants.

(b) Demands for Grants

Demand for Grants

- 146.** (1) A separate demand shall ordinarily be made in respect of the grant proposed for each Department :
- Provided that the Minister-in-charge of the Finance Department may include in one demand grants proposed for two or more Departments, or make a demand in respect of expenditure which cannot readily be classified under the particular departments.
- (2) Each demand shall contain first a statement of the total grant proposed, and then a statement of the detailed estimate under each grant divided into items.

(c) General Discussion

General discussion on Budget

147. (1) On a day or days to be appointed by the Speaker not earlier than two days subsequent to the day on which the Budget is presented and for such time as the Speaker may allot for this purpose, the House shall be at liberty to discuss the Budget as a whole or any question or principle involved therein, but no motion shall be moved at this stage, nor shall the Budget be submitted to the vote of the House.

(2) The Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

(d) Voting of Demands

Voting of Demands

148. (1) The Voting of Demands for grants shall take place on such days, not exceeding fifteen days, as the Speaker may, in consultation with the Leader of the House, allot for the purpose.

(2) On the days allotted under sub-rule (1) above, no other business except the questions shall be taken up without the consent of the Speaker.

(3) Motions may be moved at this stage to reduce or omit any grant but not to increase or alter the destination of a grant.

(4) No amendments to motions to reduce any grant shall be permissible.

(5) When several motions relating to any demand for grant are made, they shall be discussed in the order in which the heads to which they relate appear in the Budget.

(6) On the last day of the days so allotted under sub-rule(1), one hour or so before the close of the usual sitting of the day, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demand for grants; and this procedure shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever, nor shall any dilatory motion be moved in regard thereto.

Cut Motions

149. A motion may be moved to reduce the amount of a demand in any of the following ways :-

- (a) "that the amount of the demand be reduced to Re.1/-" representing disapproval of the policy underlying the demand. Such a motion shall be known as "Disapproval of Policy Cut". A member giving notice of such a motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy;
- (b) "that the amount of the demand be reduced by a specified amount" representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as "Economy Cut". The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised, and speeches shall be confined to the discussion as to how economy can be effected;
- (c) "that the amount of the demand be reduced by Rs. 100," in order to ventilate a specific grievance, which is within the sphere of the responsibility of the Government. Such a motion shall be known as "Token Cut" and the discussion thereon shall be confined to the particular grievance specified in the motion.

Admissibility of cut motions

150. In order that a notice of motion for reduction of the amount of demand may be admissible, it shall satisfy the following conditions, namely :

- (i) it shall relate to one demand only;
- (ii) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (iii) it shall be confined to one specific matter which shall be stated in precise terms;
- (iv) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;

- (v) it shall not make suggestions for the amendment or repeal of existing laws;
- (vi) it shall not refer to a matter which is not primarily of the concern of the Government;
- (vii) it shall not relate to expenditure charged on the Consolidated Fund of the State of Mizoram;
- (viii) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of India;
- (ix) it shall not raise a question on privilege;
- (x) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;
- (xi) it shall not anticipate a matter which has been previously appointed for consideration in the same session;
- (xii) it shall not ordinarily seek to raise a discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter :

Provided that the Speaker may in his discretion allow such matter being raised in the House as is concerned with the procedure or stage of enquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of enquiry, and

- (xiii) it shall not relate to a trifling matter.

Notice of Cut Motions

151. If a notice of a motion to reduce or omit any demand for grant has not been given one clear day previous to the day appointed for the discussion of such grant, any member may object to the moving of the motion, and such objection shall prevail, unless the Speaker allows the motion to be made.

Speaker to decide admissibility

152. The Speaker shall decide whether a cut motion is or is not admissible under these rules and may disallow any cut motion when in his opinion it is an abuse of the right of moving cut motions or is calculated to obstruct or prejudicially affect the procedure of the House or is contravention of these rules.

Vote on Account

- 153.** (1) A motion for Vote on Account shall state the total sum required and the various amounts needed for each department or service or item of expenditure which compose that sum shall be stated in a schedule appended to the motion.
- (2) Amendments may be moved for the reduction of the whole grant or for the reduction or omission of the items whereof the grant is composed.
- (3) Discussion of a general character may be allowed on the motion or any amendments moved thereto, but the details of the grant shall not be discussed further than is necessary to develop the general points.
- (4) In other respects, a motion for vote on account shall be dealt with in the same way as if it were a demand for grant.

Supplementary or additional grants for excess expenditure

- 154.** Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission, as the Speaker may deem to be necessary or expedient.

Scope of debate on Supplementary Grants

- 155.** The debate on the supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

Token Grant

- 156.** When fund to meet proposed expenditure on a new service can be made available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the House, and if the House assents to the Demands, funds may be so made available.

(e) Appropriation Bill

Procedure regarding Appropriation Bill

- 157.** (1) As soon as may be after the grants have been made by the Assembly there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys

required to meet the grants so made by the Assembly, and the expenditure charged on the Consolidated Fund of the State, but not exceeding in any case the amount shown in the Budget presented to the Assembly.

(2) Subject to the provisions of the Constitution, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modifications as the Speaker may consider necessary :

Provided that no amendment shall be proposed to any such Bill which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State and the decision of the Speaker, as to whether an amendment is inadmissible under this sub-rule, shall be final.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days have been allotted under sub-rule (1) above.

(4) The Speaker may suspend the operation of any rule for the timely passing of such Bills.

Timely completion of financial business

158. In addition to the powers exercisable under these rules, the Speaker may exercise all such powers as are necessary for the purpose of the timely completion of all financial business including allotment of time for the disposal of various kinds of such business, and where time is so allotted, he shall, at the appointed hour put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which time has been allotted.

EXPLANATION :- Financial business includes any business which the Speaker holds as coming within this category under the Constitution.

Publication of Appropriation, Finance Accounts and Audit Reports

159. As soon as may be practicable after Appropriation and Finance Accounts and Audit Reports thereon have been laid on the Table of the Assembly, the Secretary shall issue a notification declaring them to be published for general information.

CHAPTER XXI

Removal of Speaker and Deputy Speaker

Resolution for removal of Speaker and Deputy Speaker

160. Any resolution to remove the Speaker or the Deputy Speaker from office, of which at least fourteen days' notice as required under Article 179 of the Constitution has been given shall be read to the Assembly by the person presiding who shall then request the members who are in favour of leave being granted to move the resolution to rise in their places, and if not less than ten members of the House rise accordingly the person presiding shall allow the resolution to be moved.

If less than ten members of the House rise, the person presiding shall inform the member who may have given the notice that he has not the leave of the Assembly to move it.

If notice of a "No-Confidence Motion" against the Speaker or the Deputy Speaker is tabled, the House shall not be adjourned till the provisions of these rules are complied with and the motion on no-confidence is disposed of finally.

Leave of House to take up resolution

161. (1) Subject to the provisions of Article 181 of the Constitution, the Speaker or the Deputy Speaker or such other person as is referred to in clause (2) of Article 180 of the Constitution shall preside when a motion under rule 160 is taken up for consideration.

(2) The member in whose name the motion stands on the list of business shall, except when he wishes to withdraw it, move the motion when called upon to do so, but no speech shall be permitted at this stage.

Inclusion of resolution in the list of business

162. On the appointed day the resolution shall be included in the list of business to be taken up after the questions and before any other business for the day is entered upon.

Time limit for speeches

163. Except with the permission of the Speaker or the person presiding, a speech on the resolution shall not exceed fifteen minutes in duration :

Provided that the mover of the resolution when moving the same may speak for such longer time as the Speaker or the person presiding may permit.

CHAPTER XXII

Question of Privilege

Breach of privilege, how to bring to the notice of the House

164. A breach of privilege, either of a member or of the House or of a Committee thereof, may, with the consent of the Speaker be brought to the notice of the House-

- (i) by a complaint from a member;
- (ii) by a petition;
- (iii) by a report from a Committee:

Provided that if the breach is committed in actual view of the House, the House may take action without complaint.

A- Complaint by a Member

Notice of a complaint of a member

165. A member wishing to make a complaint of a breach of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day on which it is proposed to be made. If the complaint is founded upon a document the original thereof shall accompany the notice.

Condition for the admissibility of a question of privilege

166. The right to raise a question of privilege shall be governed by the following conditions :-

- (i) not more than one question shall be raised at the same sitting;
- (ii) the question shall be restricted to a specific matter of recent occurrence;
- (iii) the matter requires the intervention of the House.

Presentation of complaint

167. If the Speaker gives his consent under rule 164, the member making the complaint shall, after questions and before the list of business is entered upon, read his complaint and may make a short statement relevant thereto. If the complaint is founded upon a document, it shall be read by the member complaining or if so directed by the Speaker, by the Secretary. The Speaker after hearing any other member if necessary, shall decide whether the complaint is in order or not :

Provided that the Speaker may if he is satisfied about the urgency of the matter allow a question of privilege to be raised at any time.

Speaker to refer the matter to the Committee of Privileges

168. If the Speaker holds the matter proposed to be discussed is in order, he shall refer it to the Committee of Privileges for report within a period to be specified, unless he is of the opinion that the matter is such as may be disposed of by the House without reference to the Committee, in which case the member making the complaint shall make a motion that the matter be taken into consideration forthwith or at some future time.

Power of Speaker to give directions

169. The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee of Privileges or in the House.

B - Complaint by a Petition

Complaint by a petition

170. When a petition complaining a breach of privilege has been received and after the Speaker gives his consent thereto, the petition or such portion thereof as relates to breach of privilege shall be read to the House by the Secretary. The House may forthwith take the petition into consideration or direct that it be taken into consideration at some future time within which it may be printed and copies of it supplied to members or refer it to Committee of Privileges for report within a period to be specified.

C - Complaint by a Committee

Complaint by a Committee

171. After the presentation of the report of a Committee of the House containing a complaint of a breach of privilege, the Chairman or, in his absence any other member of the Committee may move that the question of the breach of privilege be taken into consideration forthwith or at some future time.

Substantive Motion

172. After any of the following motions is agreed to by the House -

- (i) Motion under rule 168 that the matter be taken into consideration; or
- (ii) Motion that the report of the Privileges Committee be taken into consideration; or

(iii) Motion under rule 170 that the petition be taken into consideration; or

(iv) Motion under rule 171 that the question of the breach of privilege, as contained in the report of the Committee, be taken into consideration; any member may move a substantive motion indicating the commission of a breach of privilege and also suggesting the action to be taken by the House, and any other member may move an amendment to the said motion. After a brief discussion of the motion, and amendments, if any, the Speaker shall put the question to vote.

D- Special Procedure relating to complaint against Member

Notice to member complained against

173. Where the complaint is to be made against a member, the member should be given prior notice by the complainant, petitioner or Secretary of the Committee, as the case may be. In case no prior notice has been given, the House may adjourn the consideration of the matter till notice is given to the member concerned or it may decline to entertain the complaint. The member complained against shall attend the House in his place on the day fixed by the House or proposed by the complainant, as the case may be.

If he is unable to attend, the House may further postpone the consideration of the matter; but if he, in the opinion of the House willfully absents himself, the House may proceed with the matter in his absence.

Member to be heard

174. As soon as the question of the motion founded on the complaint is proposed by the Speaker, the member complained against shall be given an opportunity to be heard in explanation or exculpation. In the case of a complaint founded upon document he may be given that opportunity immediately after the document is read. If the member complained against wants to offer an explanation at an earlier stage, it will be in the discretion of the Speaker to permit him to do so.

Withdrawal of member concerned

175. The House then shall proceed on to discuss the motion and the member complained against may remain in the House but shall not take part in the discussion unless called upon to offer any further explanation or apology.

E – GENERAL

Opportunity to person charged

176. Except where the breach of privilege is committed in the actual view of the House or of a Committee, the House shall at some proper stage of the proceedings before the sentence is passed give an opportunity to the persons charged to be heard in explanation or exculpation of the offence complained against him :

Provided that if the matter has been referred to the Privileges Committee and the person charged has been heard before the Committee, it will not be necessary for the House to give him that opportunity unless the House directs otherwise.

Summoning the party charged

177. The Speaker may summon the party charged by notice or warrant to appear before the House or the Committee of Privileges at any stage of the proceedings.

Punishment

178. The House, like the House of the People has power under clause (3) of Article 194 of the Constitution to inflict amongst others the following punishments :-

- (1) admonition,
- (2) reprimand,
- (3) imprisonment, for such term as may be decided by the House but it shall not extend beyond the prorogation or dissolution of the House whichever is earlier, and
- (4) suspension or expulsion of a member for a period not exceeding 30 days or till prorogation or dissolution of the House whichever is earlier.

Groundless complaints

179. In case the House finds a charge of breach of privilege groundless, it may order the payment of an amount not exceeding Rs. 500 as cost to the party charged by the party complaining.

Execution of order of the House

180. The Speaker, or any person authorised by him in this behalf, shall have the power to execute all the orders passed and sentences inflicted by the House.

Brevity of debate

181. The debate at all stages on questions involving breach of privilege shall be brief.

Power of Speaker to refer question of privilege to Committee

182. Notwithstanding anything contained in these rules, the Speaker may refer any questions of privilege to the Committee of Privileges for examination and investigation or report.

Application of this chapter to persons entitled to take part in the proceedings of the Assembly

183. The foregoing provisions of this Chapter shall apply in relation to persons who, by virtue of the Constitution, have the right to speak in, or otherwise take part in the proceedings of the Assembly or any Committee thereof, as they apply in relation to members of the Assembly.

F - Intimation to Speaker of arrest, detention, etc. and release of a member

Intimation to Speaker by Magistrate of arrest, detention etc. of a member

184. When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule.

Intimation to Speaker on release of a member

185. When a member is arrested and after conviction released on bail pending an appeal or otherwise released, such fact shall also be intimated to the Speaker by the authority concerned in the appropriate form set out in the Third Schedule.

Treatment of communications received from Magistrate

186. As soon as may be, the Speaker shall, after he has received a communication referred to in rule 184 or rule 185 read it out in the House if in session, or if the House is not in session, direct that it may be circulated for the information of the member:

Provided that if the intimation of the release of a member either on bail or by discharge on appeal is received before the House has been informed of the original arrest, the fact of his arrest, as well as his subsequent release or discharge may not be intimated to the House by the Speaker.

G - Procedure regarding service of a legal process and arrest within the precincts of the Assembly.

Arrest within the precincts of House

187. No arrest shall be made within the precincts of the House without obtaining the permission of the Speaker.

Service of legal process

188. A legal process, civil or criminal shall not be served within the precincts of the House without obtaining the permission of the Speaker.

CHAPTER XXIII

Subordinate Legislation

Laying of regulation, rule, etc., on the Table

- 189.** (1) Every regulation, rule, bye-law, order, notification framed in pursuance of the Constitution or of the Legislative functions delegated by the Assembly to a subordinate authority shall be laid before the House.
- (2) The period specified in the Constitution or the relevant Act for which such regulation, rule, bye-law or notification is required to be laid may comprise of one Session or two successive Sessions of the House.
- (3) If, before the expiry of the Session in which it is so laid or the Session immediately following, the Assembly agrees in making any modification in the regulation, rule, bye-law, order, or notification or the Assembly agrees that it shall not be made, the regulation, rule, bye-law, order, or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be :

Provided that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Allotment of time for discussion of amendment

- 190.** The Speaker shall, in consultation with the Leader of the House, fix a day or days or part of a day as he may think fit for the consideration and passing of an amendment to such regulation, rule, sub-rule, bye-law, etc. of which notice may be given by a member :

Provided that notice of the amendment shall be in such form as the Speaker may consider appropriate and shall comply with these rules.

Regulation, rule, etc as amended to be laid on the Table

- 191.** If a regulation, rule, sub-rule, bye-law, etc., is modified in accordance with the amendment passed by the Assembly, the amended regulation, rule, sub rule, bye-law, etc. shall be laid on the Table.

(for rules relating to Committee on Subordinate Legislation, see Chapter XXVIII of these rules.)

CHAPTER XXIV

Leave of Absence and Vacation of Seats.

Leave of absence from the sittings of the House

- 192.** (1) A member desiring permission of the House to remain absent from the sittings thereof under clause (4) of Article 190 of the Constitution shall make an application in writing to the Speaker.
- (2) An application under sub-rule (1) shall specify the period for which leave of absence is required, indicating also the date of commencement and of termination of such leave of absence and the grounds for it :

Provided that leave of absence applied for at any time shall not exceed a period of sixty days.

Vacation of seats in House

- 193.** (1) The seat of a member shall be declared vacant under clause (4) of Article 190 of the Constitution, on a motion by the Leader of the House or by such other member to whom he may delegate his functions in this behalf.
- (2) If the motion referred to in sub-rule (1) is carried, the Secretary shall cause the information to be published in the Official Gazette and shall forward a copy of the notification to the Governor and to the Election Commission.

CHAPTER XXV

Resignation of Seats in Assembly.

Resignation of seats in Assembly

194. (1) A member who desires to resign his seat in the Assembly shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the Assembly in the following form and shall not give any reason for his resignation :-

To

The Speaker,
Legislative Assembly,
Aizawl.

I hereby tender my resignation of my seat in the Assembly
with effect from ...

Yours faithfully

.....
Member of the Assembly.

Place ...

Date ...

Provided that where any member gives any reason or introduces any extraneous matter the Speaker shall omit such words, phrases or matter and the same shall not be read out in the House.

(2) As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the Assembly, inform the House that the said member has resigned his seat in the Assembly : Provided that when the Assembly is not in Session the Speaker shall inform the House immediately after the House re-assembles, that the said member has resigned his seat in the Assembly during the intersession period.

(3) The Secretary shall as soon as may be, after the Speaker has received such intimation from a member resigning his seat in the Assembly, notify the vacancy in the Official Gazette and shall cause a copy of the notification to be communicated to the Governor and to the Election Commission.

CHAPTER XXVI

Communication between the Governor and the Assembly

Communication from the Governor to the Assembly

195. (1) Communication from the Governor to the Assembly shall be made to the Speaker by written message signed by the Governor or if the Governor is absent from the place of meeting of the Assembly, his message shall be conveyed to the Speaker through the Leader of the House or through such persons as the Leader may delegate.

Communication from the Assembly to the Governor

(2) Communication from the Assembly to the Governor shall be made -

- (i) by formal address after motion made and carried in the Assembly;
- (ii) through the Speaker.

CHAPTER XXVII

Secret Sitting of the Assembly

Secret Sitting

196. (1) On a request being made for a secret sitting of the Assembly by any member, the Speaker, in consultation with the Leader of the House, will decide the necessity of such a sitting and if it is so decided, fix a day or part thereof for sitting of the Assembly in secret.

(2) When the Assembly sits in secret no stranger shall be permitted to be present in the Chamber, lobby or galleries:

Provided that persons authorised by the Speaker may be present in the Chamber, lobby or galleries.

Report of the proceedings

197. The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as he thinks fit, but no other person present shall keep a note or record of any proceedings or decision of a secret sitting, whether in part or full or issue any report of, or purport to describe such proceedings.

Procedure in other respects

198. The procedure in all other respects in connection with a secret sitting shall be in accordance with such directions as the Speaker may give.

Lifting of ban of secrecy

199. (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret sitting has ceased to exist and subject to the consent of the Speaker, a motion may be moved by the Leader of the House or any member authorised by him that the proceedings in the Assembly during a secret sitting is no longer treated as secret.

(2) On adoption by the Assembly of the motion under sub-rule (1), the Secretary shall cause to be prepared a report of the proceedings of the secret sitting and shall, as soon as practicable, publish it in such form and manner as the Speaker may direct.

Disclosure of proceedings or decision

200. Subject to the provisions of rule 199, disclosure of proceedings or decision of a secret sitting by any person in any manner shall be treated as a gross breach of privilege of the House.

CHAPTER XXVIII

Assembly Committees

(a) General

Committee to include Assembly committee

201. In this Chapter, unless the context otherwise requires, "Committee" means and includes "Assembly Committee" as defined in sub-rule (1) of rule 2.

Appointment of Committee

202. (1) The members of a Committee shall be appointed or elected by the Assembly on a motion made, or nominated by the Speaker, as the case may be.

(2) No member shall be appointed to a Committee if he is not willing to serve on it. The proposer shall ascertain whether the member whose name is proposed by him is willing to serve on the Committee.

(3) Casual vacancies in a Committee shall be filled by appointment or election by the Assembly on a motion made or nomination by the Speaker, as the case may be, and any member appointed, elected or nominated to fill such vacancy shall hold office for the unexpired portion of the term for which the member in whose place he is appointed, elected or nominated would have normally held office.

Objection to membership of Committee

203. Where an objection is taken to the inclusion of a member in a Committee on the ground that the member has a personal, pecuniary or direct interest of such an intimate character that it may prejudicially affect the consideration of any matters to be considered by the Committee, the procedure shall be as follows:

(a) The member who has taken objection shall precisely state the ground of his objection and the nature of the alleged interest, whether personal, pecuniary or direct, of the proposed member in the matters coming up before the Committee;

(b) after the objection has been stated, the Speaker shall give an opportunity to the member proposed on the Committee against whom the objection has been taken to state the position;

(c) if there is dispute on facts, the Speaker may call upon the member taking objection and the member against whose appointment on the Committee objection has been taken, to produce documentary or other evidence in support of their respective cases;

(d) after the Speaker has considered the evidence tendered before him, he shall give his decision which shall be final;

(e) until the Speaker has given his decision the member against whose appointment on the Committee objection has been taken shall continue to be a member thereof if elected or nominated and take part in discussion, but shall not be entitled to vote; and

(f) If the Speaker hold that the member against whose appointment objection has been taken has a personal, pecuniary or direct interest in the matter before the Committee, he shall cease to be a member thereof forthwith:

Provided that the proceedings of the sittings of the Committee at which such member was present shall not in any way be affected by the decision of the Speaker.

Explanation - For purpose of this rule the interest of the member should be direct, personal or pecuniary and separately belong to the person whose inclusion in the Committee is objected to and not in common with the public in general or with any class or section thereof or on a matter of State policy.

Term of office of Committee nominated by the Speaker

204. Except as otherwise provided in rule 250, 252 and 254 the term of office of all members of all Assembly Committees shall be for a period of one year from the date of constituting the Committee or till a new Committee is constituted in accordance with these rules:

Provided that the term of office of the members of a Select Committee shall terminate on the presentation of their report to the House.

Resignation from Committee

205. A member may resign his seat from a Committee by writing under his hand, addressed to the Speaker.

Chairman of committee

206. (1) The Chairman of a Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place.

(3) If the Chairman is absent from any sitting, the Committee shall choose another member to act as Chairman for that sitting.

Secretary of the committee

207. The Secretary of the Assembly shall be the Secretary of all Assembly Committees.

Quorum

208. (1) The quorum to constitute a sitting of a Committee shall be, as near as may be, one-third or three whichever is greater of the total number of members of the Committee.

(2) If at any time fixed for any sitting of the Committee, or if at any time during any such sitting there is no quorum, the Chairman of the Committee shall either suspend the sitting until there is a quorum or adjourn the sitting to some future day.

(3) When the Committee has been adjourned in pursuance of sub-rule (2) on two successive dates fixed for sittings of the Committee the Chairman shall report the fact to the House :

Provided that where the Committee has been appointed by the Speaker, the Chairman shall report the fact of such adjournment to the Speaker.

Discharge of members absent from sitting of committee

209. If a member is absent from two or more consecutive sittings of a Committee without the permission of the Chairman, a motion may be moved in the House for the discharge of such member from the Committee

Provided that where the members of the Committee are nominated by the Speaker such member may be discharged by the Speaker, after giving him an opportunity to explain himself.

Voting in Committee

210. All questions at any sitting of a Committee shall be determined by a majority of votes of the members present and voting.

Casting vote of Chairman

211. In the case of an equality of votes on any matter, the Chairman or the person acting as such, shall have a second or casting vote.

Power to appoint Sub-Committee

212. (1) A Committee may appoint one or more Sub-Committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them and the reports of such Sub-Committees shall be deemed to be the reports of the whole Committee, if they are approved at a sitting of the whole Committee.

(2) The order of reference to a sub-committee shall clearly state the point or points of investigation. The reports of the Sub-Committee shall be considered by the whole Committee.

Sittings of a Committee

213. The sittings of a Committee shall be held on such days and at such hour as the Chairman of the Committee may fix :

Provided that if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a sitting :

Provided further that in the case of Select Committee on a Bill, if the Chairman of the Committee is not readily available, the Secretary may in consultation with the Minister concerned with the Bill, fix the date and time of a sitting.

Committee may sit whilst Assembly is sitting

214. A Committee may sit whilst the Assembly is sitting provided that on a division being called in the Assembly the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will in his opinion enable the members to vote in a division.

Sittings of Committee in private

215. The sittings of a Committee shall be held in private. No person shall disclose the proceedings of any Committee.

Venue of sitting

216. The sittings of a Committee shall be held within the precincts of the Assembly House, and if it becomes necessary to change the place of sitting outside the Assembly House, the matter shall be referred to the Speaker whose decision shall be final.

All strangers to withdraw when Committee deliberates

217. All persons other than members of the Committee and Officers of the Assembly Secretariat shall withdraw whenever the Committee is deliberating.

Power to take evidence or call for documents

218. (1) A witness may be summoned by an order signed by the Secretary and shall produce such documents as are required for the use of a Committee.

(2) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(3) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

Power to send for persons, papers and records

219. A Committee shall have power to send for persons, papers and records :

Provided that if any question arises whether the evidence of a person or the production of a document is relevant for the purposes of the Committee, the question shall be referred to the Speaker whose decision shall be final :

Provided further that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

Counsel for a witness

220. A Committee may, under the direction of the Speaker, permit a witness to be heard by a counsel appointed by him and approved by the Committee.

Evidence on oath

221. (1) A Committee may administer oath or affirmation to a witness examined before it.

(2) The form of the oath shall be as follows:-

" I swear in the presence of Almighty God (or solemnly affirm) that the evidence which I shall give in this case shall be true, that I will conceal nothing, and that no part of my evidence shall be false".

Procedure for examining witness

222. The examination of witness before a Committee shall be conducted as follows :-

(i) The Committee shall, before a witness is called for examination, decide the mode of procedure and the nature of questions that may be asked of the witness.

(ii) The Chairman of the Committee may first ask the witness such question or questions as he may consider necessary with reference to the subject matter under consideration or any subject connected herewith according to the mode of procedure mentioned in clause (i) of this rule.

(iii) The Chairman may call other members of the Committee one by one to ask any other questions.

(iv) A witness may be asked to place before the Committee any other relevant points that have not been covered and which a witness thinks are essential to be placed before the Committee.

(v) A verbatim record of proceedings of the Committee shall, when a witness is summoned to give evidence, be kept.

(vi) The evidence tendered before the Committee may be made available to all members of the Committee.

Record of decisions of Committee

223. A record of the decisions of a Committee shall be maintained and circulated to members of the Committee under the direction of the Chairman.

Evidence, report and proceedings treated as confidential

224. (1) A Committee may direct that the whole or a part of evidence or a summary thereof may be laid on the Table.

(2) No part of the evidence, oral or written report or proceedings of a Committee which has not been laid on the Table shall be open to inspection by any one except under the authority of the Speaker.

(3) The evidence given before a Committee shall not be published by any member of the Committee or by other person until it has been laid on the Table : Provided that the Speaker may, in his discretion, direct that such evidence be confidentially made available to members before it is formally laid on the Table.

Special reports

225. A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the House, notwithstanding that such matter is not directly connected with, or does not fall within or is not incidental to, its terms or reference.

Report of Committee

226. (1) Where the House has not fixed any time for the presentation of a report by a Committee, the report shall be presented within one month of the date on which reference to the Committee was made :

Provided that the Assembly may at any time on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

(2) Reports may be either preliminary or final.

(3) The report of the Committee shall be signed by the Chairman on behalf of the Committee:

Provided that in case the Chairman is absent or is not readily available the Committee shall choose another member to sign the report on behalf of the Committee.

Availability of report to Government before presentation

227. A Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

Presentation of report

228. (1) The report of Committee shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

(2) In presenting the report the Chairman or in his absence, the member presenting the report shall, if he makes any remarks, confine himself to a brief statement of fact, but there shall be no debate on that statement at this stage.

Printing, publication or circulation of report prior to its presentation to Assembly

229. The Speaker may, on a request being made to him and when the Assembly is not in session, order the printing, publication or circulation of a report of a Committee although it has not been presented to the Assembly. In that case the report shall be presented to the Assembly during its next session at the first convenient opportunity.

Power to make suggestions on procedure

230. A Committee shall have power to pass resolutions on matters of procedure relating to that Committee for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

Power of Committee to make detailed rules

231. A Committee may with the approval of the Speaker make detailed rules of procedure to supplement to provisions contained in the rules in this Chapter.

Power of Speaker to give direction

232. (1) The Speaker may, from time to time, issue such directions to the Chairman of a Committee as he may consider necessary for regulating its procedure and the organisation of its work.

(2) If any doubt arises on any point of procedure or otherwise the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

Business before Committee not to lapse on prorogation of Assembly

233. Any business pending before a Committee shall not lapse by reason only of the prorogation of the Assembly and the Committee shall continue to function notwithstanding such prorogation.

Unfinished work of Committee

234. A Committee which is unable to complete its work before the expiration of its term or before the dissolution of the Assembly may report to the House that the Committee has not been able to complete its work. Any preliminary report, memorandum or note that the Committee may have prepared or any evidence that the Committee may have taken shall be made available to the new Committee.

Applicability of general rules to Committee

235. Except for matters for which special provision is made in the rules relating to any particular Committee, the general rules in this Chapter shall apply to all Committees, and if and so far as any provision in the special rules relating to a Committee is inconsistent with the general rules, the special rules shall prevail.

(b) Business Advisory Committee

Constitution of the Business Advisory Committee

236. At the commencement of the House or from time to time, as the case may be, the Speaker may nominate a Committee called the Business Advisory Committee consisting of not more than six members including the Speaker who shall be the Chairman of the Committee.

Function of Committee

237. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills, and other business as the Speaker, in consultation with the Leader of the House, may direct for being referred to the Committee.

(2) The Committee shall have the power to indicate in the proposed time-table the different hour at which the various stages of the Bill or other business shall be completed.

(3) The Committee shall have such other functions as may be assigned to it by the Speaker from time to time.

Report of Committee

238. The time-table in regard to business as settled by the Committee shall be reported by the Speaker to the Assembly and circulated to the members.

Allocation of order

239. As soon as may be after the report has been made to the House, a motion may be moved by a member of the Committee designated by the Speaker : "that this Assembly agrees with the allocation of time proposed by the Committee in regard to such and such Bill or Bills or other Government business," and if such motion is accepted by the House, it shall take effect as if it were an Order of the House :

Provided that an amendment may be moved that the report be referred back to the Committee either without limitation or with reference to any particular matter :

Provided further that not more than half an hour shall be allotted for the discussion of the motion and no member shall speak for more than five minutes on such motion.

Disposal of outstanding matter at the appointed hour

240. At the appointed hour, in accordance with the Allocation of Time Order for the completion of a particular stage of a Bill, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill.

Variation in the Allocation of Time Order

241. No variation in the Allocation of Time Order shall be made except on the request of the Leader of the House who shall notify orally to the House that there was general agreement for such variation, which shall be enforced by the Speaker after taking the sense of the House.

(c) Select Committees.

Composition of Select Committees

242. (1) The Minister - in - charge and the member who introduced the Bill, shall be members of the Committee.

(2) The other members of the Select Committee shall be named in the motion proposing reference to the Committee and their appointment shall be subject to the vote of the Assembly :

Provided that subject to such vote one or more members may, upon the motion of the Minister - in - charge or of the member who introduced the Bill, be added to the Committee at a subsequent meeting of the Assembly.

Members other than Members of Committee may be present

243. Members who are not members of a Select Committee may with the permission of the Chairman be present during the deliberations of the Committee but shall not address the Committee nor sit in the body of the Committee :

Provided that a Minister may, with the permission of the Chairman, address the Committee of which he may not be a member.

Report by Select Committee

Report of Committee

244. (1) As soon as may be, after a Bill has been referred to a Select Committee, the Select Committee shall meet from time to time in accordance with rule 213 to consider the Bill and shall make a report thereon within the time fixed by the Assembly :

Provided that where the Assembly has not fixed any time for the presentation of the report by a Select Committee, the report shall be presented before the expiry of three months from the date on which the Assembly adopted the motion for the reference of the Bill to the Select Committee :

Provided further that the Assembly may at any time, on a motion being made, direct that the time for the presentation of the report by the Select Committee be extended to a date specified in the motion.

(2) The Select Committee shall in their report state whether the publication of the Bill directed by these rules has taken place, and the date on which the publication has taken place.

(3) Where a Bill has been altered, the Select Committee may, if they think fit, include in their report, a recommendation to the member-in-charge of the Bill that his next motion should be a motion for circulation or, where the Bill has already been circulated, for re-circulation.

(4) Any member of the Select Committee may record a minute of dissent on any matter or matters connected with the Bill or dealt within the report.

(5) A minute of dissent shall be couched in temperate and decorous language and shall not refer to any discussion in the Select Committee nor cast aspersion on the Committee.

(6) If in the opinion of the Speaker a minute of dissent contains words, phrases or expression which are unparliamentary or otherwise inappropriate, he may order such words, phrases or expressions to be expunged from the minute of dissent.

Presentation of report

245. The report of the Select Committee on a Bill together with the minutes of dissent, if any, shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

Printing and publication of reports

246. The Secretary shall cause every report of a Select Committee to be printed, and a copy of the report shall be made available for the use of every member of the Assembly. The report, and the Bill, as reported by the Select Committee, shall be published in the Gazette.

(d) Committee on Petitions

Constitution of Committee on Petitions

247. At the commencement of the Assembly, or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not less than five members :

Provided that a Minister shall not be nominated a member of the Committee, and that if a member, after his nomination to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

Report of Committee

248. (1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may direct that it be circulated. Where circulation of the petition has not been directed, the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petition shall be in extenso or in summary form as the Committee or the Speaker, as the case may be, may direct.

(3) It shall also be the duty of the Committee to report to the House on specific complaints made in the petition referred to it after taking such evidence as it deems fit and to suggest remedial measures either in a concrete form applicable to the case under review or to prevent such cases in future.

(e) Committee on Public Accounts

Functions of Committee on Public Accounts

249. (1) There shall be a Committee on Public Accounts for examination of accounts showing the appropriation of sums granted by the Assembly for the expenditure of the Government of Mizoram ; the annual finance accounts of the Government of Mizoram and such other accounts laid before the Assembly as the Committee may think fit.

(2) In scrutinizing the Appropriation Accounts of the Government of Mizoram and the report of the Comptroller and Auditor General thereon, it shall be the duty of the Committee to satisfy :-

- (a) that the moneys shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged ;
- (b) that the expenditure conforms to the authority which governs it; and
- (c) that every re-appropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority.

(3) It shall also be the duty of the Committee -

- (a) to examine the statement of accounts showing the income and expenditure of state Corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss accounts which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation, trading or manufacturing scheme or concern or project and the report of the Comptroller and Auditor General thereon;
- (b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies the audit of which may be conducted by the Comptroller and Auditor General of India either under the directions of the Governor or by a statute of the state Assembly; and

- (c) to consider the report of the Comptroller and Auditor General in cases where the Governor may have required him to conduct an audit of any receipts or to examine the accounts of stores and stocks.
- (4) If any money has been spent on any service during a financial year in excess of the amount granted by the House for that purpose, the Committee shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendation as it may deem fit.

Constitution of committee

250. (1) The Committee shall consist of not more than seven members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee, and that if a member, after his election to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of office of members of the Committee shall not exceed 30 months from the date of its formation.

(f) Committee on Estimates

Functions of committee on estimates

251. There shall be a Committee on Estimates for the examination of such of the estimates as may deem fit to the Committee or are specially referred to it by the House or the Speaker. The functions of the Committee shall be -

- (a) to report what economies, improvement in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates, may be effected ;
- (b) to suggest alternative policies in order to bring about efficiency and economy in administration ;
- (c) to examine whether the money is well laid out within the limits of the policy implied in the estimates; and
- (d) to suggest the form in which the estimates shall be presented to Assembly.

Constitution of Committee

252. (1) The Committee shall consist of not more than seven members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote :

Provided that a Minister shall not be elected a member of the Committee, and that if a member, after his election to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of office of members of the Committee shall not exceed 30 months from the date of its formation.

Examination of estimates

253. The Committee may continue the examination of the estimates from time to time throughout the financial year and report to the House as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(g) Committee on Public Undertakings

Constitution of committee

254. (1). ¹["There shall be a Committee on Public Undertakings for the examination of the working of the Public Undertakings specified in the Fifth Schedule consisting of not more than seven members who shall be elected by the House from amongst its members according to the principle of proportional representation by means of the single transferable vote. The Speaker may, in consultation with the Leader of the House, modify or vary the list of Public Undertakings in the Fifth schedule from time to time:]

Provided that a Minister shall not be a member of the Committee and that if a member, after his election to the Committee, is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(2) The term of office of members of the Committee shall not exceed 30 months from the date of its formation.

Functions

255. The functions of the Committee shall be –

(i) to examine the reports and accounts of the public undertakings as specified by the Government from time to time and of such other public undertakings as may be referred to the Committee by the Speaker for examination.

(ii) to examine the reports, if any, of the Comptroller and Auditor General on the public undertakings;

(iii) to examine, in the context of the autonomy and efficiency of the public undertakings, whether the affairs of the public undertakings are being managed in accordance with sound business principles and prudent commercial practices; and

(iv) to exercise such other functions vested in the Committee on Public Accounts and the Committee on Estimates in relation to the Public Undertakings mentioned above as are not covered by clauses (i), (ii) and (iii) above and as may be allotted to the Committee by the Speaker from time to time:

Provided that the Committee shall not examine and investigate any of the following, namely :-

(a) matters of major Government policy as distinct from business or commercial functions of the public undertakings;

(b) matter of day-to-day administration; and

(c) matter for the consideration of which machinery is established by any special statute under which particular public undertakings is established.

(h) Committee of Privileges

Constitution of Committee of Privileges

256. At the commencement of the Assembly or from time to time, as the case may be, the Speaker shall nominate a Committee of Privileges consisting of not more than seven members.

Examination of question by Committee

257. (1) The Committee shall examine every question referred to it and determine, with reference to the facts of each case, whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and make such recommendations as it may deem fit.

(2) The report may also state the procedure to be followed by the Assembly in giving effect to the recommendations made by the Committee.

Consideration of report

258. (1) After the report has been presented, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration, whereupon the Speaker may put the question to the Assembly.

(2) Before putting the question to the Assembly, the Speaker may permit a debate on the motion, not exceeding half an hour in duration and such debate shall not refer to the details of the report further than is necessary to make out a case for the consideration of the report by the House.

(3) After the motion made under sub-rule (1) is agreed to, the Chairman or any member of the Committee or any other member, as the case may be, may move that the Assembly agrees or disagrees or agrees with amendments, with recommendations contained in the report.

Priority for consideration of report of Committee

259. A motion that the report of the Committee be taken into consideration shall be accorded priority assigned to a matter of privilege under rule 167, unless there has been undue delay in bringing it forward : Provided that when a date has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

(i) Committee on Subordinate Legislation

Functions of Committee on Subordinate Legislation

260. There shall be a Committee on Subordinate Legislation to scrutinize and report to the Assembly whether the powers to make regulations, rules, sub-rules, bye-laws, etc. conferred by the Constitution or delegated by the Assembly are being properly exercised within such delegation.

Constitution of Committee

261. The Committee shall consist of not more than seven members who shall be nominated by the Speaker :

Provided that a Minister shall not be nominated a member of the Committee, and that if a member after his nomination to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

Numbering and Publication of order

262. Each regulation, rule, sub-rule, bye-law, etc. framed in pursuance of the provisions of the Constitution or legislative functions delegated by Assembly to a subordinate authority and which is required to be laid before the House, hereinafter referred to as "Order" shall, subject to such rule as the Speaker may in consultation with the Leader of the House prescribe, be numbered centrally and published in the Gazette immediately after it is promulgated.

Duties of Committee

263. After each such Order referred to in rule 260 is laid before the House, the Committee shall, in particular, consider -

- (i) whether it is in accord with the general objects of the Constitution or the Act pursuant to which it is made ;
- (ii) whether it contains matter which in the opinion of the Committee should more properly be dealt with within an Act of the Assembly.
- (iii) whether it contains imposition of any tax;
- (iv) whether it directly or indirectly bars the jurisdiction of the courts ;
- (v) whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power ;
- (vi) whether it involves expenditure from the Consolidated Fund of the State or the public revenues ;
- (vii) whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;
- (viii) whether there appears to have been unjustifiable delay in its publication or in laying it before the Assembly; and
- (ix) whether for any reason its form of purport calls for any elucidation.

Report of Committee

264. (1) If the Committee is of the opinion that any Order should be annulled wholly or in part, or should be amended in any respects it shall report that opinion and the grounds thereof to the Assembly.

(2) If the Committee is of the opinion that any other matter

relating to any Orders should be brought to the notice of the Assembly, it may report that opinion and matter to the Assembly.

Power of Speaker to give directions

265. The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of Subordinate Legislation either in the Committee or in the Assembly.

(j) Committee on Government Assurances

Functions of Committee on Government Assurance

266. There shall be a Committee on Government Assurances to scrutinize the assurances, promises, undertakings, etc., given by Ministers, from time to time on the floor of the Assembly and to report on -

- (a) the extent to which such assurances, promises, undertakings, etc. have been implemented ; and
- (b) where implemented, whether such implementation has taken place within the minimum time necessary for the purpose.

Constitution of Committee

267. The Committee shall consist of not more than six members who shall be nominated by the Speaker :

Provided that a Minister shall not be nominated a member of the Committee, and that if a member, after his nomination to the Committee is appointed a Minister he shall cease to be a member of the Committee from the date of such appointment.

(k) Committee on Papers Laid on the Table

Constitution of the Committee

268. There shall be a Committee on Papers Laid on the Table consisting of not more than 6 members who shall be nominated by the Speaker for a term not exceeding one year from the date of its formation.

Chairman of the Committee

269. The Speaker may nominate one of the members of the Committee to be its Chairman.

Functions of the Committee

270. The functions of the Committee shall be to examine all papers laid on the Table of the House by Ministers and to report to the House on -

- (a) whether there has been compliance of the provisions of the Constitution, Act, Rule or Regulation under which the paper has been laid.
- (b) whether there has been any unreasonable delay in laying the paper.
- (c) if there has been such delay whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory.
- (d) the Committee shall perform such other functions in respect of the paper Laid on the Table as may be assigned to it by the Speaker from time to time.

(I) Rules Committee

Functions of Rules Committee

271. There shall be a Committee on Rules to consider matters of Procedure and Conduct of Business in the Assembly and to recommend any amendments or addition to these rules that may be deemed necessary.

Constitution of Committee

272. The Committee on Rules shall be nominated by the Speaker and shall consist of nine members including the Chairman of the Committee. The Speaker shall be the ex-officio Chairman of the Committee.

Laying of report on the table

273. (1) The recommendations of the Committee shall be laid on the Table and within a period of seven days, beginning with the day on which they are so laid, any member may give notice of any amendment to such recommendations.

(2) Any notice given by a member of any amendment to the recommendations of the Committee shall stand referred to the Committee who shall consider it and make such changes in their recommendations as the Committee may consider fit. The final report of the Committee, after taking into consideration the amendments suggested by the members, shall be laid on the Table. Thereafter, on the House agreeing to the report on a motion made by a member of the Committee, the amendments to the rules as approved by the Assembly, shall be circulated to the members and published in the Gazette.

(3) If notice of such amendment has not been given within seven days, the recommendations of the Committee shall be deemed to have been approved by the House and on the expiry of the said period the Speaker shall cause the amendments to the rules as recommended by the Committee to be circulated and published in the Gazette.

(4) The amendments to the rules shall come into force on their publication in the Gazette unless otherwise specified.

(m) House Committee

House Committee

274. (1) There shall be appointed at the commencement of the first session in each year a House Committee for one year, to consider and advise upon all matters connected with the comfort and convenience of members of the Assembly, which shall consist of not more than six members to be nominated by the Speaker.

(2) The functions of the Committee shall be :

(i) to deal with all questions relating to residential accommodation for members of the Assembly ;

(ii) to exercise supervision over facilities for accommodation, food, medical aid and other amenities accorded to members in the Members' Hostel ;

(iii) to look to the comfort, convenience of the members as well as maintain, in general, discipline in the Hostel ;

(iv) the functions of the Committee shall be advisory ; and

(v) the Committee shall frame its own rules, and the rules so framed shall be laid on the Table of the House.

(n) Library Committee

Library Committee

275. (1) There shall be a Library Committee appointed by the Speaker consisting of not more than six members.

(2) The functions of the Committee shall be :-

(a) to consider and advise on such matters concerning the Library as may be referred to it by the Speaker from time to time ;

- (b) to consider suggestions for the improvement of Library; and
- (c) to assist the members in fully utilizing the services provided by the Library.

(o) Subject Committees

Subject Committees

276. (1) There shall be 3(three) Subject Committees as enumerated in the Fourth Schedule.

(2) Each Subject Committee shall deal with the subjects shown against it in the Fourth Schedule and/or matters relating to them :

Provided that the Speaker may in consultation with the Leader of the House modify or vary the allocation of subjects to the Subject Committees from time to time.

Constitution of Committee

277. (1) Each Subject Committee shall consist of not less than four members who shall be nominated by the Speaker, as soon as may be, after the commencement of the Assembly or from time to time, as the case may be.

(2) No member shall be a member of more than one Subject Committee :

Provided that a Minister shall not be a member of Subject Committee, and that, if a member, after his nomination to the Subject Committees is appointed a Minister he shall cease to be member of the Committee from the date of appointment.

(3) The term of the Subject Committees shall be one year from the date of constitution of the Committee or until a new Committee is nominated. However, a member may be renominated in the same Committee for another period of one year.

Chairman of the Committee

278. The Speaker may nominate one of the members of the Committee to be its Chairman.

Functions of the Committee

279. (1) The functions of the Subject Committee shall be -

- (i) to scrutinize the demands for grants ;

- (ii) to examine legislation ;
- (iii) to study and report on a specified area of governmental activity in the wider public interest, or a project, scheme or undertaking intended for the general welfare ;
- (iv) to advise government on a question of policy or legislation on which government may consult a Committee ;
- (v) to discuss generally and formulate views on :-
 - (a) State's Five Year Plan Programmes and their implementations ;
 - (b) Centre-State relations in so far as they concern the State of Mizoram;
 - (c) Reports of Public Service Commission;
 - (d) Reports of Public Undertakings;
 - (e) Reports of any statutory or other body, including any Commission of Inquiry, which are laid before the Assembly.
- (2) The Subject Committee shall not examine or investigate matters of day to day administration.

Powers of the Committee as regards Demands for grants

280. (1) Each Subject Committee shall, at the conclusion of the discussion referred to in rule 147, scrutinize the demands for grants falling within its purview. Such scrutiny shall ordinarily be confined to variations in the demands from the previous year, more particularly increases, the need for economy and efficiency, new services and relationship of expenditure to needs.

(2) The Subject Committees shall complete the scrutiny of all the demands for grants within a period not exceeding four weeks from the date of completion of the discussion referred to in rule 147.

(3) At the end of the scrutiny referred to in sub-rule (2), each Subject Committee shall, as soon as may be, report to the House the result of such scrutiny and forward a copy of the report to the Minister concerned.

Powers of the Committee in respect of Bills

281. (1) Every Bill, other than an Appropriation Bill, unless referred to a Select Committee shall, after its general Principles are approved by the House, on a motion adopted in that behalf, stand referred to the Subject Committee, within

whose jurisdiction the subject matter of the Bill falls, for detailed examination, together with the amendments, if any, received thereto.

(2) In other respects, the procedure applicable to the Select Committee on a Bill shall apply to the Subject Committees when they consider legislation.

Reports of Subject Committee

282. (1) Subject to sub-rule (2) and (3) of rule 280, each Subject Committee shall submit periodical reports to the Assembly.

(2) A Subject Committee may, in regard to matters referred to in items (iii) and (iv) of sub-rule (1) of rule 279 forward its report to the Chief Minister in the first instance, if in the opinion of the Committee public interest will be better served by so doing.

(3) Each Subject Committee shall, in regard to matters specified in item (v) of sub-rule (1) of rule 279 present to the House from time to time, a resume of its discussions thereon and forward a copy thereof to the Chief Minister.

Secrecy of proceedings of Committee

283. (1) The proceedings of the meetings of the Subject Committee shall not be open to press.

(2) A verbatim proceedings of the meetings of the Committee shall be kept in the Legislature Library for perusal by the members of the Assembly.

Powers of Speaker to issue directions

284. Without prejudice to the generality of the power conferred under rule 346, the Speaker may, from time to time, issue such directions as may be necessary for the efficient conduct of the work of the Subject Committees.

¹[(p) BUDGET COMMITTEE

Constitution

285. (1) There shall be a Budget Committee of the Mizoram Legislative Assembly consisting of seven members to be nominated by the Speaker:

Provided that the Committee may, if and when felt necessary, invite Commissioner Secretary, Finance Department in the sitting.

(2) The Deputy Speaker shall be the Chairman of the Committee.

Functions

286. The functions of the Committee shall be to scrutinize the estimates and Budget proposals prepared by the Mizoram Legislative Assembly Secretariat. The Secretary of the Assembly will place the Budget Estimates before the Budget Committee and the Committee shall finally submit the estimates, after scrutiny, to the Speaker alongwith the recommendations, if any, for approval of the Speaker.

Budget estimates not subject to scrutiny

287. The Budget estimates as recommended by the Committee and after approval of the Speaker shall be forwarded to Finance Department for incorporation in the State Annual Budget as a matter of course. The Budget estimates, as forwarded, shall not be subject to scrutiny by the Finance Department or any other Committee of Government. If the Finance Department has any observation to make, it shall be submitted to the Speaker for his consideration. In the event of any difference of opinion between the Committee and the Finance Department, the decision of the Speaker, in consultation with the Leader of the House, shall be final.]

¹[(q) ETHICS COMMITTEE

Constitution of Committee

288. There shall be a Committee on Ethics consisting of not more than 7 (seven) members to be nominated by the Speaker:

Provided that a Minister, within the meaning of Rule 2 (1) (h) & (n) or Speaker or Deputy Speaker or Govt. Chief Whip or Govt. Whip, shall not be nominated as a member of the Committee and that if a member, after his nomination to the Committee, is appointed a Minister, Govt. Chief Whip or Govt. Whip or elected as Speaker or Deputy Speaker he shall cease to be a member of the Committee from the date of such appointment or election.

Functions

289. The functions of the Committee shall be :-

- (a) to oversee the moral and ethical conduct of the members ;
and
- (b) to examine the cases referred to it concerning unethical and other misconduct of the members with reference to the Code of Conduct for Members of Mizoram Legislative Assembly enumerated at Sixth Schedule to these Rules.

CHAPTER XXIX

General Rules of Procedure

NOTICES

Notices by members

290. (1) Every notice required by these rules shall be given in writing addressed to the Secretary, and signed by a member giving notice, and shall be left at the Assembly Notice Office which shall be kept open for the purpose between the hours to be notified from time to time on every day except Sunday or a public holiday.

(2) Notices left at the Assembly Notice Office after the hours notified under sub-rule (1) shall be treated as given on the next open day.

Circulation of notices and papers to members

291. (1) The Secretary shall circulate to each member a copy of every notice or other paper which is required by these rules to be made available for the use of members.

(2) A notice or other paper shall be deemed to have been made available for the use of every member if a copy thereof is deposited in such manner and in such place as the Speaker may, from time to time direct.

Lapse of pending notices on prorogation of Assembly

292. On the prorogation of the Assembly, all pending notices, other than notices of intention to move for leave to introduce a Bill, shall lapse and fresh notices shall be given for the next session :

Provided that a fresh notice shall be necessary of intention to move for leave to introduce any Bill in respect of which sanction or recommendation has been granted under the Constitution if the sanction or recommendation, as the case may be, has ceased to be operative.

Motion, resolution or amendment moved not to lapse

293. A motion, resolution or an amendment, which has been moved and is pending in the House, shall not lapse by reason only of the prorogation of the Assembly and shall have priority to all other motions, resolutions and amendments.

Speaker to amend notices of questions and motions, etc.

294. If in the opinion of the Speaker, any notice contains words, phrases or expressions which are argumentative, unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may, in his discretion, amend such notice before it is circulated.

Motions

Identical Motion

295. (1) A motion shall not raise a question substantially identical with one on which the Assembly has given a decision in the same session. The Speaker's decision on the point whether the question is substantially identical with the previous one shall be final.

Explanation :- The Assembly shall not be deemed to have given a decision in respect of a Bill unless it has either passed the Bill into law or rejected the Bill.

(2) Where substantially identical motions stand in the names of two or more members, the Speaker, unless the members have agreed, shall decide whose motion shall be moved and the other motions shall thereupon be deemed to be withdrawn.

Moving of motions

296. A member who has given notice of a motion shall, when called either -

- (a) state that he does not wish to move the motion, or
- (b) move the motion, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business :

Provided that, with the permission of the Speaker, he may make a minor or verbal alteration in the terms of the motion.

Withdrawal of motion

297. (1) A member who has moved an original motion or an amendment may withdraw the same with the leave of the House.

(2) If, at the time of putting the question on a motion to the vote of the House, the mover of the motion is absent, it shall be considered to have been withdrawn by him, unless any member of the House asks that the question on the motion be put.

Procedure where motion debated and not withdrawal

298. If debated and not withdrawn, the Speaker shall again read the motion when taking the sense of the Assembly upon it.

Adjournment of debate on motion

299. At any time after a motion has been made, a member may move that the debate on the motion be adjourned :

Provided that a motion or Bill, the consideration of which has been adjourned sine die, shall not be discussed by the Assembly unless a fresh notice of such motion or Bill is given, or unless the Assembly on a motion by the Member-in-charge makes a special order for the discussion of such motion or Bill.

Dilatory motion in abuse of the rules of the House

300. (1) If the Speaker is of opinion that a motion for the adjournment of a debate is an abuse of the rules of the Assembly, he may either forthwith put the question thereon or decline to propose the question.

(2) If the Speaker is of opinion that a motion for recirculation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House in as much as the original circulation was adequate or comprehensive or that no circumstances have arisen since the previous circulation to warrant the recirculation of the Bill, he may forthwith put the question thereon or decline to propose the question.

(3) If the Speaker is of opinion that a motion for recommittal of a Bill to a Select Committee of the House or circulation or recirculation of the Bill after the Select Committee of the House has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the Assembly in as much as the Select Committee of the House has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such Committee, he may forthwith put the question thereon or decline to propose the question.

Motion that policy or situation or statement or any other matter be taken into consideration

301. A motion that the policy or situation or statement or any other matter may be taken into consideration shall not be put to the vote of the Assembly, but the Assembly shall proceed to discuss such matter immediately after the mover has concluded his speech, and no further question shall be put at the conclusion of the discussion at the appointed hour unless a member moves a substantive motion in appropriate terms to be approved by the Speaker, and the vote of the Assembly shall be taken on such motion.

Amendments

Rules as to amendments

302. (1) An amendment shall be relevant to and within the scope of the motion to which it is proposed.

(2) An amendment shall not be moved which has merely the effect of a negative vote.

(3) After a decision has been given on an amendment to any part of the motion an earlier part shall not be amended.

(4) An amendment on a motion must not be inconsistent with the previous decision on the same motion given at the same stage of any Bill or Motion.

(5) An amendment to an amendment may be moved with the permission of the Speaker.

(6) No notice of an amendment to an amendment is required.

(7) The Speaker may refuse to put an amendment which is in his opinion frivolous.

Selection of amendment

303. The Speaker shall have power to select the amendment to be proposed in respect of any motion, and may, if he thinks fit, call upon any member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgement upon it.

Order of amendment

304. (1) When an amendment to any motion is moved, or when two or more such amendments are moved, the Speaker shall, before taking the sense of the Assembly thereon, state or read to the Assembly the terms of the original motion and of the amendment or amendments proposed.

(2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward.

Division of motions

305. When any motion involving several points has been discussed it shall be in the discretion of the Speaker to divide the motion and put each or any point separately to the vote as he may think fit.

CODE OF CONDUCT FOR MEMBERS

Code of Conduct For Members

306. ¹[There shall be a Code of Conduct for Members of Mizoram Legislative Assembly as enumerated at Sixth Schedule of these Rules]

Portfolio of Ministers

307. The Minister concerned, when a matter relating to his portfolio is under discussion in the House, shall not leave the House without the previous permission of the Speaker.

Member to speak when called by Speaker

308. When a member rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

Mode of addressing the House

309. A member desiring to make any observation on any matter before the House shall speak from his place, shall rise when he speaks and shall address the Speaker. At any time if the Speaker rises, any member speaking shall immediately resume his seat.

Rules of debate

- 310.** (1) A member while speaking shall not:-
- (i) refer to any matter of fact on which a judicial decision is pending ;
 - (ii) make a personal charge against a member ;
 - (iii) use offensive expressions about the conduct or proceedings of Parliament or any State Legislature ;
 - (iv) reflect on any determination of the House except on a motion rescinding it ;
 - (v) reflect upon the conduct of persons in high authority unless the discussion is based on a substantive motion drawn in proper term ;

Explanation :- The words "persons in high authority" means persons whose conduct can only be discussed on a substantive motion drawn in proper terms under the Constitution or such other persons whose conduct, in the opinion of the Speaker, should be discussed

on a substantive motion drawn in terms to be approved by him.

- (vi) use the President's or a Governor's name for the purpose of influencing the debate ;
 - (vii) utter treasonable, seditious or defamatory words ;
 - (viii) use his right of speech for the purpose of obstructing the business of the House.
- (2) A private member may not read his speech, but may refresh his memory by reference to notes.

Procedure regarding allegation against a person

311. No allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply :

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

Questions to be asked through the Speaker

312. When for the purpose of explanation during discussion or for any other sufficient reasons, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly, he shall ask the question through the Speaker.

Irrelevance or repetition

313. The Speaker, after having called the attention of the House to the conduct of a member who persists in irrelevance or in tedious repetition either on his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

Personal explanation

314. A member may, with the permission of the Speaker, make personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward and no debate shall arise.

Order of speeches and right of reply

Order of speeches and right to reply

315. (1) After the member who moves a motion has spoken, other members may speak to the motion in such order as the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except with the permission of the Speaker, to speak to the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by the rules, no member shall speak more than once to any motion, except with the permission of the Speaker.

(3) A member who has moved a motion may speak again by way of reply, and if the motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak whether he has previously spoken in the debate or not after the mover has replied :

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution save with the permission of the Speaker.

Mover's reply concludes debate

316. Subject to the provisions of sub-rule (3) of rule **315**, the reply of the mover of the original motion shall in all cases conclude the debate.

Address by Speaker

Address by Speaker

317. The Speaker may himself or on a point being raised or on a request made by a member, address the House at any time on a matter under consideration in the House with a view to aid members in their deliberation and such expression of views shall not be taken to be in the nature of a decision.

Procedure when Speaker rises

Procedure when Speaker rises

318. Whenever the Speaker rises, he shall be heard in silence and any member who is then speaking shall immediately sit down.

Closure

Closure

319. At any time after a motion has been made, any member may move : "That the question be now put" and unless it appears to the Speaker

that the motion is an abuse of the rules or an infringement of the right of reasonable debate, the Speaker shall then put the motion: "That the question be now put".

If this motion is carried, the Speaker shall then put the question, after allowing the mover and the Minister to whose department the matter relates to speak in the manner laid down in sub-rule (3) of rule 315.

Limitation of debate

320. (1) Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Speaker may, after taking the sense of the House, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion, as the case may be.

(2) At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion, the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or the motion.

Question for Decision

Procedure for obtaining decision of the House

321. (1) A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion proposed by a member.

(2) The result of a division shall be announced by the Speaker and shall not be challenged.

Proposal and putting of question

322. When a motion has been made, the Speaker shall propose the question for consideration, and put it for the decision of the House. If a motion embodies two or more separate propositions, those propositions may be proposed by the Speaker as separate questions.

No speech after voice collected

323. A member shall not speak on a question after the Speaker has collected the voice both of the "Ayes" and of the "Noes" on that question.

Copy to Government

324. A copy of every motion which has been passed by the Assembly shall be forwarded to the Government.

Division

Division

325. (1) On the conclusion of a debate, the Speaker shall put the question and invite those who are in favour of the motion to say "Aye" and those against the motion to say "No".

(2) The Speaker shall then say - "I think the Ayes (or the Noes, as the case may be) have it". If the opinion of the Speaker as to the decision of a question is not challenged he shall say twice : "The Ayes (or the Noes, as the case may be) have it" and the question before the House shall be determined accordingly.

(3) (a) If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobby be cleared.

(b) After the lapse of three minutes he shall put the question a second time and declare whether in his opinion the "Ayes" or the "Noes" have it.

(4) (a) If the opinion so declared is again challenged, he shall direct the "Ayes" to go into the "Ayes" Lobby and the "Noes" into the "Noes" Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each member shall call out his Division Number and the Division Clerk while marking off his number on the Division List, shall simultaneously call out the name of the member :

Provided that if in the opinion of the Speaker, the division is unnecessarily claimed he may ask the members who are for "Aye" and those for "No" respectively to rise in their places and, on a count being taken, he may declare the determination of the House. In such a case, the names of the voters shall not be recorded.

(b) After voting in the Lobbies is completed, the Division Clerks shall hand over the Division List to the Secretary, who shall count the votes and present the total of "Ayes" and "Noes" to the Speaker.

(c) The result of the division shall be announced by the Speaker and shall not be challenged.

(d) A member who is unable to go to the Division Lobby owing to sickness or infirmity may, with the permission of the Speaker, have his vote recorded either at his seat or in the Member's Lobby.

(e) If a member finds that he has voted by mistake in the wrong Lobby, he may be allowed to correct his mistake provided

he brings it to the notice of the Speaker before the result of the division is announced.

(f) When the Division Clerks have brought the Division List to the Secretary's table, a member who has not up to that time recorded his vote but who then wishes to have his vote recorded may do so with the permission of the Speaker.

Papers quoted to be laid on the Table

Papers quoted to be laid on the Table

326. If a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table :

Provided that this rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest :

Provided further that where a Minister gives in his own words a summary or gist of such despatch or State papers it shall not be necessary to lay the relevant papers on the Table.

Treatment of papers laid on the

327. (1) A paper or document to be laid on the Table shall be duly authenticated by the member presenting it.

(2) All papers and documents laid on the Table shall be considered public.

Procedure when a Minister discloses source of advice or opinion given to him

Procedure when a Minister discloses source of advice or opinion given to him

328. If, in answer to a question or during debate, a Minister discloses the advice or opinion given to him by any officer of the Government or by any other person or authority he shall ordinarily lay the relevant document or parts of document containing that opinion or advice, or a summary thereof on the Table.

Objection to vote of a Member on ground of personal, pecuniary or direct interest.

Objection to vote of a member

329. If the vote of a member in a division in the House is challenged on the ground of personal, pecuniary or direct interest in the matter to be decided, the Speaker may if he considers necessary, call upon the member making the challenge to state precisely the ground of his objection and the member whose vote has been challenged to state his case and shall decide whether the vote of the member should be disallowed or not, and his decision shall be final:

Provided that the vote of a member or members is challenged immediately after the division is over and before the result is announced by the Speaker.

Explanation - For the purpose of this rule the interest of the member should be direct, personal or pecuniary and separately belong to the person whose vote is questioned and not in common with the public in general or with any class or section thereof or on a matter of State policy.

Withdrawal, Naming and Suspension of Members

Withdrawal

330. The Speaker may direct any member whose conduct is, in his opinion grossly disorderly to withdraw immediately from the House, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's meeting.

Naming and Suspension of a member

331. (1) The Speaker may, if he deems necessary, name a member who disregards the authority of the Chair, or abuses the rules of the House by persistently and willfully obstructing the business thereof.

(2) If a member is so named by the Speaker, he shall forthwith put the question that the member (naming him) be suspended from the service of the House during the remainder of the Session:

Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith quit the precincts of the House.

The member so directed to be absent shall not be deemed to be absent for the purpose of clause (4) of article 190 of the Constitution.

Automatic suspension of a Member

332. (1) Notwithstanding anything contained in rules 330 and 331, in the event of grave disorder occasioned by a member coming into the well of the House or abusing the Rules of the House persistently and wilfully obstructing its business by shouting slogans or otherwise, such member shall, on being named by the Speaker, stand automatically suspended from the service of the House for three consecutive sittings or the remainder of the session, whichever is less:

Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.

(2) On the Speaker announcing the suspension under this rule, the member shall forthwith withdraw from the precincts of the House.

Suspension of sitting

333. In the case of grave disorder arising in the House, the Speaker may, if he thinks necessary to do so, adjourn the House or suspend any sitting for a time to be fixed by him, but in no case the adjournment shall exceed one week.

Points of Order

Points of order and decision thereon

334. (1) A point of order shall relate to the interpretation or enforcement of these rules or such provisions of the Constitution as regulate the business of the House and shall raise a question which is within the cognizance of the Speaker.

(2) A point of order may be raised in relation to the business before the House at the moment :

Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the House :

Provided further that if, at any time while a member is speaking, a member rises to raise a point of order, the member speaking shall resume his seat.

(3) Subject to conditions referred to in sub-rules (1) and (2),

a member may formulate a point of order and the Speaker shall decide whether the point raised is of a point of order and if so, give his decision thereon which shall be final.

(4) No debate shall be allowed on a point of order, but the Speaker may, if he thinks fit, hear members before giving his decision.

(5) A point of order is not a point of privilege.

(6) A member shall not raise a point of order –

(a) to ask for information ; or

(b) to explain his position ; or

(c) when a question on any motion is being put to the House ;

or

(d) which may be hypothetical ; or

(e) that Division bells did not ring or were not heard.

Raising a matter which is not a point of order

335. A member who wishes to bring to the notice of the House any matter which is not a point of order shall give notice to the Secretary in writing stating briefly the point which he wishes to raise in the House together with reasons for wishing to raise it, and he shall be permitted to raise it only after the Speaker has given his consent and at such time and date as the Speaker may fix.

Maintenance of Order

Speaker to preserve order and enforce decisions

336. The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decision.

Report of Proceedings

Proceedings of the Assembly

337. (1) The relevant copies of the proceedings of the Assembly shall be furnished to the members concerned for the purpose of correction and return in accordance with rule 34 (2). Correction of speeches should be confined to grammatical mistakes and there can be no material alteration.

Thereafter, the Secretary shall cause a full report of the proceedings to be prepared as soon as possible after each meeting and shall as

soon as practicable, publish it in such form and manner as the Speaker may from time to time direct :

Provided that the speeches not corrected by the members shall be indicated by a footnote in the proceedings.

(2) A copy of the proceedings so published shall be sent to the Governor.

Expunction of words from debates

338. If the Speaker is of the opinion that words have been used in debate which are defamatory or indecent or unparliamentary or undignified, he may, in his discretion, order that such words be expunged from the proceedings of the House.

Indication in printed debates of expunged proceedings

339. The portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory footnote shall be inserted in the proceedings as follows :

" Expunged as ordered by the Chair ".

Printing and Publication of Assembly papers

Printing and Publication of Assembly papers

340. (1) The Speaker may authorise printing, publication, distribution or sale of any paper, documents or report in connection with the business of the House or any paper, document or report laid on the Table or presented to the House or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been printed, published, distributed or sold under the authority of the House within the meaning of clause (2) of Article 194 of the Constitution.

(3) If a question arises whether a paper, document or report is in connection with the business of the House or not, the question shall be referred to the Speaker whose decision shall be final.

Custody of Papers

Custody of papers

341. The Secretary shall have custody of all records, documents and papers belonging to the House or any of its Committees or Assembly Secretariat and he shall not permit any such records, documents or papers to be taken from the Assembly House without the permission of the Speaker :

Provided that in the absence of the Speaker from the headquarters, the Deputy Speaker may accord such permission.

Other duties of Secretary

Other duties of Secretary

342. In addition to the other duties specially required of these rules it shall be the duty of the Secretary –

- (1) to take charge of all records of the Assembly ;
- (2) to keep the books of the Assembly ;
- (3) to keep a list of business for the time being before the Assembly ;
- (4) to superintend the printing of all papers or order to be printed ;
- (5) to make out from time to time a list of all Select Committees sittings ;
- (6) to assist the Assembly and all Committees in such manner as they may order ; and
- (7) to write all letters ordered by the Assembly or by any Committee thereof, to be written.

Chamber of the Assembly

Restriction on use of Chamber of Assembly

343. The Chamber of the Assembly shall not be used for any purpose other than the sitting of the Assembly except in the case of Presiding Officers' Conference.

Admission of strangers

Admission of strangers

344. The admission of persons, other than members, to any part of the Assembly Chamber during the sitting of the Assembly shall be regulated in accordance with orders made by the Speaker.

Power to order withdrawal of strangers

345. The Speaker, whenever he thinks fit, may order the Visitors' or Press gallery to be cleared.

CHAPTER XXX**Interpretation of Rules.****Interpretation**

346. If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

Residuary Power

347. All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.

Suspension of rules

348. Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried the rules in question shall be suspended for the time being.

First Schedule**Form of Petition***(See Rule 112)*

To,

MIZORAM LEGISLATIVE ASSEMBLY

The humble petition of

(Here insert name and designation or description of petitioner (s) in concise form, e.g. "A. B. and others" or "the inhabitants of or ("the municipality of " etc.)

Shewith -

(Here insert concise statement of case) and accordingly your petitioner(s) pray that

(Here insert "that the Bill be or be not proceeded with" or "that special provision be made in the Bill to meet the case of your petitioner(s)" or any other appropriate prayer regarding the Bill or matter before the House or a matter of general public interest) and your petitioner(s) as in duty bound will ever pray.

Name of Petitioner	Address	Signature or thumb impression

Countersignature of member presenting

Second Schedule

Form of Report on Petition by the Secretary

(See rule 118)

Sir,

Under Rule Of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, I have to report that Petitions as per statement laid on the Table have been received relating to (in case of Bills) the Bill to provide for Which was introduced in the Assembly on the 20..... Shri

STATEMENT

Petition relating to (in case of Bills) the Bill to provide for Which was introduced in the Assembly on the20.....

Name of Signatories	District or town	State

THIRD SCHEDULE*(See rules 184 and 185)*

Form of communication regarding arrest, detention, conviction or release, as the case may be, of a member.

Place

Date

To,

The Speaker,

Mizoram Legislative Assembly,
Aizawl

“A”

Dear Mr. Speaker,

I have the honour to inform to you that I have found it my duty, in the exercise of my powers under Section of the (Act) to direct that Shri Member of the Mizoram Legislative Assembly, be arrested/detained for (reason for the arrest or detention, as the case may be)

Shri MLA, was accordingly arrested/taken into custody at (time) on (date) and is at present lodged in the Jail (place)

“B”

Dear Mr. Speaker,

I have the honour to inform you that Shri Member of the Mizoram Legislative Assembly, Was tried at the Court before me on a charge (or charges) of (reason for the conviction)

On (date) after a trial lasting for Days, I found him guilty of and sentenced him to imprisonment for (period)

(His application for leave to appeal to * is pending consideration)

* Name of the Court.

“C”

Dear Mr. Speaker,

I have honour to inform you that Shri Member of the Mizoram Legislative Assembly, who was arrested/detained/convicted on (date), for (reason for arrest/detention/conviction) was released on (date) on (grounds for release)

Yours faithfully,

(Judge, Magistrate or Executive authority)

FOURTH SCHEDULE**(See rule 276)****SUBJECT COMMITTEE - I**

1. Transport Department
2. Public Works Department
3. Local Administration Department
4. Finance Department
5. Information & Public Relations Department
6. District Council Affairs Department
7. Sericulture Department
8. Fisheries Department
9. Department of Personnel & Administrative Reforms
10. Planning & Programme Implementation Department
11. Parliamentary Affairs Department
12. Home Department
13. Disaster Management & Rehabilitation Department
14. Food, Civil Supplies & Consumer Affairs Department
15. Excise & Narcotics Department

SUBJECT COMMITTEE – II

1. Environment & Forests Department
2. Industries Department
3. School Education Department
4. Higher & Technical Education Department
5. Co-operation Department
6. Art & Culture Department
7. Rural Development Department
8. General Administration Department

9. Power & Electricity Department
10. Law & Judicial Department
11. Economic & Statistics Department
12. Secretariat Administration Department
13. Trade & Commerce Department
14. Land Revenue & Settlement Department
15. Geology & Mineral Resources Department

SUBJECT COMMITTEE – III

1. Public Health Engineering Department
2. Agriculture Department
3. Horticulture Department
4. Soil & Water Conservation Department
5. Animal Husbandry & Veterinary Department
6. Tourism Department
7. Health & Family Welfare Department
8. Taxation Department
9. Social Welfare Department
10. Printing & Stationery Department
11. Information & Communication Technology Department
12. Labour, Employment & Industrial Training Department
13. Election Department
14. Sports & Youth Services Department
15. Minor Irrigation Department
16. Urban Development & Poverty Alleviation Department

FIFTH SCHEDULE

(See Rule 254(1))

1. MIFCO
2. ZIDCO
3. ZOHANDCO
4. MAMCO
5. ZENICS
6. MKVIB

SIXTH SCHEDULE

(See Rule 306)

CHAPTER - I

PRELIMINARY

- 1.** This Code may called the Code of Conduct for Members of the Mizoram Legislative Assembly.
- 2.** Words and expressions used in this Code shall, unless the context otherwise requires, have the meaning assigned to them in the Constitution of India and the Rules of Procedure and conduct of Business in Mizoram Legislative Assembly.

CHAPTER – II

CODE OF CONDUCT FOR MEMBERS INSIDE THE HOUSE

General Rules

1. A member, whilst the House in sitting shall -
 - (i) bow to the Chair while entering or leaving the House and also when taking or leaving his/her seat;
 - (ii) always address the Chair;
 - (iii) keep to his/her usual seat;
 - (iv) maintain silence when not speaking in the House;
 - (v) avoid talking or laughing in the Lobby loud enough to be heard in the House;
 - (vi) maintain the inviolability of the Question Hour;
 - (vii) refrain from transgressing into the well of the House;
 - (viii) resume his/her seat as soon as the Speaker rises to speak.

2. A member, whilst the House in sitting shall not -
 - (i) read any book, newspaper or letter except in connection with the business of the House;
 - (ii) interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
 - (iii) pass between the Chair and any member who is speaking;
 - (iv) leave the House when the Speaker/Chair is addressing the House;
 - (v) obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when a member is speaking;
 - (vi) applaud when a stranger enters any of the Galleries, or the Special Box;
 - (vii) shout slogans in the House;
 - (viii) sit or stand with the back towards the Chair;
 - (ix) approach the Chair personally in the House. He may send chits to the officers at the Table, if necessary;
 - (x) wear or display badges of any kind in the House;
 - (xi) bring or display arms in the House;
 - (xii) display flags, emblems or any exhibits in the House;
 - (xiii) leave the House immediately after delivering his/her speech;
 - (xiv) distribute within the precincts of the House any literature, questionnaire, pamphlets, press notes, leaflets, etc. not connected with the business of the House;

- (xv) place his/her cap/hat on the desk in the House, bring boards in the Chamber of keeping files or for writing purposes, smoke or enter the House with his/her coat hanging on arms;
- (xvi) carry walking stick into the House unless permitted by the Speaker on health ground;
- (xvii) tear off documents in protest;
- (xviii) bring or play cassette or tape recorder in the House;
- (xix) sit on Satyagrah or Dharna inside the House or anywhere within the precincts of the House;
- (xx) bring cellular phones or pagers in the House.

3. (1) If a private member desires to lay a paper or a document on the table of the House, he shall supply a copy thereof to the Speaker in advance so as to enable him to decide whether permission should be given to lay the paper or document on the Table. If the Speaker permits the member to lay the paper or document on the Table, the member may at the appropriate time lay it on the Table.

(2) If a private member, in the course of his/her speech wishes to quote from the secret Government document, paper or report, he may supply a copy thereof in advance to the Speaker to decide whether permission should be given. If the Speaker permits the member to quote from the document, the member may do so at the appropriate time. If the Speaker does not accord the necessary permission, the member shall not quote from the document nor refer to its contents.

4. A member wishing to point out any mistake or inaccuracy in the statement made by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

5. No allegation of defamatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of reply:

Provided that the Speaker may at any time prohibit any member from making any such allegation if he is of opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

6. Members shall not give any advance publicity to carious notices given to them.

7. A member having a personal, pecuniary or direct interest in the matter before the House, while taking part in the proceedings on that matter, shall declare the nature of that interest. It is expected of the member, as a matter of propriety, to decide for himself whether by casting his vote in a division in the House on the matter, his judgements is likely to be deflected from the straight line of public policy by that interest.

Rules to be observed while speaking -

8. A member, while speaking shall not -
- (i) refer to any matter of fact on which a judicial decision is pending;
 - (ii) make personal reference by way of making an allegation imputing a motive to or questioning the bona fides of any other member of the House unless it be imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto;
 - (iii) use offensive expressions about the conduct or proceedings of the Assembly;
 - (iv) reflect on any determination of the house except on a motion rescinding it;
 - (v) use the Governor's name for the purpose of influencing the debate;
 - (vi) utter treasonable, seditious or defamatory words;
 - (vii) use his/her right of speech for the purpose of obstructing the business of the House;
 - (viii) make any reference to the strangers in any of the galleries;
 - (ix) (ix)refer to Government official by name;
 - (x) read a written speech except with the previous permission of the Chair;
 - (xi) question or comment on the ruling of the Speaker;
 - (xii) use insinuation or offensive and unparliamentary expressions while addressing the Chair;
 - (xiii) speak unless called by the Speaker;
 - (xiv) speak unparliamentary words.

CHAPTER - III

CODE OF CONDUCT FOR MEMBERS DURING GOVERNOR'S ADDRESS

- 9.** If is imperative for each and every member or any other persons present on the occasion of the Governor's address to observe solemnity, dignity and decorum;
- 10.** If any member or other person interrupts or obstructs the Governor's Address to the Assembly, either before or during or after the Address, while the Governor is in the Hall, with any speech or point of order or walk-out or in any other manner, such interruption, obstruction or show of disrespect shall be tantamount to an act of disorder and disrespect to the Governor and may be considered as a grossly disorderly conduct on the part of the concerned member or other person and a contempt of the House which may be dealt with by the House subsequently on a motion moved by a member.
- 11.** If any member or other person interrupts or obstructs the Governor's Address or mars the dignity of the occasion in any other manner, the Governor, who is in charge of the proceedings and fully competent to preserve order on the occasion may give such directions as he may consider necessary to preserve order, solemnity and dignity of the occasion.

CHAPTER - IV

CODE OF CONDUCT FOR MEMBERS IN COMMITTEES OF LEGISLATURE

Code of conduct for members in Legislature Committee

12. Where a member of a Committee has a personal, pecuniary or direct interest in any matter which is to be considered by the Committee, he shall state his interest therein to the Speaker through the Chairman of the Committee.
13. Since the proceedings of a Committee are treated as confidential, it is not permissible for a member of the Committee or any one who has access to its proceedings to communicate directly or indirectly to the press any information regarding its proceedings including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.
14. Whenever a paper or document, marked 'secret' or 'confidential' is circulated to the members of the Committee, the contents of such paper or document shall not be divulged by any member either in the minute of dissent or on the floor of the House, or otherwise, without the permission of the Speaker and where such permission has been obtained, any restriction imposed by the Speaker in regard to the manner in which, or the extent to which the information contained in the document may be divulged, shall be strictly observed.
15. The evidence given before a Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table.

Guidelines for Legislature Committees and Code of Conduct for members during study tours of Legislature Committees.

16. Committees should not normally undertake tours unless it is absolutely necessary to undertake an on-the-spot study tour for proper examination of the subject before the Committee.
17. Where a Committee proposes to undertake tour, prior permission of the Speaker should be taken in all cases.
18. Tours should not be undertaken merely because something has to be seen or discussions have to be held with local authorities. Discussions can always usefully be held in the Assembly or the Officers concerned with the subject matter can be specifically called before the Committee.
19. The whole Committee or a sub-Committee or Study Group consisting of any

number of members as considered appropriate by the Committee, may undertake a tour. A sub-Committee or Study Group may report back to the whole Committee after its study tour.

20. During the tours, Committees should avoid visits to places not included in the official tour programme, except local sight seeing.
21. It is necessary that the expenditure on tours and the strain on the local administration and transport authorities should be kept to the minimum.
22. Terms of reference of the Study Groups or sub-Committees who are sent on study tours should be precise and laid down in writing.
23. A study tour should be undertaken before the official evidence on the subject is taken by the Committee and not after the evidence.
24. A study tour should be undertaken for the absolutely minimum necessary period, not exceeding a week at a time.
25. Sufficient notice of the tour programme should be given to the State Governments/other Departments or Undertakings concerned.
26. There should be no last minute changes in the tour programme by Study Groups as these result in considerable difficulties to the Railways, Airlines, concerned Government Department and Officers.
27. Members shall avoid intermediate journeys during the tours. When transport is provided by Government/Undertakings during the tours of the Committee, such transport should be used for Committee work and not by individual members for distant private visits.
28. Members during tours, shall take particular care to maintain proper dignity and decorum so that no criticism is made of the Committee in any manner.
29. During the tour, if a member falls ill and the doctor advises him not to undertake further tour, he shall follow the doctor's advice.
30. No member shall give press statements regarding Committee proceedings to press. Whenever any briefing of the press is required to be done, the same should be done by the Chairman of the Committee.
31. Members shall not accept any costly gifts during the tour. Members can, however, except inexpensive mementos connected with the organisation visited.
32. The Committee or Sub-Committee or Study Group, while on tour, shall not accept any invitation for lunch or dinner or other hospitality that might be extended by any private party. At the official lunches or dinners, if any, that

might be accepted by the Committee or Sub-Committee or Study Group, no liquor should be allowed to be served.

- 33.** No member shall take any other person during the official tours. An attendant or member's spouse may accompany a member on medical grounds with the prior permission of the Chairman of the Committee. In such cases, the member shall bear all expenses including hotel charges in respect of his/her spouse or attendant. In case a member is found having any accompanying person without prior permission, he/she would not only bear all the expenses of such a person but would also stand automatically debarred from undertaking any Committee tour thereafter.
- 34.** The spouse or attendant of a member in no case, shall accompany Committee members during official visit to any installation, undertaking, office or establishment and during informal discussions with officers of the concerned establishment, undertaking etc.

CHAPTER - V

CODE OF CONDUCT DURING DELEGATIONS TO FOREIGN COUNTRIES

35. (i) Members should adhere to protocol norms during the visits to foreign countries.

(ii) While participating in the international Conferences, members should follow rules, guidelines, conditions etc. as may be provided for in the Statues/Rules and/or as may be fixed by the organizers.

(iii) During visit of Parliamentary delegations to other countries, no member shall give press statements regarding visit. Whenever any briefing of the press is required to be done, the same shall be done by the leader of the delegation.

CHAPTER - VI

CODE OF CONDUCT FOR MEMBERS OUTSIDE THE HOUSE AND GENERAL ETHICAL PRINCIPLES

Code of Conduct for members outside the House.

36. Information given to members in confidence or by virtue of their being members of Committees of the Legislature shall not be divulged to anyone nor used by them directly or indirectly in the profession in which they are engaged, such as in their capacity as editors or correspondents of newspapers or proprietors of business firms and so on.
37. A member shall not try to secure business from Government for a firm, company or organization with which he is directly or indirectly concerned.
38. A member shall not give certificates which are not based on facts.
39. A member shall not make profit out of Government residence allotted to him by sub-letting the premises.
40. A member shall not unduly influence the Government officials or the Ministers in a case in which he is interested financially either directly or indirectly.
41. A member shall not receive hospitality of any kind for any work that he desires or proposes to do from a person or organisation on whose behalf the work is to be done by him/her.
42. A member shall not in his capacity as a lawyer or a legal adviser or a counsel or a solicitor appear before a minister or an executive officer exercising quasi-judicial powers.
43. A member shall not proceed to take action on behalf of his constituents on some insufficient or baseless facts.
44. A member shall not permit himself to be used as a ready supporter of anybody's grievances or complaints without verifying facts.
45. A member shall not endorse incorrect certificates on bills claiming amounts due to him.
46. A member shall not elicit information from Government in an unauthorised manner by inducing a subordinate official to give information which in the course of his normal functions he should not do. Nor shall he encourage any such person to speak to him against his senior officials on matters of public importance and policy.

47. A member shall not write recommendatory letter or speak to Government officials for employment or business contacts for any of his relations or other persons in whom he is directly or indirectly interested.

General ethical principles with which members should abide

48. Member must utilize their position to advance general well being of the people.
49. In case of conflict between the personal interest of members and public interest, they must resolve the conflict so that personal interests are subordinated to the duty of their public office.
50. Members shall resolve conflict between private financial interests/family interest and public interest in a manner that the public interest is not jeopardized.
51. Members holding public offices shall use public resources in such a manner as may lead to public good.
52. Members shall keep uppermost in their mind the fundamental duties listed in Part -IV A of the Constitution.
53. Members shall maintain high standards of morality, dignity, decency and values in public life.

CHAPTER - VII

PROCEDURE FOR DEALING WITH COMPLAINTS REGARDING BREACH OF CODE OF CONDUCT

- 54.** The speaker or the House, as the case may be, may suo moto take up for consideration cases of breach of the Code that have taken place in the House.
- 55.** In other cases the Speaker may refer complaints regarding violation of Code of Conduct to the Committee on Ethics for examination and report.

CHAPTER - VIII**PUNISHMENT FOR BREACH OF CODE OF CONDUCT**

56. In case of violation of the Code of Conduct the Speaker or the House, as the case may be, can impose any of the following punishments/penalties :-

- (a) Admonition;
- (b) Reprimand;
- (c) Censure'
- (d) Withdrawal from the House;
- (e) Suspension from the service of the House for a specific
Period; and
- (f) Any other penal action considered appropriate by the
House.

APPENDIX - I**GENERAL PUPPOSES COMMITTEE****Constitution**

1. There shall be a General Purposes Committee consisting of the Speaker, Members of the Panel of Chairmen, Chairmen of all Standing Committees of Mizoram Legislative Assembly, Leaders of recognised Parties and Groups in the Mizoram Legislative Assembly and such other member as may be nominated by the Speaker. The Speaker shall be the ex-officio Chairman of the Committee.

Functions

2. The functions of the Committee shall be to consider and advise the Speaker on matters concerning the affairs of the House that do not specifically fall under the purview of any other Legislature Committee or as may be referred to by the Speaker from time to time.

Provisions applicable in other respects

3. In other respects, the general rules applicable to Legislature Committees given in Chapter XXVIII of the Rules of Procedure and conduct of Business in Mizoram Legislative Assembly shall apply with such adaptations, whether by way of modification, addition or omission as the Speaker may consider necessary or convenient.

APPENDIX - II

THE MEMBERS OF MIZORAM LEGISLATIVE ASSEMBLY (DISQUALIFICATION ON GROUND OF DEFECTION) RULES, 1987

In exercise of the powers conferred by paragraph 8 of the Tenth Schedule to the Constitution of India, the Speaker, Mizoram Legislative Assembly, hereby makes the following Rules, namely :-

Short title

1. These Rules may be called the Members of Mizoram Legislative Assembly (Disqualification on Ground of Defection) Rules, 1987.

Definitions

2. In these Rules, unless the context otherwise requires:-
 - (a) “Bulletin” means the Bulletin of the house containing information of any matter relating to or connected with the business of the House or of the Committees or other matter which in the opinion of the Speaker may be included therein;
 - (b) “Committee” means the Committee of Privileges of the House of the Legislative Assembly;
 - (c) “date of commencement” in relation to these Rules, means the date on which these Rules take effect under sub-paragraph (2) of paragraph 8 of the Tenth Schedule;
 - (d) “Form” means a Form appended to these Rules;
 - (e) “House” means the Mizoram Legislative Assembly;
 - (f) “Leader” in relation to a Legislature Party, means a Member of the party chosen by it as its Leader, and includes any other member of the party authorised by the party to act in the absence of the Leader, or discharge the functions of the Leader of the party for the purpose of these Rules;
 - (g) “Member” means a Member of the Mizoram Legislative Assembly;
 - (h) “Secretary” means Secretary to Mizoram Legislative Assembly and includes any person for the time being performing the duties of the Secretary;
 - (i) “Tenth Schedule” means the Tenth Schedule to the Constitution of India.

Information to be furnished by Leader of a Legislature Party.

3. (1) The Leader of each Legislature party (other than Legislature party consisting of only one Member) shall, within thirty days after the first sitting of the House, or, where such Legislature Party is formed after the first sitting, within thirty days after its formation, or, in either case within such further period as the Speaker may, for sufficient cause, allow, furnish the following to the Speaker, namely:-

(a) a statement (in writing) containing the names of the members of such Legislature Party together with other particulars regarding such Members as in Form I and the names and designations of the Members of such party who have been authorised by it for communicating with the Speaker for purpose of these Rules;

(b) a copy of rules and regulations (whether known as such or as constitution or by any other name) of the Political Party concerned; and

(c) where such Legislature Party has any separate set of rules and regulations (whether known as such or as constitution or by any other name), also a copy of such rules and regulations.

(2) Where a Legislature Party consists of only one Member, such Member shall furnish a copy of the rules and regulations mentioned in clause (b) of sub-rule (1) to the Speaker, within thirty days after the first sitting of the house or, where he has become a Member of the House after the first sitting, within thirty days after he has taken his seat in the House, or in either case within such further period as the Speaker may, for sufficient cause, allow.

(3) Member not belonging to any Political Party shall submit a statement (in writing) as to his non-affiliation to any Political and Legislature Party to the Speaker, within thirty days after the first sitting of the House or where he has become a Member of the House after the first sitting, within thirty days after ha has taken his seat in the House.

(4) In the event of any increase in the strength of a Legislature Party consisting of only one Member, the provisions of sub-rule (1) shall apply in relation to such Legislature Party as if such legislature Party had been formed on the first date on which its strength increased.

(5) Whenever any change takes place in the information furnished by the Leader of a Legislature Party under sub-rule (1) or by a member under sub-rule (2), he shall, within thirty days thereafter, or within such further period as the Speaker may, for sufficient cause, allow, furnish in writing information to the Speaker with respect to such change.

(6) In the case of the House in existence on the date of commencement of these Rules, the reference in sub-rule (1) and (2) to the date of the first sitting of the House shall be construed as a reference to the date of commencement of these Rules.

(7) Where a Member belonging to any Political Party votes or abstains from voting in the House contrary to any direction issued by such Political Party or by any person or authority authorised by it in this behalf, without obtaining, in either case, the prior permission of such Political Party, person or authority, the leader of the Legislature Party concerned or where such Member is the Leader, or as the case may be, the sole member of such Legislature Party, such Members, shall, as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days from the date of such voting or abstention, inform the Speaker as in Form II whether such voting or abstention has or has not been condoned by such Political Party, person or authority.

EXPLANATION : A Member may be regarded as having abstained from voting only when he, being entitled to vote, voluntarily refrained from voting.

Information etc. to be furnished by Members.

4. (1) Every Member who has taken his seat in the House before the date of commencement of these Rules shall furnish to the Secretary within thirty days from such date or within such further period as the Speaker may, for sufficient cause, allow a statement of particulars and declaration as in Form III.

(2) Every Member who takes his seat in the House after the commencement of these Rules, shall, before making and subscribing an oath or affirmation under Article 188 of the Constitution and taking his seat in the House, deposit with the Secretary, his election certificate or, as the case may be a certified copy of the Notification nominating him as a Member and also furnish to the Secretary a statement of particular and declaration as in Form III.

EXPLANATION : For the Purpose of this sub-rule “Election Certificate” means the Certificate of Election issued under the Representation of the Peoples Act, 1951 (43 of 1951) and the Rules made there-under.

(3) A summary of information furnished by the Members under this rule shall be published in the Bulletin and if any discrepancy therein is pointed out to the satisfaction of the Speaker, necessary corrigendum shall be published in the Bulletin.

Register of Information as to Members.

5. (1) The Secretary shall maintain, as in Form IV, a register based on the information furnished under rules 3 and 4 in relation to the Members.

(2) The information in relation to each Member shall be recorded on a separate page in the register.

Reference to be made by petitions.

6. (1) No reference of any question as to whether a Member has become subject to disqualification under the Tenth Schedule shall be made except by a petition in relation to such Member made in accordance with the provisions of this rule.

(2) A petition in relation to a Member may be made in writing to the Speaker by any other Member;

Provided that a petition in relation to the Speaker shall be addressed to the Secretary.

(3) The Secretary shall -

(a) as soon as may be after the receipt of a petition under the proviso to sub-rule (2) make a report in respect thereof to the House ; and

(b) as soon as may be after the House has elected a Member in pursuance of the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule, place the petition before such Member.

(4) Before making any petition in relation to any Member, the petitioner shall satisfy himself that there are reasonable grounds for believing that a question has arisen as to whether such Member has become subject to disqualification under the Tenth Schedule.

(5) Every petition -

(a) shall contain a concise statement of the material facts on which the petitioner relies; and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and where the petitioner relies on any information furnished to him by any person, a statement containing the name and address of such persons and the gist of such information as furnished by each such person.

(6) Every petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908) for the verification of pleadings.

(7) Every annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

Procedure

7. (1) On receipt of petition under rule 6, the Speaker shall consider whether the petition complies with the requirements of the rule.

(2) If the petition does not comply with the requirements of rule 6, the Speaker shall dismiss the petition and intimate the petitioner accordingly

(3) If the petition complies with the requirements of rule 6, the Speaker shall cause copies of the petition, and of the annexures thereto to be forwarded –

(a) to the Member in relation to whom the petition has been made, and

(b) where such Member belongs to any Legislature Party and such petition has not been made by the Leader thereof, also to such Leader and such Member or Leader shall, within seven days of the receipt of such copies, or within such further period as the Speaker may, for sufficient cause allow, forward his comments in writing thereon to the Speaker.

(4) After considering the comments, if any in relation to the petition received under sub rule (3) within the period allowed (whether originally or on extension under that sub-rule), the Speaker may either proceed to determine the question or, if he is satisfied, having regard to the nature and circumstances of the case that it is necessary or expedient so to do, refer the petition to the Committee for making a preliminary inquiry and submitting a report to him.

(5) The Speaker shall, as soon as may be, after referring a petition to the Committee under sub-rule (4), intimate the petitioner accordingly and make an announcement with respect to such reference in the House or, if the House is not then in session, cause the information as to the reference, to be published in the Bulletin.

(6) Where the Speaker makes a reference under sub-rule (4) to the committee, he shall proceed to determine the question as soon as may be after receipt of the report from the Committee.

(7) The procedure which shall be followed by the Speaker for determining any question and the procedure which shall be followed by the Committee for the purpose of making a preliminary inquiry under sub-rule (4) shall be so far as may be, the same as the procedure for inquiry and determination by the Committee of any question as to breach of privilege of the House by a Member, and neither the Speaker nor the Committee shall come to any finding that a Member has become subject to disqualification under the Tenth Schedule without affording a reasonable opportunity to such Member to represent his case and to be heard in person.

(8) The provisions of sub-rules (1) to (7) shall apply with respect to a petition in relation to the Speaker as they apply with respect to a petition in relation to any other Member and for this purpose, reference to the Speaker in these sub-rules shall be construed as including reference to the Member elected by the House under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule.

Decision on petition.

8. (1) At the conclusion of the consideration of the petition, the Speaker or, as the case may be, the member elected under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule shall, by order in writing -

- (a) dismiss the petition, or
- (b) declare that the Member in relation to whom the petition has been made has become subject to disqualification under the Tenth Schedule, and cause copies of the order to be delivered or forwarded to the petitioner, the Member in relation to whom the petition has been made and to the Leader of the legislature Party, if any, concerned.

(2) Every decision declaring a Member to have become subject to disqualification under the Tenth Schedule shall be reported to the House forthwith if the House is in session, and if the house is not in session, immediately after the house reassembles.

(3) Every decision referred to in sub-rule (1) shall be published in the Bulletin and notified in the Mizoram Official Gazette and copies of such decision forwarded by the Secretary to the Election Commission of India and the State Government.

Directions as to detailed working of these Rules.

9. The Speaker may, from time to time, issue such direction as he may consider necessary in regard to the detailed working of these Rules.

FORM No. I**(See Rule 3(1) (a))**

Name of the Legislature Party:

Name of the corresponding Political Party :

Sl.No	Name of the members (in block letter)	Father's/Husband's name	Permanent Address	Name of the Constituency from which elected
1	2	3	4	5

Signature of the Leader of the Legislature Party.

FORM No. II
(See rule 3(7))

To,

The Speaker,

Mizoram Legislative Assembly.

Sir,

At the sitting of the House held on(date)
during voting on (subject matter)
.....

+Shri M.L.A.
(Division No.....
member of.....
(name of Political Party)
and member of.....
.....
(name of Legislature Party)
has voted/abstained from
voting.

+ I, (name
of the Member), M.L.A.
(Division No.....
member of.....
(name of Political Party)
and leader of/sole
member of.....
(name of Legislature
Party) voted/abstained
from voting.

Contrary to the direction issued by *(+
person/authority/party) without obtaining the prior permission of the said
+person/authority/party.

2. On (date) the aforesaid matter was considered by
..... *(+person/authority/party,) and the said +voting/abstention + was
condoned/was not condoned by +him/it.

Yours faithfully

Date :

(SIGNATURE)

+ strike out inappropriate words/portions,

* (here mention the name of the person/authority/party, as the case may be who had issued the direction.)

FORM - III
(See rule 4)

1. Name of the member (in block letters) :
2. Father's/Husband's Name :
3. Permanent Address :
4. Aizawl Address :
5. Date of election/nomination :
6. Party affiliation as on :

(I) Date of election/nomination :

(II) Date of signing the form :

DECLARATION

I, _____ hereby declare that the information given above is true and correct.

In the event of any change in the information above, I undertake to intimate the Speaker immediately.

Date :

Signature/thumb impression of the Member.

FORM No. IV
(See rule 5(1))

Name of the Member (in block letters)	Father's/Husband's name	Permanent Address	Aizawl Address	Name of the Constituency from which elected	Date of election / Nomination	Name of Political party to which he belongs	Name of Legislature party to which he belongs	Remarks
1	2	3	4	5	6	7	8	9

SECRETARY

MIZORAM LEGISLATIVE ASSEMBLY

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RULES FOR INTERNAL WORKING OF THE COMMITTEE ON PUBLIC ACCOUNTS

In pursuance of rule 231 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly the following rules of Procedure (rules for Internal Working of the Committee) are made by the Committee on Public Accounts to supplement the general procedures for Committee outlined in the Rules of Procedure and Conduct of Business with the approval of the Speaker.

1. (a) These Rules may be called the “Rules for Internal Working of the Committee on Public Accounts Mizoram Legislative Assembly.”
(b) They shall come into force at once.
2. Words or expressions used herein shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.
3. After the Reports of the Comptroller and Auditor-General of India relating to the Audit Report of the Government of Mizoram have been laid before the Assembly as provided in Section 49 of the Government of Union Territories Act, 1963 (as amended), a copy of each of these Reports along with the relevant Appropriation Accounts shall be circulated to the Members of the Committee.
4. Similarly, copies of the Finance Accounts of the Government of Mizoram and the Audit Report thereon shall be circulated to the Members of the Public Accounts Committee after these have been laid on the Table of the House.
5. The Committee will determine from time to time the Accounts and Audit reports to be examined by them.
6. The programme shall be drawn up by the Secretary in consultation with the Accountant General and be approved by the Chairman and copies thereof will be circulated to the Departments of the Government to enable them to keep themselves in readiness.
7. The members, after going through the Accounts and Reports referred to in Rules (3) and (4) above, may frame questions on which further information is required by them. These points shall be sent to the Secretary ten days in advance of the date of the meeting; where the Committee meets at a short notice, the period of ten days referred to above may be reduced under orders of the Chairman.
8. The Members may similarly send their suggestions if any, for consideration of the Committee two days in advance of the date of the meeting.
9. The Committee will then scrutinize the questions and suggestions referred to in Rules (7) and (8) above and make necessary modifications and consolidation.
10. Usually twenty copies of each of the notes, memoranda, etc. shall be furnished by the departments of the Government either in pursuance of action taken on the recommendations of the Committee or in reference to the point or points on which the informations may be called for by the Committee. On receipt, copies shall be circulated to the members and 3 copies of each paper, memorandum documents, etc., shall be forwarded to the Accountant General.

11. Unless any paper, memorandum, document or note is marked 'Secret' and the Department has made a specific request that its contents should not be made public, paper, memoranda, documents, notes, etc., laid before the Committee may be embodied in their Report in the Form of Appendices.
12. The Secretary shall note the points on which further information is required by the Committee as a result of examination of the departmental Secretaries etc., and under the direction of the Chairman take such action as may be necessary.
13. A record of the proceedings of each meeting of the Committee shall be kept by the Secretary.
14. Relevant portions from the speeches of the Members in the Committee may be forwarded to them for correction and return within 48 hours of their receipt. The officials tendering evidence before the Committee will also enjoy the same privileges.
15. The Chairman shall be competent to order that any portion of the proceedings or evidence tendered need not be published when he is convinced that it shall not be in the public interest to disclose the same.
16. The Committee shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties.
17. The Committee may recall any witness to give further evidence on any point which is under the consideration of the Committee.
18. If in any case, any of the witnesses or officers of Government called upon to appear before the Committee to tender evidence is not in a position to do so for any bonafide reason, the fact shall be intimated to the Chairman sufficiently early so that another Department may be called upon to appear before the Committee.
19. The Secretary shall maintain a record of attendance of the Members present for the meetings.
20. When the examination of any portion of the Accounts by the Committee is over, it shall frame its recommendations.
21. Each draft report or part thereof shall be considered at a meeting of the Committee and will embody the decisions of the majority of the members present and voting.
22. There shall be no minutes of dissent to the Reports of the Committee.
23. As soon as each Report has been completed, it shall be presented to the Assembly.
24. Under the directions of the Chairman, the Secretary may arrange for the issue of Press Release whenever necessary for the general information of the public regarding the activities of the Committee.
25. The Public Accounts Committee branch of the Legislature Secretariat shall bring-up-to-date the "Statement showing action taken or proposed to be taken on the recommendations of the Public Accounts Committee", on the basis of replies given by the departments and circulate it to date of commencement of the meetings of the Committee for the examination of all or either of the Accounts and Reports referred to in Rules (3) above. This statement shall also be accompanied

by copies of the memoranda, notes or other literatures forwarded by the departments stating the action taken by them on the particular item/items with which they are concerned.

26. The Secretaries to the Government will appear before the Committee as official witnesses to explain the matter. They may bring with them the Controlling Officers, Head of Departments or other Officers to assist them. The Finance Secretary to the Governor or his representative, who shall not be below the rank of Deputy Secretary, shall be present in all the meetings of the Committee when departments are being examined.

27. No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Committee.

28. The Report of the Committee shall be signed by the Chairman on behalf of the Committee.

29. The Chairman may adjourn the meeting to any day or hour of a day or 'SINE DIE'.

30. In addition to what is provided under Rule 222 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, the Chairman may also authorize any other person assisting the Committee to put question with a view to scrutinizing the points that may arise out of the evidence given by the Department witness at the time of examination.

31. The Accountant General shall be invited to be present in all the meetings of the Public Accounts Committee. Copies of documents, memoranda and other relevant papers issued by the Committee shall be sent to the Accountant General in triplicate.

32. The Accountant General in consultation with Public Accounts Committee Branch of the Legislature Secretariat shall periodically prepare on epitome of the recommendations of the Public Accounts Committee contained in the Reports presented to the Assembly and actions taken thereon.

33. Any Additional points of procedure which are formulated from time to time shall be incorporated in these rules.

The above rules have received the approval of the Hon'ble Speaker on 24th May, 1975.

RULES FOR INTERNAL WORKING OF THE COMMITTEE ON ESTIMATES

(As approved by the Committee on 29.8.1973)

In pursuance of Rule 231 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly, the following Rules (Rules for Internal Working of the Committee) are made by the Committee on Estimates to supplement the General Procedure for Committees outlined in the Rules of Procedure and Conduct of Business with the approval of the Speaker.

1. (a) These rules may be called the “Rules for Internal Working of the Committee on Estimates” in Mizoram Legislative Assembly.

(b) They shall come into force at once.

2. Words and expressions used herein shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.

3. (a) Meetings of the Committee shall be held on such days and time as the Chairman of the Committee may fix:

Provided that if the Chairman of the Committee is not locally available, the Secretary to the Committee may fix the date and time of meeting.

Provided further that, unless the Chairman otherwise directs, there will be no sitting on Saturday, Sunday and other public Holidays.

(b) Meetings shall ordinarily be held at 11:00 A.M. upto 4:00 P.M. with a break of one hour from 1:00 P.M. to 2:00 P.M. for recess.

4. Notice of the meetings shall ordinarily be sent to the Members as well as to the Department whose Estimates are to be examined by the Committee 15 days before the Meeting, but in case of urgency such meetings may be called at a shorter notice and notices sent to Members telegraphically, if necessary.

5. The Committee shall select from time to time for examination such of the estimates pertaining to a Department or a group to a Department or a group of Departments of such subjects falling therein or as may seem fit to the Committee, or specially referred to it by the House or by the Speaker.

6. (a) The Department or Departments whose estimates are to be examined by the Committee will be asked by the Secretary or any other Officer of the Assembly Secretariat in writing, to furnish necessary materials in support of the estimates for the information of the Committee, within such time as is or may be specified therein.

(b) The form in which the material is to be furnished to the Committee shall be as follows:-

(i) The Organization of the Department and its attached and subordinate offices (the information should be shown in the form of a diagram supported by short explanatory notes);

(ii) The functions of the Department and its subordinate offices;

- (iii) Board details in which the estimates are based;
 - (iv) Volume of works in the Department and its subordinate offices covering the period of estimates and giving for the purpose of comparison, corresponding figures of the past three years;
 - (v) Schemes or Projects which the Department has undertaken (The name and details of scheme, the estimates of expenditure, period within which they are likely to be completed; and, if any, progress made to date should be stated with new items of expenditure with explanatory notes;
 - (vi) The income and actual expenditure incurred under each Sub-Head of estimates during the preceding three years;
 - (vii) Reasons for variations, if any, between the actual of the past three years and the current Estimates;
 - (viii) Reports or Publications, if any, issued by the Department or by any Committee or body on its working.
 - (ix) A review of financial and physical performance and results achieved by the department out of the expenditure incurred during the last three years (year wise);
 - (x) The different classes and grades of Officers together with their
 - (a) numbers;
 - (b) Pay scales and
 - (c) functions in the departments and its attached and subordinate offices (to be shown separately);
 - (xi) Any other materials which in the opinion of the Committee or Department may be useful for examination by the Committee.
7. Immediately after the selections are made, the relevant books on the subject and other references to any published articles having any bearing on the subject shall be collected and Members informed of the same. The Librarian should be immediately informed of the grants so selected and asked to collect and furnish the books and other materials mentioned above. The Department meant may also be required to furnish the books or other papers required by the Committee, but which are not easily available elsewhere.
8. The Reports of other State Legislature Estimates Committee as well as Parliament should be collected and a list should be maintained showing the grants examined by such Committee. If not already in the Library, they should be collected and maintained properly.
9. The Department concerned will furnish 10 sets of papers referred to in paragraph to the Assembly Secretariat.
10. (a) As soon as the papers are received by the Secretary to the Committee, they will be circulated to the members of the Committee.
- (b) The papers circulated to the Members shall be treated as confidential and the contents thereof shall not be divulged to anyone nor shall any reference be made to such information outside the Committee at any time before the report on the subject has been presented to the House.
11. (a) The Members, after going through the papers, may frame questions or points on which further information is required by them.

(b) The questions or points shall be sent by Members to the Secretariat at least 5 (five) days in advance of the Meeting.

Provided that when a Committee meets at short notice, the period of 5 days referred to above may be reduced under orders of the Chairman.

12. The members may similarly send their suggestions, if any, for the consideration of the Committee two days ahead of the date of the meeting.

13. The questions or suggestions referred to in rule 11 and 12 above will be circulated to the members from time to time in advance of the time of commencement of the meeting. Similar copies of questions and suggestions shall be sent to the Department concerned for preparing necessary replies. A copy of the questions, points or suggestions shall also be sent to Finance Department.

14. On the date or dates when the Committee decides to call a representative of the Department concerned, the Secretary or the Head of Department (accompanied by other officers if considered necessary) will attend meetings of the Committee to explain the details of the Estimates and to furnish such information as the Committee may ask for. The Secretary, Finance Department or a representative of that Department not below the rank of Under Secretary shall, if desired by the Chairman, attend meetings of the Committee to assist it in its deliberations.

15. The Chairman of the Committee will call one by one the points or questions as set out on the order paper and the representatives of the Department concerned will explain the position. If any Member desires to put supplementary questions he may do so orally with the permission of the Chairman. In case the witness is not in a position to elucidate any point, he shall take a notice of it and shall seek permission from the Chairman to furnish it to the Assembly Secretariat in writing as soon as may be thereafter.

16. The Secretary shall note the point on which further information is required by the Committee and, under the directions of the Chairman, take such action as may be necessary.

17. (a) The Committee may send for persons, papers and records required in connection with examinations of the Estimates of the Department in terms of Rules 1999 of the Mizoram Legislative Assembly Rules. In case of "Secret" documents required by the Committee, such papers may be made available by the Department confidentially to the Chairman in the first instance, unless it is certified by the Minister concerned that the document could not be made available on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(b) The Chairman may give due consideration to the wishes of the Department before making any secret documents available to the members of the Committee. Any difference of opinion between the Department and the Chairman may be settled by discussion and if no satisfactory arrangement is arrived at, the matter shall then be placed before the Speaker for his decision.

18. The Secretary shall, as soon as possible, prepare draft minutes of the meetings of the Committee for approval and signature of the Chairman.

19. The minutes of each sitting of the Committee shall be circulated to the members of the Committee and to the executive authority concerned if considered necessary.

20. A record of the proceedings of each meeting of the Committee will be kept by the Secretary.

21. Summary of the speeches of the members and the officials tendering evidence before the Committee will be taken down and the relevant portions of speeches will be forwarded to the persons concerned for correction and return within 48 hours of receipt. If corrected copies of speeches are not received back from the members and the officials the speeches as originally sent to them will be treated as correct.
22. The verbatim proceedings, summary of the speeches or other records will be treated as confidential and will not be shown to anyone who is not a member of the Committee. Only such papers as have been laid on the Table of the House may be made available for distribution to anyone who is not a member of the Committee for reference.
23. The Chairman may adjourn the meeting to any day or hour of a day or sine die.
24. A record of attendance of member in the meeting of the Committee shall be kept by the Secretary, and for this purpose an attendance Register shall be maintained. All the members, except the Speaker and the Deputy Speaker, shall sign.
25. When the examination of any part of the estimates has been completed, the Committee may frame its recommendations.
26. Each draft report or section thereof will be considered at a meeting of the Committee and will embody the decisions of the majority of the members present and voting.
27. When the Committee is considering the draft reports or formulating its views on any matters, no-one who is not a member of the Committee or an officer of the Assembly Secretariat shall be present at such meeting.
28. In case of equality of votes, the Chairman shall decide the issue by a casting vote.
29. There shall be no minutes or notes of dissent.
30. An advance copy of the report marked as "SECRET" will be sent to the Department concerned for verification of factual details, copy thereof being supplied to the Finance Department for similar action. The Department concerned will be enjoined to treat the contents of the report "secret" till it is presented to the Assembly or till it is published by the Speaker under Rule 229 of the Mizoram Legislative Assembly Rules.
31. The Chairman may make such factual changes in the draft report as he may think fit on the basis of the changes intimated by the Department concerned before the reports are presented to the Assembly.
32. The Chairman will sign the reports on behalf of the Committee.
33. As soon as each report has been completed, it will be printed for presentation to the Assembly.
34. The report shall ordinarily be presented to the House by the Chairman, but if the Chairman is unable to do so on any account, one of the members of the Committee may present the reports on his behalf.
35. The Committee may recall any witness to give further evidence or any point which is under consideration of the Committee.
36. (a) The Government shall as early as possible, after the presentation of the reports of the Committee on Estimates furnish the Committee with statement showing action taken on the recommendations contained in the report. The statement shall contain the views of the Government on:

- (i) The recommendations accepted by the Government and implemented.
- (ii) The recommendations which have not been accepted by the Government but in view of the reasons given by Government to the Committee, on reconsideration, did not press for them.
- (iii) The recommendation which the Government is unable to accept for reasons given by them but which the Committee feels should be implemented.
- (iv) The recommendations on which Government have not taken final decision.

(b) The Committee shall, as early as possible, after the receipt of the replies, consider them and finalize its views as to whether the replies are acceptable to them or not. Thereafter the Committee shall lay a statement on the Table of the House in order to inform the House of the action taken on the original recommendations made by the Committee.

(c) In case the Department is not in a position to implement or feels any difficulties in giving effect to a recommendation made by the Committee, the Department shall place its views before the Committee which may, if it thinks fit, present further report to the House after considering the views of the Department in the matter.

37. If the Committee is sub-divided into Sub-Committees the procedure of each sub-Committee shall be the same as for the whole Committee.

38. Under the direction of the Chairman, the Secretary will arrange that the activities of the Committee are published for information of the public.

39. The Committee may from time to time appoint one or more study groups for carrying out detailed examination of various fresh subjects and also the action taken by the Government on earlier reports.

40. The Committee may, from time to time, amend, alter, rescind or add to these rules.

RULES OF PROCEDURE (RULES FOR INTERNAL WORKING) OF THE COMMITTEE ON PUBLIC UNDERTAKINGS

Short title and commencement :

1. (1) These Rules may be called '*Rules for Internal Working*' of the Committee on Public Undertakings, 1993.
(2) They shall come into force with effect from the date of approval by the Speaker.

Definitions :

2. In these rules, unless the context otherwise requires -
 - (1) 'Speaker' means the Speaker of Mizoram Legislative Assembly.
 - (2) 'Chairman' means the Chairman of the Committee on Public Undertakings.
 - (3) 'Member' means the member of the Committee on Public Undertakings.
 - (4) 'Secretary' means the Secretary of Mizoram Legislative Assembly Secretariat.
 - (5) 'Committee' means the Committee on Public Undertakings.
 - (6) 'House' means the Mizoram Legislative Assembly.
 - (7) 'Government' means the Government of Mizoram.
 - (8) 'Table' means the Table of the House.
 - (9) 'Sitting' means the sitting of members of the Committee on Public Undertakings for transacting business on any day from its commencement till the Committee rises for the day.

3. **Notice of sitting :** The date and time of sitting of the Committee shall be fixed by the Chairman, and notice thereof along with the agenda papers shall be circulated to the Members of the Committee.

4. Selection of subjects for examination :

- (1) The Committee shall select, from time to time for examination such Public Undertakings or subjects as fall within the scope of rule 255 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly, and as specified in Schedule - V.
- (2) The Committee may also select from the Report of the Comptroller and Auditor-General of India, audit paragraphs in respect of Public Undertakings for detailed examination.
- (3) The programme of work for the examination of subjects may be determined by the Committee from time to time.
- (4) The Committee, after going through the Reports of the Comptroller and Auditor-General of India, may frame a questionnaire on points on which further information is required. These points shall be sent to the Secretary to the Government/Chairman/Managing Director/General Manager of the Public Undertakings concerned, as the case may be. Advance information on the points sought for by the Committee shall be supplied to the Committee by the Secretary to the Government and/or the Chief Executive of the Undertaking(s) concerned, as the case may be, within such time as may be specified by the Committee.

5. Materials to be furnished to the Committee :

(1) The Public Undertakings selected for examination, shall be asked in writing, by the Assembly Secretariat to furnish twenty-five (25) copies of such materials as may be required by the Committee for the use of its members within a stipulated time. The preliminary materials to be furnished to the Committee in respect of an undertaking shall generally on the lines set out in the Appendix.

(2) The materials shall be circulated to members as soon as possible after their receipt in the Assembly secretariat.

6. Papers circulated to members to be treated as confidential :

The papers circulated to the members shall be marked '*confidential*' and treated as such and the contents shall not divulged to anyone nor shall any reference be made to such information outside the Committee at any time, before the Report on the subject has been presented to the House. Thereafter, reference may be made only to such information as is available in the contents of the Report laid on the Table of the House.

7. Questions by members :

(1) Members may, after going through the materials, frame questions or points for which further information is required by them.

(2) The questions and points suggested by members, together with other relevant points concerning the subject under examination, shall be consolidated in the form of a questionnaire. After its approval by the Committee, it shall be sent to the undertakings/Government Department concerned for furnishing necessary replies thereto within a specified time. Advance information, if and when required by the Committee, shall be supplied by the undertakings and or Government Department concerned, as the case may be, to the Committee within such time as may be specified.

(3) The replies received from the Departments/Undertakings shall be circulated to members of the Committee as soon as possible.

(4) Where further clarification is required on any point or additional information is desired, it may be called for in the manner prescribed in sub-rule (2) of these Rules.

8. Members not to raise in the House, matters under examination :

Members of the Committee shall not ask any question or raise in the House any point on matters which are under examination of the Committee until the Reports of the Committee thereon have been presented to the House.

9. Examination of witness :

(1) Normally, the Committee will examine and record the oral evidence of the representatives of the undertakings under examination, separately from those of the officials of the Department concerned.

(2) The Committee may request the Accountant-General to assist them during oral evidence when audit paragraphs relating to various undertakings are examined. A representative of the Administration Department, not below the rank of Joint Secretary, may also be asked to be present during examination of audit paragraphs.

10. Presence of the Finance Secretary or his representative :

The Secretary to the Government, Finance Department or his representative not below the rank of Deputy Secretary (or any other officer of equivalent rank) shall, when asked for by the Committee, be present at its meeting.

11. Recall of witness :

The Committee may recall any witness to give further evidence on any point which is under consideration of the Committee.

12. Procedure at sittings of the Committee :

(1) A member desirous of making observation at the sittings of the Committee, shall address the Chairman and make all remarks through him.

(2) A member shall speak with the permission of the Chairman.

(3) Any member who desires to interrupt while another member is speaking, shall seek permission of the Chairman to do so.

(4) The Chairman may, if he considers that sufficient discussion has taken place on a question, close the discussion to arrive at a decision.

(5) A member who desires to re-open a question on which the Committee has already made a decision shall obtain prior permission of the Chairman to do so.

13. Procedure for taking oral evidence :

The Chairman may first ask any question and thereafter, he may permit other members, one by one, to put question to a witness. If a member desires to put a question, he shall do so with the permission of the Chairman. In case a witness is not in a position to elucidate any point immediately, he may be permitted by the Chairman to furnish the reply to the Secretariat in writing within such period as the Chairman may deem fit.

14. Production of documents :

The Chairman may send for persons, papers and records required by the Committee in connection with the examination of the undertaking/Department in terms of rule 219 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly. In the case of secret documents required by the Committee, such papers may be made available by the undertaking/Department confidentially to the Chairman, in the first instance, unless it is certified by the Minister concerned that the document could not be made available on the grounds that their disclosure would be prejudicial to the safety of the State.

15. Proceedings of the meetings :

(1) A verbatim record of the proceedings of the sittings of the Committee at which evidence is taken shall be kept.

(2) Relevant portions of the proceedings will be forwarded to the members and the witnesses tendering evidence before the Committee for correction and return within forty-eight hours of their receipt. If corrected copies of the proceedings are not

received back from members, the Secretary's copy will be treated as authentic. The portions of proceedings sent to the witnesses must invariably be obtained from them.

16. Verbatim proceedings :

(1) The verbatim proceedings shall be for the use of the Committee only, and such papers as have been laid on the Table of the House will be made public.

(2) The verbatim proceedings and other relevant records shall be treated as confidential and shall not be divulged for any reasons other than for the purpose of the working of the Committee till such papers are placed before the House.

17. Minutes of the sittings :

The Assembly Secretariat shall draft minutes of the sitting of the Committee for approval of the Chairman.

18. Circulation of minutes :

The minutes of each sitting of the Committee shall be circulated to members of the Committee.

19. Confirmation of proceedings/minutes :

The proceedings/minutes of each meeting of the Committee shall be confirmed by the Chairman.

20. Local inspection :

The Committee may undertake on-the-spot study of various Public Undertakings connected with the subjects under examination.

21. Preparation of draft report :

(1) When examination of any subject has been completed, the Committee shall frame its conclusions and recommendations.

(2) On the basis of the conclusions and recommendations of the Committee, a draft report shall be prepared.

(3) The draft report as prepared under sub-rule (2) above shall be circulated to members of the Committee after it has been approved by the Chairman and then considered and adopted at a sitting of the Committee.

22. Finalization of draft report :

In case it is not possible or not convenient to hold sitting of the Committee to consider and adopt the draft report, the Chairman may, with the permission of the Committee, finalize such report on the basis of suggestions or comments received in writing from members.

23. Supply of advance copies of reports to the Departments :

Advance copies of the Report excluding the portions containing the observations, conclusions and recommendations of the Committee, may, if considered necessary, be sent to the concerned Department/Undertaking for verification of factual details and return within a specified date.

24. Power of the Chairman to make corrections in the draft Report :

The Chairman may make suitable modifications in the Report to correct factual inaccuracies, if any, or may direct that the matter be placed before the Committee for consideration.

25. Presentation of Report :

The Report shall ordinarily be presented to the House by the Chairman, but if he is unable to do so, one of the members of the Committee, who may be authorized by the Chairman, may present the Report on his behalf.

26. Circulation of Reports :

After presentation of the Report to the House, copies thereof shall be circulated to members of the House. The Secretariat shall forward copies of the Report to the Government Department/Public Undertakings concerned to give effect to the recommendations of the Committee. Copies of the Report shall also be supplied to the Accountant-General and others concerned.

27. Implementations of recommendations :

(1) While forwarding the Report to the Government, the Department/Undertaking concerned shall be asked to furnish a statement showing action taken by them on the recommendations contained in the Report of the Committee within three months from the date of receipt by the Department/Undertaking.

(2) In case no reply is received during the three months, the matter shall be placed before the Chairman for his orders.

28. Action taken Report :

(1) While forwarding the statements mentioned in rule 27(1), the Department/Undertaking concerned shall also mentioned the views of the Government on the recommendations.

(2) The Committee shall, as early as possible, after receipt of the replies, consider them and finalize its views. Thereafter, the Committee shall prepare a Report in order to inform the House of action taken on the original recommendations made by the Committee.

(3) The procedure relating to the preparation and presentation of the Action Taken Report shall, as far as applicable, be the same as that of the original Report.

29. Attendance of persons other than members of the Committee :

A Member of the Assembly, who is not a member of the Committee, or a Member of Parliament and other state Legislatures in India or an officer of Parliament and other State Legislatures may, with the permission of the Chairman, attend a sitting of the Committee when evidence is being taken by it, but not when the Committee is deliberating. Such member or officer shall not, however, take part in any manner, in the proceedings of the Committee nor sit in the body of the Committee.

30. Chairman to regulate the conduct of business :

The Chairman shall have the power to regulate the conduct of business in the Committee in all matters not specifically provided for in these rules.

31. Change in the rules :

The Committee may, with the approval of the Speaker, make such changes in these rules as it deems fit.

32. Interpretation of rules :

In case of doubt as to the interpretation of these rules, the matter shall be referred to the Speaker, whose decision shall be final.

33. Rules not to override Assembly Rules :

These rules shall not, in any manner, override any provision contained in the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly.

A P P E N D I X

POINTS TO BE COVERED IN THE PRELIMINARY MATERIALS TO BE FURNISHED BY A DEPARTMENT/UNDERTAKING

1. Historical background together with copies of Statutes/Memorandum and Articles of Association of the corporation/board/company and rules or regulations issued there under, if any.
2. Brief notes on objects and the present functions of the corporation/board/company together with a copy of the Instrument of Instructions issued by Government, if any.
3. (a) Organizational set up of the corporation/board/company including that of various projects and offices. The information may be shown in the form of a comprehensive chart supported by short explanatory notes.

(b) Organizational set up of the Administrative Department which co-ordinates and controls the work of the corporation/board/company.
4. A detailed account of the working, in financial as well as physical terms, of the corporation/board/company year wise since its inception with reference to its programmes or plans. Reasons for variations between the programmes and achievements, if any, may be furnished.
5. The original estimates, revised estimates and the actual expenditure on the various projects/schemes for the last three years, together with a brief note indicating the reasons for variations, if any.
6. Current programmes and further plans of the corporation/board/company.
7. (a) Copies of the Annual Reports and Accounts for the last three years with the Administrative Reports and Reviews by the Government, if any.

(b) Copies of monthly/quarterly reports submitted by the corporation/board/company to the Government.
8. Copies of reports of any inquiry or investigation conducted into the working of the corporation/board/company.
9. Notes giving main features of project reports, if any, relating to each project/undertaking by the corporation/board/company, i.e, their estimated costs, scheduled dates of commissioning of the various units in each project, annual rated capacity (both in terms of quantity and value) and the year of reaching that capacity, staff required (category wise), etc, along with the latest position with reference to each aspect.
10. Copies of agreements, if any, entered into with consultants/collaborators.
11. Copies of directives, if any, issued by the Government.

12. A comparative note showing cost, production and pricing of products of undertakings, both private and public, producing similar/identical commodities (i) in the State and (ii) elsewhere in India.
13. Any other information which the Department/undertaking would like to place before the Committee, as will enable it to appreciate fully the working of the company or the undertaking.

RULES FOR INTERNAL WORKING OF THE COMMITTEE ON SUBORDINATE LEGISLATION

In pursuance of Rule 231 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly, the following rules for internal working of the Committee are made by the Committee on Subordinate Legislation to supplement the General Procedure for Committees outlined in the Rules of Procedure and Conduct of Business, with the approval of the Speaker.

Short Title and Commencement	<p>1. (1) These rules may be called the “Rules for Internal Working of the Committee on Subordinate Legislation” in Mizoram Legislative Assembly.</p> <p>(2) They shall come into force at once.</p>
Definition	<p>2. Words and expressions used herein shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.</p>
Sittings of the Committee	<p>3. (1) Sitting of the Committee shall be held on such days as the Chairman of the Committee may fix ;</p> <p>Provided that if the Chairman of the Committee is not locally available, the Secretary may fix the date and time of the sitting.</p> <p>(2) Unless the Chairman otherwise directs, there will be no sitting on Saturdays, Sundays or other Public Holidays.</p>
Notice of the Sittings	<p>(3) Sittings shall ordinarily be held from 11 A.M. to 4 P.M. with a break of one hour from 1 P.M. to 2 P.M. for recess.</p> <p>4. Notice of the sittings shall ordinarily be sent 15 days before the meeting, but in case of urgency such sittings may be called upon at a shorter notice and sent to members telegraphically, if necessary.</p>
Attendance Register	<p>5. A record of attendance of members in the sittings of the Committee shall be kept by the Secretary, and for this purpose an attendance register shall be maintained. All members, except the Speaker and the Deputy Speaker shall sign it everyday of their attendance.</p>

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| Scope of the Committee | 6. The Committee may select, from time to time, for examination and scrutiny such Statutory Rules, Regulations, Orders, Bye-laws, Notifications, etc. issued by the Government or any other subordinate authority in pursuance of the powers delegated to them under the Constitution or the Act or by the Assembly. |
| Submission of materials to the Committee | 7. The Administrative Departments forward to the Assembly Secretariat 25 upto date amended copies of such Rules, Regulations, Orders, Bye-laws, Notifications etc., made by the Government in exercise of the powers conferred by the Constitution or by the Act or delegated by the Assembly within 15 days from the date of publication in the Gazette with equal number of copies of explanatory notes to each Rules etc, explaining in brief the need and purpose for which and the section under which it is made. The Administrative Departments shall further send 25 copies of the Principal Act etc, together with equal number of copies of annexures prepared in accordance with the instructions contained in Appendix I. |
| Circulation of the materials to Members | 8. As soon as copies of Rules etc, together with explanatory notes and annexures are received from the Administrative Departments, they shall be circulated to members of the Committee. |
| Suggestions by Members | 9. The members may send their suggestions, if any, to the Secretary within fifteen days, relating to the scrutiny of the Rules, etc, for the consideration of the Committee. |
| Preparation of Memorandum | 10. The copies of rules etc., received from the Administrative Departments, shall be examined by the Assembly Secretariat together with the suggestions received from the members, in the light of the provisions of Rules 263 of the Rules of Procedure and if there are any points which should be brought to the notice of the Committee, it shall prepare a Memorandum thereon and submit it to the Chairman of the Committee for consideration and approval, which shall be placed before the sitting of the Committee. |

A copy of the Memorandum approved by the Chairman shall be forwarded to the administrative Department concerned for its reply if any, and a copy thereof may be forwarded to the Law Department for information.

Submission of
explanatory notes on
Memorandum

11. The Administrative Departments shall send 25 copies of the explanatory notes on the Memorandum to the Assembly Secretariat at least 10 days before the sitting of the Committee.

Government
representative to appear
before the Committee

12 (1) The Secretary to Government of the Administrative Department concerned shall, if necessary, appear in person before the Committee, on the date or dates fixed by the Committee to explain the reasons for the making of the Rules etc. If he is unable to attend in person for unavoidable reasons, any other officer not below the rank of Under Secretary, may appear on his behalf with the express permission of the Chairman. He may bring other officers to assist him, if he considers necessary.

(2) The Government representative who appear before the Committee shall conceal nothing unless it is prejudicial to the security of the State.

(3) The Government representative appearing before a meeting of the Committee shall observe a proper decorum and etiquette consistent with the courtesy and respect due to a Committee of the Legislature.

Attendance of persons
other than members of the
Committee

13 (a) Any person, who is not a member of the Committee, may be invited to attend a sitting of the Committee under the orders of the Chairman, but he shall not have a right to vote.

(b) A member of the Assembly, who is not member of the Committee, or a member of Parliament and other State Legislature or an Officer of Parliament and other State Legislature may, with the permission of the Chairman attend a sitting of the Committee when evidence is being taken by it but not when the Committee is deliberating. Such Member or Officer shall not, however, take part in any manner in the proceedings of the Committee nor sit in the body of the Committee.

Noting of Points

14. The Secretary, shall note the points on which further information is required by the Committee and take such action as may be necessary in regard thereto.

Minutes of Sitting	15. The Secretary shall prepare draft minutes of the sitting of the Committee for the approval of the Chairman or the member who presided over the sitting. The fact of the evidence given by the Secretary of the Department concerned before the Committee shall be mentioned in the minutes of the relevant sitting.
Circulation of the Minutes	16. The minutes of each sitting of the Committee shall be circulated to members of the Committee.
Record of Proceedings of the Sitting	17. A record of the proceedings of each sitting of the Committee shall be kept by the Secretary.
Minutes to be appended to the Report	18. The minutes of the sittings of the Committee shall be appended to the relevant report of the Committee and presented to the House.
Preparation of Draft Report	19. The Secretariat shall prepare draft report or part thereof of the Committee containing its recommendations which shall be placed before the Committee. Provided that the Committee may present the following documents to the House along with the Report. (I) Summary of recommendations made in the Report (II) Relevant portions of the minutes of the sittings at which the matter referred to in the Report were considered. (III) Such other matter as the Committee may consider necessary.
Chairman to sign the Report	20. After approved by the Committee, the Chairman will sign the Report on behalf of the Committee.
Notes of dissent	21. There shall be no notes of dissent.

Presentation of the Report	<p>22. The Report of the Committee shall be printed and presented to the House by the Chairman or in his absence by any member of the Committee who attended the sitting at which the report was approved by the Committee.</p> <p>Provided that in case, due to unforeseen circumstances, printed copies are not available by the scheduled date of presentation, a type-written copy of the report will be presented to the House and printed copies supplied to Members later.</p>
Circulation of Report	<p>23. As soon as possible, after presentation of the report to the House copies thereof shall be circulated to the Minister concerned and the Departments.</p>
Implementation of recommendations	<p>24 (1) The Administrative Department concerned shall furnish, from time to time, to the Assembly Secretariat a statement of action taken or proposed to be taken by the Government on the recommendation made by the Committee in its Report and on the assurances given by the Department in the course of correspondence with the Committee. In case, the Administrative Department is not in a position to implement or feels any difficulty in giving effect to any recommendation made by the Committee, the Administrative Department shall communicate its views to the Assembly Secretariat. The Committee may, if it thinks fit, after considering the views of the Department, present a further report to the House.</p> <p>(2) The statement referred to in (1) above shall be submitted to the Committee in the proforma shown in Appendix II.</p>
Adjournment of the meeting	<p>25. The Chairman may adjourn the meeting to any day or hour of a day or “sine die”.</p>
Amendment etc.	<p>26. The Committee may, from time to time, amend, alter, rescind or add to these Rules.</p>

APPENDIX I**(Vide Rule No. 7)**

Instructions for preparation of Annexure to Notifications

1. The relevant clause of the rule making section under which rules are made should be given.
2. Where the relevant clause contains reference to certain sections, such sections should also be given.
3. Rule or sub-rule which is proposed to be substituted should be given.
4. Rule or sub-rule which is proposed to be deleted should also be given.
5. Rule or sub-rule which is not proposed to be amended but which is referred to in the rule should be given.
6. Rule or sub-rule after which some new rule or sub-rule is proposed to be inserted need not be given.
7. When a proviso or an explanation is proposed to be added to a rule or a sub-rule that rule or sub-rule should be given where an explanation of the proviso will not be understood without that rule or sub-rule.
8. When an explanation is proposed to be amended the relevant rule or sub-rule should also be given.

APPENDIX II**(Vide Rule No. 24 (2))**

Statement of action taken by the Government on the recommendations contained in the report of the Committee.

Sl.No	Reference to paragraph number of the Report	Summary of Recommendation	Action taken or proposed to be taken by the Govt.

**Extract from the Rules of Procedure and Conduct of Business in the
Mizoram Legislative Assembly**

Function of Committee
on Subordinate
Legislation

260. There shall be a Committee on Subordinate Legislation to scrutinize and report to the Assembly whether the powers to make regulations, rules, sub-rules, bye-laws, etc. conferred by the Constitution or the Act or delegated by the Assembly are being properly exercised within such delegation.

Constitution of
Committee

261. The Committee shall consist of not more than seven members who shall be nominated by the Speaker.

Provided that a Minister shall not be nominated a member of the Committee, and that if a member after his nomination to the Committee is appointed a Minister he shall cease to be member of the Committee from the date of such appointment.

Numbering and
Publication of Order

262. Each regulation, rule, sub-rule, bye-law, etc., framed in pursuance of the provisions of the Constitution or the Act or legislative functions delegated by Assembly to a subordinate authority and which is required to be laid before the House, herein after referred to as "Order" shall, subject to such rule as the Speaker may in consultation with the Leader of the House prescribe, be numbered centrally and published in the Gazette immediately after it is promulgated.

Duties of Committee

263. After each such Order referred to in Rule 262 is laid before the House, the Committee shall, in particular, consider -

(i) Whether it is in accord with the General objects of the Constitution or the Act pursuant to which it is made;

(ii) Whether it contains matter which in the opinion of the Committee should more properly be dealt within an Act of the Assembly;

(iii) whether it contains imposition of any tax;

(iv) Whether it directly or indirectly bars the jurisdiction of the courts;

(v) Whether it gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;

(vi) Whether it involves expenditure from the consolidated Fund of the State or the public revenues;

(vii) Whether it appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;

(viii) Whether there appears to have been unjustifiable delay in its publication or in laying it before the Assembly; and

(ix) Whether for any reason its form or purport calls for any elucidation.

Report of Committee

264. (1) If the Committee is of the opinion that any Order should be annulled wholly or in part, or should be amended in any respect, it shall report that opinion and the grounds thereof to the Assembly.

(2) If the Committee is of the opinion that any other matter relating to any orders should be brought to the notice of the Assembly, it may report that opinion and matter to the Assembly.

Power of Speaker to give directions

265. The Speaker may issue such directions as may be consider necessary for regulating the procedure in connection with all matters connected with the consideration of any question of Subordinate Legislation either in the Committee or in the Assembly.

RULES FOR INTERNAL WORKING OF THE LIBRARY COMMITTEE, MIZORAM LEGISLATIVE ASSEMBLY

In pursuance of Rule 231 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly, the following Rules (Rules for Internal Working of the Library Committee) are made by the Library Committee to supplement the General Procedure for Committee outlined in the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly.

1. Short Title and Commencement:

- (1) (a) These rules may be called “Rules for Internal Working of the Library Committee” in Mizoram Legislative Assembly.
- (b) They shall come into force with effect from the date of approval of the Speaker.

2. Definitions:

Words and expressions used herein shall have the same meaning as are assigned to them in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.

3. Sitting of Committee:

- (a) Sittings of the Committee shall be held on such days and time as the Chairman of the Committee may fix.

Provided that, unless the Chairman otherwise directs there will be no sitting on Saturday, Sunday and other public holidays.

Provided further that if the Chairman of the Committee is not present in the station, the Secretary to the Committee may, in consultation with available members in the station, fix date and time of sitting in case of urgency.

- (b) In the absence of the Chairman the Members present in the sitting may elect one of the Members to act as Chairman for that particular sitting.

4. Notice of the Sitting:

Notice of the sitting, along with the agenda shall be circulated to the Chairman and Members of the Committee, 15 days before the date of sitting. However, in case of urgency, sittings may be called at a shorter notice.

5. Quorum:

The quorum to constitute a sitting of a Committee shall be one-third of the total number of Members or three whichever is greater.

6. Procedure of Sitting of the Committee:

- (1) A member desiring to make any observation at the sittings of the Committee shall address the Chairman and make all remarks through him.
- (2) Any member who desires to interrupt while another member is speaking, shall seek prior permission of the Chairman to do so.
- (3) The Chairman may, if he considers that sufficient discussion has taken place on a particular subject, close further discussion to arrive at a decision.
- (4) A member desiring to re-open a matter on which the Committee has already made a decision/conclusion shall obtain prior permission of the Chairman to do so.

7. Minutes of the Sitting:

The Assembly Secretariat (Library Committee Branch) shall prepare a draft minutes of the sitting of the Committee.

Provided that such proceedings/minutes of the sitting of the Committee shall be approved/confirmed by the Chairman.

8. Circulation of Minutes:

The Minutes of each sitting of the Committee shall be circulated to the Chairman and Members of the Committee.

9. Venue of Sitzings:

A sitting of Library Committee or Sub-Committee thereof whether formal or informal, shall invariably be held within the precincts of the Assembly House.

Provided that, if for any reasons, it becomes necessary to hold a sitting of a Committee or a Sub-Committee outside the precincts of Assembly House, the matter may be referred to the Speaker for prior permission.

10. Admission of Stranger:

A person, whose knowledge is required for the deliberation at the sitting of the Committee, may be invited to attend the sitting with the approval of the Chairman. However, he shall not have a right to vote.

11. Power to appoint Sub-Committee:

Library Committee may appoint one or more Sub-Committees to examine any special matter relating to Assembly Library.

Provided that each Sub-Committee appointed by the Committee shall be presided over by the Convener who is elected by the Members.

Provided further that the Sub-Committee so appointed by the Committee shall report its finding to the Library Committee for consideration and final decision.

12. Study Tour:

The Committee may undertake study tour, in whole or in part, if it feels that it is necessary to conduct study tour for the improvement of Assembly Library with the approval of the Speaker.

13. Improvement of Library:

In order to facilitate Members of the House, suggestion for improvement of the Library and a list of books to be added shall be prepared and submitted to Chairman of the Committee and Secretary of Mizoram Legislative Assembly for placing before the sitting of the Committee for consideration.

14. Amendment of Library Rules:

The Committee, if at any time, feels it necessary to amend Library Rules for the improvement of Library can do so at any sitting by simple majority vote of the Members present.

RULES FOR INTERNAL WORKING OF THE COMMITTEE ON PETITIONS OF THE MIZORAM LEGISLATIVE ASSEMBLY

In pursuance of Rule 231 of the Rules of Procedure and Conduct of Business of the Mizoram Legislative Assembly, the following rules of procedure (Rules for Internal Working of the Committee) are made by the Committee on the Petitions to supplement the general procedure for the Committee outlined in the Rules of Procedure and Conduct of Business with the approval of the Speaker.

1. (1) These Rules may be called “The Rules for the Internal working of the Committee on Petitions of the Mizoram Legislative Assembly”.

(2) They shall come into force at once.

2. Words or expressions used herein shall, unless the context otherwise requires, have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business of the Mizoram Legislative Assembly.

3. Meetings of the Committee shall be held on such day and such hour as the Chairman of the Committee may fix.

Provided that if the Chairman of the Committee is not locally available, the Secretary may fix the date and time of the meeting.

Provided further that, unless the Chairman otherwise directs, there will be no meeting of the Committee on Sundays and other public holidays.

4. Notice of the meeting shall ordinarily be sent to the members 15 days before the date of the meeting but, in case of urgency, such meetings may be called upon at shorter notice and the members shall be informed telegraphically, if necessary.

5. (1) Agenda for the meeting shall be prepared by the Secretary with the approval of the Chairman of the Committee. A copy of the agenda shall ordinarily be sent along with the notice convening the meeting to each member of the Committee. Supplementary agenda may be placed on the table of the Committee during the sitting if urgently needed.

(2) A member who desires to raise any matter at a meeting of the Committee shall state it in detail in an explanatory note and send it to the Secretary 3 days before the date of the meeting. The Secretary shall submit it to the Chairman of the Committee and the Chairman may direct it to be included in the agenda for the ensuing meeting or for any other subsequent meeting as he may deem proper.

(3) The Chairman shall regulate all business of the Committee.

6. The items of agenda shall be dealt with as the Chairman deems necessary.

7. The Chairman may adjourn the meeting to any day or hour of a day or sine die.

8. A record of attendance of members in the meetings of the Committee shall be kept by the Secretary and, for the purpose; an attendance register shall be maintained.

9. The quorum to constitute a sitting of the Committee shall be three.
10. Every petitions, received either through a member or direct, shall first be examined by the Secretariat to see that it conforms to the Rules of Procedure and, if found admissible, shall be presented to the House by the Member who has countersigned it, or reported to the House by the Secretary, as the case may be.
11. (1) After the presentation or report of a petition to the House, the Secretariat shall prepare a memorandum on the petition for the consideration of the Committee indicating there in the grievance and prayer of the petitioner, the background of the case and the remedy suggested, if any.
(2) The facts or comments on the petition, wherever obtained from the Department concerned, shall also be suitably incorporated in the memorandum.
12. The Committee may, if considered necessary, take the evidence of the petitioner or the representatives of the Department concerned with the subject matter of the petition.
13. (1) when the examination of the petition has been completed, the Committee may frame its recommendations.
(2) The recommendations of the Committee will be embodied in a report. The report shall be signed by the Chairman on behalf of the Committee.
(3) The report shall be presented to the House by the Chairman or in his absence by any member of the Committee.
14. The meetings of the Committee shall not be open to the press and when the Committee is considering the draft report or formulating its recommendation, no one who is not a member of the Committee or an officer of the Secretariat of the Committee, shall be present at such meeting.
15. An MLA(A member) who is not a member of the Committee may be invited to attend a meeting under the orders of the Chairman but he shall not have a right to vote.
16. The papers circulated to the Committee shall be treated as confidential and the contents thereof shall not be divulged to anyone without the permission of the Chairman.
17. Relevant a portion of the verbatim proceedings of the sitting at which evidence has been taken shall be forwarded to the witnesses and members concerned for confirmation and returned within 48 hours of receipt. If corrected copies of the proceedings are not received back in time, the reporter's copy shall be treated as authentic.
18. The Secretariat shall prepare draft minutes of all the meetings of the Committee for approval of the Chairman or the member who presided over the meeting as the case may be.
19. The fact that evidence was given before the Committee shall be mentioned in the minutes of the relevant meeting.

20. The minutes of each meeting of the Committee shall be circulated to the members of the Committee.

21. (1) As soon as possible after presentation of the report to the House, copies thereof shall be circulated to the members of the House and to the Department of the Government and other authorities concerned.

(2) A copy of the report shall also be forwarded to the petitioner concerned.

Provided that in case a petition is signed by more than one person, a copy of the report shall be forwarded to the first signatory to the petition.

22. (1) The Department shall furnish to the Secretariat, from time to time, statements of action taken or proposed to be taken by them on the recommendations made by the Committee in their reports. The information so received shall be placed before the Committee for consideration in the form of memoranda.

(2) Where any Department is not in a position to implement any recommendation made by the Committee, or feels any difficulty in giving effect to any recommendation, the views of the Department shall be placed before the Committee who may, if necessary, present a further report to the House after considering the views of the Department in the matter.

23. The Committee may formulate any additional points of procedure from time to time which shall be incorporated in these rules.

RULES FOR INTERNAL WORKING OF THE COMMITTEE ON GOVERNMENT ASSURANCES OF THE MIZORAM LEGISLATIVE ASSEMBLY

In pursuance of Rules 231 of the Rules of Procedure and Conduct of Business of the Mizoram Legislative Assembly of the following rules of the Procedure (Rules for Internal Working of the Committee) are made by the Committee on Government Assurances to supplement the general procedure for Committees outlined in the Rules of Procedure and Conduct of Business with the approval of the Speaker.

1. (a) These rules may be called “The Rules for Internal Working of the Committee on Government Assurances of the Mizoram Legislative Assembly.”

(b) They shall come into force at once.

2. Words or expressions used herein shall unless the context otherwise requires have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business of the Mizoram Legislative Assembly.

3. Meetings of the Committee shall be held on such day and such hour as the Chairman of the Committee may fix;

Provided that if the Chairman of the Committee is not locally available the Secretary may fix the date and time of the meeting;

Provided further that unless the Chairman otherwise directs there will be no sitting of the Committee on Sundays and other Public holidays.

4. Notice of the meetings shall ordinarily be sent to the members 15 days before the meeting but in case of urgency such meetings may be called upon a shorter notice and the members shall be informed telegraphically, if necessary.

5. (a) Agenda for the meeting shall be prepared by the Secretary with the approval of the Chairman of the Committee. A copy of the agenda shall ordinarily be sent along with the notice convening the meeting to each of the members of the Committee. Supplementary agenda may be placed on the table of the Committee during the sitting if urgently needed.

(b) A member who desires to raise any matter before a meeting of the Committee shall state it in detail in the explanatory note and send it to the Secretary 7 days before the meeting of the Committee. The Secretary shall submit it to the Chairman of the Committee and the Chairman may direct it to be included in the agenda for the ensuing meeting or for any other subsequent meeting as he may deem proper.

(c) The Chairman shall regulate all business of the Committee.

6. The items of agenda shall be dealt with as the Chairman deems necessary.

7. The Chairman may adjourn the meeting to any day or hour of a day or "SINE DIE".
8. A record of attendance of members in the meetings of the Committee shall be kept by the Secretary, and for this purpose an attendance register shall be maintained.
9. (i) After each session, the Secretary will prepare a chronological extract containing promises and assurances from the speeches of the Ministers made on the floor of the House.

(ii) The Secretary will forward a copy of the statement of extracts so prepared, for the perusal of the members of the Committee who will return the same after consideration and with comments, if any, to the Secretary, within a fortnight of the receipt of the same.
10. On receipt of the statement of extracts from the members of the Committee, the Secretary will take action to call a meeting of the Committee within a month. After the Committee has approved the assurances they shall be forwarded to the Departments of the Government concerned with the Committee's observations.
11. The Secretaries or the Department Heads of the Government shall communicate to the Secretary, Legislative Assembly, the action taken on the assurances and the extent to which it has actually been implemented. This information must in all cases be supplied to the Secretary, Legislative Assembly within a month of receipt of the statement by them.
12. The Secretary will prepare a consolidated statement of the information received from the Departments regarding action taken on the assurances in a precise manner and will arrange to have a date for the meeting fixed and cause it to be circulated to the Members, together with the consolidated statement and other connected papers within a month.
13. (i) The Committee will then make a preliminary examination of the consolidated statement prepared by the Secretariat on the information received from the Departments and decide upon the points in regard to which the Committee would require further information.

(ii) The Committee may call the Secretary or the Head of Departments of the Government to give evidence on any point which is under consideration of the Committee.

(iii) The Secretary shall note the points on which further information is required by the Committee as a result of the examination of the Departmental Secretaries, Heads of the Department, etc., and under the direction of the Chairman take such action as may be necessary.

(iv) No document submitted to the Committee shall be withdrawn or altered without the knowledge and approval of the Chairman. This also applies to any portion of the evidence returned by a member or a Departmental representative and which he thinks require any alteration.
14. (i) When the examination of the Consolidated statement has been completed, the Committee may frame its recommendations.

(ii) The recommendations of the Committee will be embodied in a report. The report shall be signed by the Chairman on behalf of the Committee and presented to the House.

(iii) As soon as each Report has been completed, it will be printed.

(iv) The report of the Committee shall be presented to the House by the Chairman or in his absence by any member of the Committee.

15. The meeting of the Committee shall not be open to the press and when the Committee is considering the draft report or formulating its recommendation no one who is not a member of the Committee or an officer of the Secretariat shall be present at such meetings.

16. A Member (An MLA) who is not a member of the Committee may be invited to attend the sitting under the orders of the Chairman but he shall not have a right to vote.

17. The papers circulated to the Committee shall be treated as confidential and the contents thereof shall not be divulged to any one without the permission of the Chairman.

18. Relevant portions of the verbatim proceeding of the sitting at which evidence has been taken shall be forwarded to the witnesses and members concerned for confirmation and return within 48 hours of receipt. If corrected copies of the proceedings are not received back in time, the reporter's copy shall be treated as authentic.

19. The Secretariat shall prepare draft minutes of all the sittings of the Committee for approval of the Chairman or the member who presided over the sitting, as the case may be.

20. The fact that evidence was given before the Committee shall be mentioned in the minutes of the relevant sitting.

21. The minutes of each sitting of the Committee shall be circulated to the members of the Committee.

22. As soon as possible after presentation of the report to the House, copies thereof shall be circulated to the Members of the House, and to the Department of the Government and other authorities concerned.

23. The Committee may formulate any additional point of Procedure from time to time which shall be incorporated in these rules.

RULES FOR INTERNAL WORKING OF THE HOUSE COMMITTEE

In pursuance of Rule 231 of the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly the following Rules of Procedure (Rules for Internal Working of the Committee) are made by the House Committee to supplement the General Procedure for Committee outlined in the Rules of Procedure and Conduct of Business with the approval of the Speaker.

1. (a) These Rules may be called the “Rules for Internal Working of the House Committee”, Mizoram Legislative Assembly.

(b) They shall come into force at once.

2. Words or expressions used herein shall unless the context otherwise requires have the same meaning as is assigned to them in the Rules of Procedure and Conduct of Business in the Mizoram Legislative Assembly.

3. (a) Meetings of the Committee shall be held on such days and time as the Chairman of the Committee may fix:

Provided that if the Chairman of the Committee is not available the Secretary may fix the date and time of the meeting:

Provided further that unless the Chairman otherwise directs there will be no sitting on Saturday and other public holidays.

(b) Meeting shall ordinarily be held at 11:00 A.M. upto 5:00 P.M. with a break of one hour from 1:00 P.M. to 2:00 P.M. for recess.

4. Notice of the meetings shall ordinarily be sent to the members 15 days before the meeting but in case of urgency such meetings may be called upon a shorter notice and sent to members telegraphically, if necessary.

5. (a) Agenda for the meetings shall be prepared by the Secretary with the approval of the Chairman of the Committee. A copy of the agenda shall ordinarily be sent along with the notice convening the meeting to each of the members of the Committee.

(b) A member who desires to raise any matter before a meeting of the Committee shall state it in detail in an explanatory note and send it to the Secretary 2 (two) days before the meeting of the Committee. The Secretary shall submit it to the Chairman of the Committee and the Chairman may direct it to be included in the agenda for ensuing meeting or for any other subsequent meeting as he may deem proper.

(c) Supplementary agenda may be placed on the Table of the Committee during the sitting if urgency requires.

(d) The Chairman shall regulate all business of the Committee.

6. The items of agenda shall be dealt with as the Chairman deems necessary.

7. The Chairman may adjourn the meeting to any day or hour of a day or “SINE DIE”.

8. A record of attendance of members in the meetings of the Committee shall be kept by the Secretary, and for this purpose an attendance register shall be maintained. All the members, except the Speaker, Deputy Speaker and the ministers shall sign it every day of their attendance.
9. All proposals, including those received from members or executive authorities, for additions or alterations in the member's residences or for provision of additional amenities in those residential localities, shall first be examined by the Secretariat, to see whether they are covered by any existing practices or previous decisions of the Committee and necessary action were taken on all such proposals.
10. All matters regarding allotment of residential and Hostel accommodation to members shall be decided by the House Committee.
11. As soon as it is decided to place a proposal before the Committee, the Secretariat shall forward a copy thereof to the authorities concerned for advance scrutiny and preparation of estimate.
12. The representatives of the Works and Buildings Department or other Departments concerned, whenever necessary, may be invited to attend the sitting of the Committee, to advise the Committee on the implications of the proposals under consideration and to furnish such other information as the Committee may ask for.
13. An MLA (A member) who is not a member of the Committee may be invited to attend the sitting of the Committee under orders of the Chairman but he shall not have a right to vote.
14. The Secretariat shall prepare draft minutes of the sittings of the Committee for approval of the Chairman or the member who presided over the sitting as the case may be.
15. The minutes of each sitting of the Committee shall be circulated to the members of the Committee and to the executive authorities. Decisions taken by the Chairman of the Committee shall also be communicated to the Committee for information.
16. The Secretariat shall pursue with the Departments concerned the implementation of the recommendations of the Committee. A statement showing the progress made in the implementation of the recommendations of the Committee shall be placed before the Committee.

**THE MIZORAM SALARIES, ALLOWANCES
AND PENSION OF MEMBER
OF THE LEGISLATIVE ASSEMBLY ACT, 1999**

(As amended uptodate)

AN

ACT

to provide for the Salaries, Allowances and Pension of Member of the Legislative Assembly of Mizoram.

Be it enacted by the Mizoram Legislative Assembly in the Fiftieth Year of the Republic of India as follows -

Short title
Commencement

and

1. (1) This Act may be called the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999.

(2) It shall be deemed to have come into force with effect from the 1st day of August, 1999.

Definition

2. In this Act, unless the context otherwise requires :

(a) “Assembly” means the Legislative Assembly of Mizoram;

(b) “Committee” means a Committee of the Assembly;

(c) “Day” means a period of 24 hours beginning at midnight;

- (d) “Family” in a relation to a Member means –
- (i) his wife or her husband, as the case may be;
 - (ii) the children, step-children, widowed daughters, wholly dependent on such member; and
 - (iii) the parents, minor brothers, handicapped adult brothers, sisters and widowed sisters, wholly dependent on such member;
- (e) “Form” means a form appended to the Second Schedule;
- (f) “Government” means the Government of Mizoram;
- (g) “Member” means a member of the Assembly, save as otherwise expressly provided in this Act, does not include –
- (i) A Minister as defined in the Mizoram Salaries and Allowances of Minister Act, 1999;
 - (ii) the Speaker and the Deputy speaker as defined in the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999;
 - (iii) the Leader of the Opposition as defined in the Mizoram Salaries and Allowances of Leader of the Opposition Act, 1999; and
 - (iv) Government Chief Whip and Deputy Government Chief Whip as defined in the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999

but includes -

the Chief Minister, the Speaker, the Ministers, the

Ministers of State, the Deputy Speaker, the Leader of the Opposition and the Government Chief Whip and the Deputy Government Chief Whip for the purposes of grant of loans and advances under Section 14 and of pension under Section 15 and of death gratuity under Section 16;

(h) “Period of residence on duty” means the period during which a member resides at a place where a session of the Assembly or a sitting of a Committee is held or where any other business connected with his duties as such member is transacted, or for the purpose of attending such other business is transacted and includes –

(i) in a case of session of the Assembly, a period of such residence, not exceeding three days immediately preceding the commencement of the session and a period of such residence, not exceeding three days immediately succeeding the date on which the Assembly is adjourned sine die or for a period exceeding seven days; and

(ii) in a case of a sitting of a Committee or any other business a period of such residence not exceeding two days, immediately preceding the commencement of the business of the Committee or other business and a period of such residence not exceeding one day immediately succeeding the conclusion of the business of the Committee or other business;

(i) “Prescribed authority” means the authority as prescribed by the Government from time to time;

(j) “Schedule” means a Schedule appended to this Act;

(k) “State” means the State of Mizoram;

(l) “Term of Office” in relation to a member means –

(i) Where such member is a member elected in a general election held for the purpose of constituting a new Assembly, the period beginning with the date of publication of the Notification of the Election Commission under Section 73 of the Representation of the People Act, 1951; or

(ii) Where such member is a member elected in a bye-election to the Assembly or a member nominated to the Assembly, the period beginning with the date of his election referred to in Section 67A of the said Act, or as the case may be, the date of his nomination, and ending with, in each case, the date on which his seat becomes vacant;

Notwithstanding anything contained in sub-clause (i) & (ii) of clause (I) of Section 2 for the purpose of salaries, allowances and other amenities, the term of office of a member means a period beginning with the date a member takes oath or affirmation to be such a member and ending with the date on which his seat becomes vacant or dissolution of the Assembly, whichever is earlier;

(m) “Headquarters” in relation to a member means Constituency Headquarters to be declared by the Speaker.

Salary and Daily
Allowances

3. A member shall be paid a salary of [Forty thousand]¹ rupees per mensem during the whole of his term of

office and shall also be entitled to receive [daily allowances of Rs. 750/- (within the State) and Rs. 1,000/- (outside the State) per day]² for each day during the sitting of a session of the Assembly or the meeting of a Committee and for each day of period of residence at any place where any other business connected with his duties as member is transacted, such as attending a refresher course of seminar, conference or meeting of any Parliamentary Association, University or other recognised body on matters connected with Parliamentary Affairs including the days spent on journeys for the purpose.

Residence, etc.

4. A member shall be entitled without any payment to the use and maintenance of a furnished residence throughout his term of office as a member and for a period of fifteen days immediately thereafter, and so long as such residence is not provided, he shall be entitled to a residence for which rental charges of not more than [five thousand]¹ rupees per mensem.
EXPLANATION : For the purpose of this Section - “maintenance” in relation to a residence includes –

[Provision of electricity, supply of water and telephone shall be fixed by the Speaker in the form of Office Memorandum or Office Order from time to time]²

Furnishing of Residence

5. A member who occupies own house shall be entitled to receive a sum of [Rs. 1,00,000/- in the first year for furnishing and Rs. 50,000/-]³ annually for the subsequent years of the term.

Constituency,
Contingency and Family
Allowances

6. A member shall be paid per mensem [Constituency Allowance of Rs. 10,000/-, Contingency Allowance of Rs. 5,000/- and Family Allowance of Rs. 5,000/-]⁴

Entitlement to Personal Assistant	6A.	[A member shall be entitled to the service of one Personal Assistant on co-terminous basis at the rate of Rs. 10,000/- per month.] ¹
Traveling facilities	7.	A member and his family/relative shall be entitled to travel in any mode of transport whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (rupees two lakhs)] ³ only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket(s) or any other documentary proof.
Traveling or Cash Allowance	8.	<p>(1) Members shall not be paid separate travelling allowances in respect of every journey performed by him for the purpose of attending a session of the Assembly or sitting of Committee on for the purpose of attending to any other business connected with his duty as member from his/her Constituency Headquarters to the place where the Session or the sitting is to be held or the other business is to be transacted and for the return journey from such place to his Constituency Headquarters.</p> <p>(2) There shall be paid travelling allowance to each member in respect of the journey performed by air or train or by road on tour for performing official duties outside the State.</p> <p>(3) Where no government accommodation is available outside the State, member on official duty shall be entitled to reimbursement of accommodation charge of a room in a Three Star Hotel in addition to the Daily Allowance subject to production of actual payment receipt.</p>

(4) Notwithstanding anything contained in sub-section (2), a member who performs a journey by road between places connected by rail, either wholly or in part, may draw the road mileage on the scale mentioned in sub-section (1);

Provided that the total allowance of travelling allowance drawn by such member for the entire journey shall not exceed the amount which would have been admissible to him/her, had he/she performed the journey by rail;

Provided further that a member shall be entitled to an advance of travelling, cash and daily allowances in respect of the tours undertaken by him/her.

Daily Allowances for intermediate journey

9. When a member absents himself for less than seven days during a session of the Assembly or a sitting of a Committee for visiting any place in the State he shall be entitled to receive daily allowance in respect of such journey to such place and for the return journey under Section 3.

Allowances during short intervals between termination of one session and commencement of another session

10. Where the interval between the adjournment of the Assembly and re-assembly of that Assembly does not exceed seven days and the member concerned elects to remain at such place during the interval, he/she shall be entitled to draw for each day of residence at such rate specified in Section 3;

Provided that if the member leaves such place during the interval, his/her absence during a session of the Assembly and the provisions of Section 9 shall apply accordingly.

Travel by air, train or by road

11. A member shall be entitled to travel by air or train or by road on tour for performing official duties within India.

Vehicle

12. (1) A member may be provided a vehicle, the cost of which shall be determined by the General Purposes Committee of the Mizoram Legislative Assembly and communicated to the Government from time to time. A member shall purchase the vehicle within three months from the date of drawal of money and the registration document shall be produced to the Secretary, Legislative Assembly.

Provided that a member shall not be provided a vehicle more than once in the same Assembly term.

- (2) A co-terminous Driver shall be provided on production of the vehicle so purchased alongwith the registration document.

EXPLANATION : Member includes Ministers, Speakers, Whips and Leader of the Opposition Party recognised as such.

Personal Attendants

13. A member shall be entitled to the service of two Grade IV staff of his/her choice in the residence throughout his/her term of office. The appointment of which shall be co-terminous without any increment.

Grants of loans for construction or purchase of building and an advance for purchase of Motor Vehicle

14. (1) Subject to such conditions and limitations as may be prescribed by rules there may be paid to a member -
- (a) a repayable loan for a sum of money not exceeding [ten lakh rupees]¹ for a building or purchasing a house;
- (b) a repayable advance for a sum of money not exceeding four lakh rupees or the actual cost of vehicle, whichever is less, for purchase of motor vehicle;

Provided that a member who has taken a loan or an advance under Section 14(1)(a) and Section 14(1)(b) respectively is not allowed to take a fresh loan or advance, as the case may be, unless and until he/she has repaid the loan or the advance taken during the previous term with interest thereon.

(2) On the application for a building loan a member shall execute a deed in the form prescribed by rules, undertaking to use the loan for the purpose for which it is sanctioned, rendering himself and such property as may be specified in the deed as security including the house purchased or built with the aid of the loan liable for the repayment of the loan with interest due thereon;

Provided that no loan for building of the house shall be sanctioned unless the plot of land on which the house is to be built is exclusively owned and possessed by the member applying thereof, and is free from all encumbrances.

(3) On the application for advances for the purchase of a Motor Vehicle, a member shall execute a deed in a prescribed form undertaking to use the advance for the purpose for which it is sanctioned, rendering himself and the Motor Vehicle to be purchased liable for the repayment of the advance with interest due thereon.

(4) (i) No transfer, assignment of charge made or created after the execution of the deed under subsection (2) under this Section in relation to the property specified therein or the house purchased or built with the aid of loan or advance as the case may be, shall be valid against the Government, unless it has been made or created with the previous consent of the Government in writing;

(ii) Where a member having obtained a loan or an advance under clauses (a) or (b) of sub-section (1) of this Section, dies while holding office as such, the amount of the loan or the advance as the case may be, or any part thereof which would have accrued on the date of his death in accordance with the terms and conditions of the grant of the loan or the advance along with the interest thereon shall be written off with the sanction of the authority as may be prescribed by the Government from time to time.

[(iii) Where a pensioner having obtained a loan or advance under clause (a) or (b) of sub-section (1) of Section 14 dies, the amount of the loan or the advance, as the case may be, or any part thereof which would have accrued on the date of death of the pensioner in accordance with the terms and conditions of the loan or the advance along with interest thereon shall be written off, with the sanction of the authority as may be prescribed by the Government from time to time.]¹

(5) No member shall be allowed to avail both the opportunity of vehicle being provided to him/her by Government under Section 12(1) and the Car Advance under this Section.

Pension

15. (1) There shall be paid a pension of [twenty thousand]² rupees per mensem to every member who has served for any period as a member :

(a) of the erstwhile Assam Legislative Assembly from any constituency forming part of the present State of Mizoram, or

(b) of the Legislative Assembly of the Union Territory of Mizoram, or

(c) of the Legislative Assembly of the State of Mizoram.

(2) Notwithstanding anything contained in sub-section (1), a member who had been elected three times or more before the commencement of this Act shall be entitled to draw a sum of [twenty five thousand]¹ rupees per month as an initial pension amount.

(3) Where any person has been reelected after the commencement of this Act for another term, whether he has completed the term or not, he shall be entitled to an additional pension of [five thousand]² rupees per term.

(4) (a) The pension shall be increased [at the rate of 5 (five) percent simple interest annually;]¹

(b) In no case, [increment previously earned under the existing Act should be taken into account for calculation of pension.]²

(5) Where any person entitled to pension under sub-section (1) :

(a) is elected to the office of the President or Vice President of India or is appointed to the office of the Governor of any State or the Administrator of any Union Territory' or

(b) becomes a member of the Council of States or the House of the People or any Legislative Assembly of

a State or Union Territory or any Legislative Council of a State, or

(c) is employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or local authority;

Such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration;

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (c) payable to such person is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

(6) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such pension.

(7) In computing the number of years for the purposes of sub-section (1), the period during which a person has served as a Minister as defined in the Mizoram Salaries and Allowances of Minister Act, 1999 or as a Speaker as defined in Salaries and Allowances of Speaker and the Deputy Speaker Act,

1999 or as a Leader of the Opposition as defined in the Mizoram Salaries and Allowances of the Leader of Opposition Act, 1999 or as the Government Chief Whip as defined in the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999 or has served in all or any two of such capacities by virtue of his membership in the Mizoram Legislative Assembly or in the Assam Legislative Assembly shall also be taken into account.

(8) Pension and Family Pension shall be drawn and disbursed by the Assembly Secretariat. The Assembly Secretariat shall recover the loan advance from the pension or family pension in case the pensioner defaults in timely repayment of the loan or advance;

Provided that Pension or Family Pension shall not be admissible to any person who defaults to repay the loan or advance as per term and condition stipulated in the Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000 and in the sanctioning order by which the loan or advance has been drawn.

Death Gratuity

16. If a member dies during his term of office his spouse shall be paid a death gratuity of [ten lakhs]¹ rupees. If he has no surviving spouse at the time of his death, his other family member of the first preference, if any, shall be paid the said death gratuity.

Family Pension

17. (1) When a sitting or former Member dies his spouse or if he has no surviving spouse at the time of his death, his other family member of the first preference, if any, shall be paid a family pension of [ten thousand]¹ rupees per mensem subject to the limitation in sub-section (2).

[The family pension shall be increased at the rate of 5 (five) percent simple interest annually.]²

(2) the period for which such family pension shall be payable to the widow or widower, son or daughter of a member shall be as follows :-

(a) in the case of a widow or widower upto date of death or remarriage, whichever is earlier;

(b) in the case of a son, until he attains the age of twenty five years;

(c) in the case of an unmarried daughter, until she attains the age of twenty five years or until she get married, whichever is earlier.

Medical treatment

18. A member and the members of his family shall be entitled free of charge to accomodation in hospital maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, as to First Grade Officer of the Government of Mizoram.

EXPLANATION : If a member has more than one wife residing with him, the benefit conferred by this Section shall be available only to such wife as may be nominated in this behalf by the Member;

Provided that a member and the members of his family, if referred to by the Medical Board for examination, investigation and treatment outside the State, shall be entitled to travel by air.

Medical Treatment of
Pensioner and Spouse

18.(A)[A pensioner and his spouse shall be entitled to reimbursement of medical expenses if hospitalised in Government recognised hospital in and outside the State. However, travelling expenses will not be provided in connection with such medical treatment.]¹

Power to make Rules

19. (1) The Governemnt may, by Notification in the Mizoram Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly of Mizoram, while it is in session, for a total period of seven days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following session or the successive sessions aforesaid, the Legislative Assembly of Mizoram agree that the rule be made or should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be. However, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Special Provisions

20. In the special circumstances specified in the First Schedule, the provisions of this Act shall apply subject to the provisions of the Schedule.

Procedure

21. The provisions of the Second Schedule shall apply in respect of all claims for salaries and allowances.

Interpretation

22. If any doubt arises as to the interpretations of any of the provisions of this Act, the decision of the Speaker shall be final.

Repeal and Saving

23. (1) The Mizoram Salaries, Allowances and Pension of Member of Legislative Assembly Act, 1987 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act be deemed to have been done or taken under this Act.

FIRST SCHEDULE

(See Section 20)

Admissibility of Travelling allowances, where a member is provided with free transit for the whole or any part of the journey

1. No separate travelling allowance shall be claimed by the members in respect of any journey or part thereof performed by him but he shall be entitled to draw daily allowance at the rate of [seven hundred fifty rupees (within the State) and one thousand rupees (outside the State)]¹ only per day where the duration of such journey lasts for not less than six hours on any day.

Admissibility of daily allowances where the place from which a member perform his journey or to which he returns is not his constituency headquarters.

2. Where during session of the Assembly or a sitting of a Committee, a member performs a journey not exceeding seven days from the place where such sitting is held to any other place for the purpose of attending to any business connected with his duties as a member, he/she shall be entitled to receive daily allowance for each day during any period of residence on duty at the other place at the rate of [Rs. 750/- (within the State) and Rs. 1000/- (outside the State)]¹ per day.

Regulation of payment of daily and traveling allowances

3. (1) Notwithstanding that a member has not taken his/her seat in the Assembly to which he/she is elected, he/she shall be entitled to receive travelling allowances at the rate of Rs. 5/- per kilometre for the journey performed by him/her for the purposes of taking his/her seat in the Assembly.
- (2) For absence for a period of seven days or more during a session of the Assembly or a sitting of Committee for visiting any place in the State of Mizoram, no travelling or daily allowance will be admissible.

EXPLANATION : If a member comes back on the seventh day, whether in the forenoon or in the afternoon, his/her absence shall be treated as being less than seven days.

(3) The term “during a session” or “a sitting of a Committee” occurring in Section 9 and in subsection (1) of Section 8 does not include the period of three days immediately preceding the commencement of the session three days immediately succeeding the end of the session of two days immediately preceding the commencement of the business and one day immediately succeeding the conclusions of the business of the Committee.

(4) If a member leaves the place where the session of the Assembly or a sitting of a Committee is held before the commencement of the interval between the adjournment of the Session or the Sitting of a Committee sine die and the commencement of another session or sitting, such interval not exceeding a period of three days, his/her absence from the place shall be treated as intermediate absence during a session of the Assembly or a sitting of a Committee as the case may be, and the provisions of Section 9 shall apply accordingly.

(5) Daily allowance for a return journey to the Constituency headquarters shall be admissible to a member who leaves the place of the session of the Assembly or a sitting of Committee during the continuance of such session or sitting and returns to the place of session or sitting within three days after the conclusion of the business of the session of the sitting as the case may be before finally returning to his Constituency headquarters.

(6) All cases regarding the admissibility of daily allowances to a member who arrives at the place where a session of the Assembly or a sitting of a Committee is held, without knowledge of the postponement of the session or the sitting including cases of such members who arrive after the session or a sitting, is adjourned suddenly, shall be determined by the Speaker of the Assembly having regard to the circumstances of each case.

In case the member has performed such journey at his/her own expenses, he/she shall have to certify for the same as follows :

“Certified that I have not performed any part of the journey by a conveyance provided at the expense of the Government or a local fund”.

(7) Where a member is provided with free board and lodging at the expense of any Government or a local fund, he shall be entitled to receive only daily allowance as admissible to him under Section 3.

SECOND SCHEDULE
(See Section 21)

PROCEDURAL PROVISION :-

(1) Every member shall, as soon as possible after he/she is elected, declare in Form 'A' appended to Second Schedule, his/her Constituency Headquarters to the prescribed authority and any subsequent change in the Constituency headquarters so declared shall be notified in the said Form to the prescribed authority.

(2) A member who claims any daily or other allowance under this Act shall support his/her claim by a certificate in the following form, namely :-

“Certified that no travelling allowance in respect of the journey or daily allowance for the period mentioned in this bill has been or will be claimed from any other official source”.

(3) After completing each final return journey on termination of a session of the Assembly or a sitting of a Committee or any other business connected with his/her duties as a member, a member shall furnish a certificate in Form 'B' appended to Second Schedule.

(4) Ordinarily any non-governmental dues outstanding against a member shall not be recovered from his salaries and allowances but where such dues are on account of certain services rendered to him in the course of his duties as a member, such as when he is on tour with a Committee, and the arrangements for such services have been made by or at the instance of semi-Government institutions or private parties at the request of Officers of the Assembly, and where such member, inspite of repeated requests, had failed to make payment of such dues, recovery thereof may be effected from the salaries or daily allowance bills of such member.

FORM 'A'

My Constituency Headquarters is _____ or
I have changed my Constituency Headquarters from _____ to
_____ with effect from _____ due to
_____ (here state the reason).

I may henceforward be allowed travelling allowances from

Signature _____

Constituency _____

Date _____

FORM 'B'**DEPARTURE AND RETURN JOURNEY CERTIFICATE**

The certificates may kindly be filled, signed and returned to the Secretary, Legislative Assembly, as soon as possible after the completion of the return journey.

(1) Certified that I performed the return journey under Section 9 of the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 leaving -

_____ (Place) on the _____
 _____ (Date) I arrive at _____
 _____ (Place) on the _____
 _____ (Date)

(2) Certified that I have not performed any part of journey (other than the railway journey) by a conveyance provided at the expense of the Government or a local fund.

(3) Certified that I actually travelled by air from _____ (Place) to _____ (Place) by day/night service.

Payment of the supplementary bill is required at _____ (Station)

Member of the Legislative Assembly
 Constituency _____

Station _____

Dated the _____

Strike out if not applicable.

**THE MIZORAM SALARIES AND ALLOWANCES
OF THE SPEAKER AND
THE DEPUTY SPEAKER ACT, 1999
(As amended uptodate)**

**AN
ACT**

to provide for the Salaries and Allowances of the Speaker and the Deputy Speaker of the Legislative Assembly of Mizoram.

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

Short title and
commencement

- 1 (1) This Act may be called the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999.
- (2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, unless the context otherwise requires :
 - (a) “Assembly” means the Legislative Assembly of Mizoram;
 - (b) “Deputy Speaker” means the Deputy Speaker of the Assembly;
 - (c) “Family” in relation to a Speaker and a Deputy Speaker means –
 - (i) his wife or her husband, as the case may be;

(ii) the children, step-children and widowed daughters, wholly dependent on such Speaker or Deputy Speaker; and

(iii) the parents, minor brothers, handicapped adult brother, sister and widowed sister, wholly dependent on such Speaker or Deputy Speaker;

(d) “Government” means the Government of Mizoram;

(e) “Schedule” means a Schedule appended to this Act;

(f) “Speaker” means the Speaker of the Assembly;

(g) “Travelling allowance” means the allowance granted to the Speaker or the Deputy Speaker under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

Salaries of the Speaker and the Deputy Speaker

3. There shall be paid to the Speaker and the Deputy Speaker a salary of [forty thousand]¹ rupees each per mensem.

Sumptuary and other allowances of the Speaker and the Deputy Speaker

4. (i) [There shall be paid to the Speaker and the Deputy Speaker a Sumptuary allowance of ten thousand rupees each per mensem.]²

(ii) [There shall be paid to the Speaker and the Deputy Speaker a Family allowance of ten thousand rupees and five thousand rupees respectively per mensem and an Entertainment allowance of five thousand rupees to each of the Speaker and the Deputy Speaker per mensem.]³

Residence of the Speaker
and the Deputy Speaker

The Speaker and the Deputy Speaker shall be entitled, without any payment to the use and maintenance of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and so long as such residence is not provided, he shall be entitled to a residence for which rental charge shall not be more than [ten thousand]¹ rupees per mensem.

EXPLANATION : For the purposes of this Section – “Maintenance” in relation to a residence includes –

(i) free supply of electricity and water;

(ii) free telephone calls;

(iii) a Speaker and a Deputy Speaker, if occupy own house, shall be entitled to maintenance as if he occupies Government quarters;

(iv) payment of local rates and taxes;

Provided that the Speaker and the Deputy Speaker who are not provided with Government Quarters/Bungalow shall be entitled to receive a sum of rupees as may be fixed by the Budget Committee of the Mizoram Legislative Assembly from time to time for furnishing their residences.

Conveyance allowance
and use of Motor Vehicle

6. The Speaker and the Deputy speaker shall be entitled to the free use of Motor vehicle, the entire cost of maintenance and chauffeur of which shall be borne by the Government.

Travelling facilities

7. The Speaker and the Deputy speaker and their family/relative shall be entitled to travel in any mode of transport whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (rupees two lakh)]¹ only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket (s) or any other documentary proof.

Traveling and Daily allowances

8. Subject to the provisions of the Schedule, the Speaker and the Deputy Speaker shall be entitled to -

(a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and family in respect of journey to Aizawl from his Constituency headquarters outside Aizawl for the purpose of assuming office and demitting office, and

(b) daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

Medical treatment etc. of the Speaker and the Deputy Speaker

9. The Speaker and the Deputy Speaker and members of their family shall be entitled free of charge to accomodation in hospitals maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to First Grade Officers of the Government of Mizoram.

Speaker and Deputy Speaker not to draw any salary as members of the Assembly

10. The Speaker and the Deputy Speaker shall not be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of their membership of the Assembly.

Notification respecting appointment of Speaker etc. conclusive evidence thereof

11. The date on which any person became or ceased to be a Speaker or deputy Speaker, shall be published in the Official Gazette of the Government and any such Notification shall be conclusive evidence of the fact that he became or ceased to be the Speaker or the Deputy Speaker, as the case may be, on that date for the purpose of this Act.

- | | |
|--------------------|--|
| Discretionary Fund | 12. The Speaker and the Deputy Speaker shall be provided with separate Discretionary Fund in each annual Budget, the amount of which shall be fixed by the Budget Committee of Mizoram Legislative Assembly from time to time. |
| Household Staff | 13. The Speaker and the Deputy Speaker shall be entitled to Grade IV Staff of six and four number respectively of his choice as Household staff, the appointment of them shall be co-terminous without yearly increment. |
| Repeal and Savings | <p>14. (1) The Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1987 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under this Act.</p> |

FIRST SCHEDULE

(See Section 8)

- | | |
|--|---|
| Traveling on duty | 1. When travelling on duty by railway or by road or by steamer or by air, a Speaker or a Deputy Speaker shall be entitled to reimburse the actual fare of the journey and Daily allowance at the rate of [one thousand rupees per day outside Mizoram and at the rate of seven hundred fifty rupees per day within Mizoram, respectively.] ¹ |
| Traveling allowance on journeys for assuming and demitting of office | 2. In respect of the journey to headquarters from his Constituency headquarters for assuming office or from headquarters to his Constituency headquarters on demitting office, a Speaker or a Deputy Speaker shall be entitled to a re-imbursement of the actual fare in any bus of the journey, and if he uses own car he shall be entitled to a re-imbursement at the rate of Rs. 5/- per kilometer for the journey, subject to the modification that the journeys by rail, a Speaker or a Deputy Speaker and the members of his family may travel by air-conditioned class of accommodation. |
| Travel by air | 3. (i) The Speaker and the Deputy Speaker may, in the public interest, perform journey on tour by air in public air transport services;

(ii) On the cancellation of a journey due to official reason, the Speaker or the Deputy Speaker shall be entitled to be reimbursed by the Government any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage. |
| Travel by Railway | 4. The Speaker and the Deputy Speaker shall have the right to reserve by requisition an ordinary first class compartment when traveling by railway on duty. |

EXPLANATION : For the purpose of this paragraph, a first class compartment means a two-berthed compartment or an air conditioned coupe, where it is available, or a four-berthed compartment if a two-berthed compartment or an air conditioned coupe is not available in the train by which the Speaker or the Deputy Speaker travels.

Advance

5. The Speaker or the Deputy Speaker shall be entitled to –

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and family's effect –

(i) in respect of the journey to headquarters from his Constituency headquarters outside headquarters for assuming office;

(ii) in respect of the journey from headquarters to his usual place of residence outside the headquarters on relinquishing office; and

(b) an advance of Travelling and Daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

**THE MIZORAM SALARIES, AND ALLOWANCES
OF THE
LEADER OF THE OPPOSITION ACT, 1999**

AN

ACT

to provide for the Salaries and Allowances of the Leader of the Opposition in the Mizoram Legislative Assembly and for matters connected therewith.

Be it enacted by the Legislative Assembly of Mizoram in the Fiftieth Year of the Republic of India as follows -

Short title Commencement	and	1	(1) This Act may be called the Mizoram Salaries and Allowances of the Leader of the Leader of the Opposition Act, 1999. (2) It shall be deemed to have come into force on the 1 st day of August, 1999.
Definition		2.	In this Act, unless the context otherwise requires : (a) “Leader of the Opposition” means a member of the Assembly who is for the time being the Leader in the Assembly of the party in Opposition to the State Government having the greatest numerical strength in the Assembly and recognised by the Speaker as Leader of the Opposition Party;

(b) Word and expressions not defined herein and defined in the Salaries and Allowances of Minister Act, 1999 meaning respective as are assigned to therein in that Act.

Salary and allowances of the Leader of the Opposition

3. There shall be paid to the Leader of the Opposition such salary, Sumptuary allowances, Family allowance, Entertainment allowance, Conveyance allowances, Travelling and Daily allowances and shall also be entitled to such other amenities as are provided for a Minister under the Salaries and Allowances of Minister Act, 1999 and the rules made there under;

Provided that the Leader of the Opposition shall be entitled to Travelling allowances and Daily allowance for attending conference or seminar or on official duty sponsored by the State or Central Government or Parliament or State/Union Territory Legislatures or Mizoram Legislative Assembly.

Provided further that while in the station the Leader of the Opposition shall be entitled to POL as are admissible to a Minister, and while he is outstation on official duties stated above, he will be entitled to POL, besides Travelling allowance and Daily allowance.

EXPLANATION : For the purpose of this Section, a “Minister” means a member of the Cabinet in the Council of Ministers.

Furnishing of residence of the Leader of the Opposition	3A	A Leader of the Opposition who is not provided with Government Quarters/Bungalow shall be entitled to receive a sum of rupees as may be fixed by the Government from time to time for furnishing the residence.
Leader of the Opposition to draw salary or allowances as member of the Assembly	4.	No person in receipt of a salary or allowances under this Act shall be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of his membership of the Assembly.
Notification respecting appointment of Leader of the Opposition to be conclusive evidence thereof	5.	The date on which any person became or ceased to be a Leader of the Opposition shall be published in the Official Gazette of Mizoram and any such Notification shall be conclusive evidence of the fact that he became or ceased to be a Leader of the Opposition on that date for all the purposes of this Act.
Leader of the Opposition not disqualified	6.	For the avoidance of doubt it is hereby declared that a person shall not be disqualified for being chosen as, or for being a member of the Assembly merely by reason of the fact that he holds the office of the Leader of the Opposition.
Repeal and Savings	7	<p>(1) The Mizoram Salaries and Allowances of the Leader of the Opposition Act, 1991 (Act No. 16 of 1991) is hereby repealed.</p> <p>(2) Notwithstanding such repeal, any thing done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under this Act.</p>

**THE MIZORAM SALARIES AND ALLOWANCES OF MINISTER ACT,
1999**

AN

ACT

to provide for the Salaries and Allowances of the Chief Minister and other Ministers of Mizoram.

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

1. (1) This Act may be called the Mizoram Salaries and Allowances of Minister Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

[(3)Fift Amendment Act, 2011 w.e.f. 1.8.2010.

2. In this Act, unless the context otherwise requires _

(a) “Assembly” means the Legislative Assembly of Mizoram;

(b) “Government” means the Government of Mizoram;

(c) “Governor” means the Governor of Mizoram;

(d) “Minister” means a Minister appointed under clause (1) of Article 164 of the Constitution of India and includes the Chief Minister and a Minister of State;

(e) “Family” in relation to a Minister means -

(i) his wife or her husband, as the case may be;

(ii) the children, step-children and widowed daughters, wholly dependent on such minster; and

(iii) the parents, minor brothers, handicapped adult brothers, sisters and widowed sisters wholly dependent on such Minister;

(f) "Schedule" means the Schedule appended to this Act;

(g) "Travelling allowances" means the allowances granted to a Minister under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

3. There shall be paid to the Chief Minister, Ministers and Ministers of State a salary of [forty thousand] rupees each per mensem.

4. There shall be paid to the [Chief Minister, Minister, Minister of State a sumptuary allowance of ten thousand rupees each per mensem.]

5. [There shall be paid to the Chief Minister family allowances of ten thousand rupees, to the Minister eight thousand rupees and to the Minister of State five thousand rupees per mensem. An Entertainment allowance of rupees ten thousand to the Chief Minister, rupees five thousand to the Minister and rupees three thousand to the Minister of State per mensem.]

6. Each Minister shall be entitled, without any payment, to the use and maintenance of furnished residence throughout his term of office and for a period of fifteen days immediately thereafter; and so long as such residence is not provided he shall be entitled to a residence for which rental charges shall not be more than [ten thousand] rupees per mensem.

EXPLANATION : For the purpose of this Section -

"Maintenance" in relation to a residence includes -

(i) free supply of electricity and water;

(ii) free telephone calls;

(iii) A Minister who occupies his own house shall be entitled to maintenance as if he occupies Government quarters;

(iv) payment of local rates and taxes.

Provided that a Minister who is not provided with any Government Quarters/Bungalow shall be entitled to receive such sum of rupees as may be fixed by the Government from time to time for furnishing his residence.

7. Each Minister shall be entitled to the free use of Motor Vehicle, the entire cost of maintenance and propulsion along with the services of chauffeur of which shall be borne by the Government.

8. A Minister and his family/relative shall be entitled to travel in any mode of transport [within India] whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (Rupees two lakh)] only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket(s) or any other documentary proof.

9. Subject to the provisions of the Schedule, a Minister shall be entitled to -

(a) travelling allowance for himself and members of his family and for the transport of personal effect of himself and his family in respect of journeys to Aizawl from his Constituency headquarters and from Aizawl to his Constituency headquarters for the purpose of assuming office and demitting office; and

(b) actual fare and Daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

10. A Minister and the members of his family shall be entitled free of charge to accommodation in hospital maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to First Grade Officers of the Government of Mizoram.

11. No person in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of his membership of the Assembly.

12. The date on which any person became or ceased to be a Minister shall be published in the Official Gazette of Mizoram and may such Notification shall be

conclusive evidence of the fact that he became or ceased to be a Minister on that date for all the purposes of this Act.

13. The Chief Minister shall be entitled to six number of Grade IV staff of his choice as Household staff throughout his term of office and four number of Grade IV staff of his choice to Minister and Minister of State respectively throughout his term of office, the appointment of which shall be co-terminous without annual increment.

14. (a) The Mizoram Salaries and Allowances of Minister Act, 1987 is hereby repealed.

(b) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act be deemed to have been done or taken under this Act.

THE SCHEDULE

(See Section 9)

1. When travelling on duty by railway or by road or by steamer or by air, a Minister shall be entitled to re-imburse the actual fare of the journey and Daily allowance at the rate of [Rs. 1,000 outside Mizoram, and Rs. 750/- within Mizoram respectively.]

2. In respect of the journey to headquarters from his Constituency headquarters for assuming office or between headquarters and his Constituency headquarters on demitting office, a Minister shall be entitled to a re-imbusement of the actual fare in any bus of the journey and if he uses own car he shall be entitled to a re-imbusement at the rate of Rs. 5/- per kilometer for the journey, subject to the modification that for the journeys by rail, a Minister and the members of his family may travel by air - conditioned class of accommodation.

3. (i) A Minister may, in the public interest, perform journeys on tour by air in public air transport services.

(ii) On the cancellation of a journey due to official reason, a Minister shall be entitled to be reimbursed by the Government any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage,

(iii) A Minister who does not utilize the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or mileage as journey on duty by road, whichever is less.

4. A Minister shall have the right to reserve by requisition an ordinary first class compartment when traveling by railway on duty.

EXPLANATION : For the purpose of this paragraph, a first class compartment means a two-berthed compartment or an air-conditioned coupe, where it is available, or a four-berthed compartment if a two-berthed compartment or an air-conditioned coupe is not available in the train by which the Minister travels.

5. A Minister shall be entitled to -

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effect;

(i) in respect of the journey to headquarters from his Constituency headquarters to Aizawl for assuming office,

(ii) in respect of the journey from headquarters to his Constituency headquarters outside Aizawl on relinquishing office, and

(b) an advance of Travelling and Daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

**THE MIZORAM SALARIES AND ALLOWANCES OF THE GOVERNMENT
CHIEF WHIP AND THE DEPUTY GOVERNMENT CHIEF WHIP ACT, 1999**

AN

ACT

to provide for the Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip in the Legislative Assembly of the State of Mizoram.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Fiftieth Year of the Republic of India as follows :-

1. (1) This Act may be called the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

(3) Fift Amendment Act, 2011 w.e.f. 1.8.2010.

2. In this Act, unless the context otherwise requires :

(a) “Deputy Government Chief Whip” means a Member of Legislative Assembly so designated by the Chief minister of Mizoram on the recommendation of the Government Chief Whip to perform the duties of the Deputy Government Chief Whip in the Legislative Assembly;

(b) “Family” in relation to the Deputy Government Chief Whip means-

(i) his wife or her husband, as the case may be;

(ii) the children, step children and widowed daughters wholly dependent upon such Deputy Government Chief Whip; and

(iii) the parents, minor brothers, handicapped adult brother, unmarried sister and widowed sister wholly dependent upon such Deputy Government Chief Whip;

(c) “Government” means the State Government of Mizoram;

(d) “Government Chief Whip” means the Minister of Parliamentary Affairs ex-officio;

(e) “Governor” means the Governor of Mizoram;

(f) “Legislative Assembly” means the Legislative Assembly of the State of Mizoram;

(g) “Schedule” means the Schedule to this Act;

(h) “Travelling Allowance” means the allowances payable to the Deputy Government Chief Whip under this Act to cover the expenses which he incurs in travelling in the interest of public service.

3. There shall be a Deputy Government Chief Whip as defined in clause (a) of Section 2, who shall have the rank and status of a Minister of State under the Minister Act, 1999.

4. (1) The Government Chief Whip shall not be entitled to any other salaries and allowances than that he/she is entitled to as a Minister under the Mizoram Salaries and Allowances of Minister Act, 1999;

(2) The Deputy Government Chief Whip shall be paid a salary of [forty thousand] rupees per mensem.

5. There shall be paid to the Deputy Government Chief Whip, a Sumptuary allowance of [ten thousand rupees, a Family allowance of five thousand rupees] and an Entertainment allowance of three thousand rupees per mensem.

6. The Deputy Government Chief Whip shall be entitled to a duly maintained, free and furnished residence throughout his term of office and for a period of fifteen days following the expiry of his/her tenure as the Deputy Government Chief Whip; and so long as such residence is not provided for his occupation, he shall be entitled to a hired residence for which rental charges shall not be more than [ten thousand] rupees per mensem.

EXPLANATION : For the purpose of this Section -

“maintenance” in relation to a residence includes -

(i) free supply of electricity and water;

(ii) free telephone calls;

(iii)a Deputy Government Chief Whip who occupies his own house shall be entitled to maintenance as if he occupies Government quarters;

(iv)pay of local rates and taxes.

Provided that the Government Chief Whip and the Deputy Government Chief Whip who are not provided with Government Quarters/Bungalow shall be entitled to receive such sum of rupees as may be fixed by the Government from time to time for furnishing their residences.

7. The Deputy Government Chief Whip shall be entitled to free use of a motor vehicle, entire cost of maintenance along with the services of a chauffeur, which shall be borne by the Government.

8. Subject to the provisions of the Schedule to this Act, the Deputy Government Chief Whip shall be entitled to all such Travelling facilities and allowances including Daily allowances as a Minister of State of Mizoram is entitled.

9. The Deputy Government Chief Whip and the members of his/her family shall be entitled to free of charge accommodation in any hospital either maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules for the time being in force in the State and applicable to the highest ranking Officer of the Government.

10. No person in receipt of a salary or allowances under this Act shall be entitled to receive any sum out of the funds provided by the Legislative Assembly by way of salary or allowances in respect of his/her membership in the Legislative Assembly.

11. The date on which any member of the Legislative Assembly becomes or ceases to be the Government Chief Whip or the Deputy Government Chief Whip shall be notified in the Mizoram Gazette and any such Notification shall be the conclusive evidence of the fact that he/she has become or ceased to become the Government Chief Whip or the Deputy Government Chief Whip, as the case may be, on and from the date for all purposes of this Act.

12. No Member of the Legislative Assembly shall be disqualified for being chosen as or for being a Member of the Legislative Assembly merely by reason of the fact

that he/she holds the office of the Government Chief Whip or the Deputy Government Chief Whip.

13. The Deputy Government Chief Whip shall be entitled to Grade IV staff of his choice as Household staff as are entitled to Minister of State of Mizoram throughout his/her term of office.

14. (1) The Mizoram Salaries and Allowers of the Government Chief Whip and the Deputy Government Chief Whip Act, 1995, shall stand repealed with effect from the date of commencement of this Act.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provision of this Act, be deemed to have been done or taken under this Act.

SCHEDULE

(See Section 8)

1. [(a)] When travelling on duty by railway or by road or by steamer or by air, the Deputy Government Chief Whip shall be entitled to reimburse the actual expenditure in railway, road, steamer, air, accommodation charge and Daily allowance at the rate of [Rs. 750/- within Mizoram and Rs. 1,000/- outside Mizoram respectively.]

2. In respect of the journey to headquarters from his/her Constituency headquarters for assuming office or between headquarters and his/her Constituency headquarters on demitting office, a Deputy Government Chief Whip is entitled to reimbursement of the actual fare in any bus of the journey, and if he/she uses own car he/she shall be entitled to a reimbursement at the rate of Rs. 5/- per kilometre for the journey subject to the modification that the journeys by rail a Deputy Government Chief Whip and the members of his/her family may travel by air-conditioned first class accommodation.

3. (a) A Deputy Government Chief Whip may, in the public interest, perform journeys on tour by air in public air transport service,

(b) On the cancellation of a journey due to official reason, a Deputy Government Chief Whip shall be entitled to re-imburse any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(c) A Deputy Government Chief Whip who does not utilise the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or road mileage as journey on duty by road, whichever is less.

4. A Deputy Government Chief Whip shall have the right to reserve by requisition an ordinary first class air-conditioned 2-tier compartment when travelling by railway on duty.

EXPLANATION : For the purpose of this paragraph, a first class compartment means a two-berthed compartment or an air-conditioned coupe where it is available or a four-berthed compartment if a two-berthed compartment or an air-conditioned coupe is not available in the train by which the Deputy Government Chief Whip travels.

5. A Deputy Government Chief Whip shall be entitled to -

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effects -

(i) in respect of the journey to headquarters from his Constituency headquarters outside headquarters for assuming office;

(ii) in respect of the journey from headquarters to his Constituency headquarters outside the headquarters on relinquishing office; and

(b) an advance of Travelling and Daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

**THE MIZORAM PENSION OF MEMBERS OF THE LEGISLATIVE
ASSEMBLY RULES, 1999**

1. (1) These Rules may be called the Mizoram Pension of Members of the Legislative Assembly Rules, 1999.

(2) They shall be deemed to have come into force on the 1st day of August, 1999.

2. In these rules unless the context otherwise requires -

(a) “Act” means the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999.

(b) “Director” means the Director of Accounts and Treasuries, Mizoram, Aizawl.

(c) “Form” means the form appended to these rules.

(d) “Secretary” means the Secretary to the Mizoram Legislative Assembly.

(e) “Section” means a Section of the Act.

3. A person entitled to pension under Section 15 shall make an application to the Secretary in Form 1 in duplicate.

4. (1) Every application received under rule 3 shall be scrutinised by the Secretary with a view to determining as to whether the applicant is entitled to any pension under the provision of Section 15 and for such determination, the Secretary may hold such enquiry and may call for necessary information from the Director, as he may think fit in a particular case.

(2) After the application has been scrutinised, the Secretary shall, by order, determine the amount of pension, if any, payable to the applicant under Section 15.

(3) After the determination of the amount of pension under sub-rule (2) and on being satisfied that the applicant is entitled to such pension, the Secretary shall issue an order sanctioning the pension in Form 2 and communicate the same to the person concerned and to the Director.

Provided that where the Secretary is of the opinion that the applicant is not entitled to any pension, the applicant shall be given an opportunity of being heard before passing any order.

(4) The Secretary shall also determine the amount of dues, if any, recoverable from the member under rule 11 and shall furnish in the order sanctioning the pension in Form - 2 the details of such dues for effecting recovery from the amount of pension.

5. (1) On receipt of the order sanctioning pension under rule 4, the Director shall prepare a Pension Payment Order and forward the same to the Treasury Officer mentioned in the application under rule 3.

(2) Each Pension Payment Order shall be in two halves of which one shall be known as the Disburser's half and it shall be kept in the Treasury at which the payment is to be made in such manner that the pensioner shall not have access thereto and the other to be delivered to the Secretary, Legislative Assembly who shall arrange personal appearance of the pensioner for receipt of the first payment of pension.

(3) In issuing a Pension Payment Order, the Director shall attach to each half of the order a specimen signature of the pensioner if he can sign his name, or the thumb and finger impressions of the left hand of the pensioner, if he cannot sign his name.

(4) The Secretary, Legislative Assembly shall produce Pensioner's portion of the Pension Payment Order before the Treasury Officer whenever he claims payment of the pension, and no payment shall be made if he fails to produce it.

(5) Each payment of pension shall be entered on the reverse of both the halves of the Pension Payment Order, both entries being attested at the time of payment under the signature of the Treasury Officer.

(6) The Treasury Officer shall ensure that all necessary deductions as may be indicated by the Director are made while making payment of pension.

6. A pensioner is required to append the Certificate to his bills or Declaration as in Form - 3.

7. The pension sanctioned under these rules shall be payable from the date specified in the order and it shall not be commuted for a lump sum. The pension shall become due for payment only on the expiry of the month to which it relates.

8. On the death of the pensioner entitled to pension under the Act, the payment of pension shall cease forthwith and the Pension Payment Order in force for the time being, shall be returned by the person in possession thereof to the Secretary, with a declaration of death of the pensioner.

Provided that the amount of pension due till the date of death of such pensioner, including unpaid arrears shall be paid to the legal heir of the deceased pensioner, on the production of a legal heirship certificate issued by the competent court of law.

9. A pension sanctioned to any person under these rules is liable to be cancelled or modified if it is found that there has been any error in the calculation of the period of his eligibility for the grant of pension under the Act.

10. If any over-payment is made, the amount so over-paid shall be adjusted in the subsequent payment as provided in rule 5 and rule 9 hereinbefore.

11. Dues, if any towards Housing loan, Motor vehicle advance and arrears of the Member's Hostel Rent, Guest charges, Trunk Call and Phonogram charges, loss of Library Books or any other dues to the Legislative Assembly Secretariat from the pensioner when he was a member shall also be recovered from the pension payable to him.

12. If any controversy arises as to the entitlement of pension or interpretation of these rules, the matter shall be referred to Government for decision in the Parliamentary Affairs Department and in consultation with Finance Department, and such decision in the matter shall be final.

13. Regarding other procedural matters, the Rules governing sanction of pension and payment to Government employees under the Central Civil Services (Pension) Rules, 1972 and the Central Treasury Rules as in force in respect of State Government employees of Mizoram shall apply wherever necessary.

14. (1) On the commencement of these rules, every Rule, Regulation or Order including Office Memorandum (hereinafter referred to as the old rule) in force immediately before such commencement, shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cessation of operation, anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

FORM - 1**(See rule 3)****THE MIZORAM M.L.A'S PENSION APPLICATION**

1. Name of the Applicant (In block letters)
2. Father's/Husband's name.
3. Permanent residential address showing Village or Town and District.
4. Details of period as Member of Mizoram Legislative Assembly -
 - (1) Elected Member
 - (a) Name of Constituency _____
from _____ to _____
 - (b) Name of Constituency _____
from _____ to _____
 - (c) Name of Constituency _____
from _____ to _____
 - (d) Name of Constituency _____
from _____ to _____
 - (2) Nominated Member
from _____ to _____
5. Amount of pension claimed _____
6. Identification marks of the applicant _____
7. Three copies of latest photograph (in passport size) duly attested by the Secretary, Mizoram Legislative Assembly.

8. Three specimen signatures duly attested by the Secretary, Mizoram Legislative Assembly.

9. Whether the applicant is employed on a salary under the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government or any local authority or is entitled to any remuneration from such Government, corporation or local authority and, if so, the amount of such salary or remuneration.

10. Whether the applicant is entitled to any pension from the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government or any local authority and, if so, the amount of such pension.

11. Name of the Treasury from which payment of pension is desired to be drawn

I certified that all the particulars furnished above are true and correct to the best of my knowledge and belief.

Place _____

Date _____

Signature of the applicant

To,

The Secretary,

Mizoram Legislative Assembly,

Aizawl.

FORM - 2**(See rule 4(3) and (4))****ORDER**

The undersigned after having satisfied that
Shri/Smt. _____ has served as a Member of the Mizoram
Legislative Assembly during the following periods :-

From _____ to _____

from _____ to _____

hereby orders the grant of pension of Rs. _____ per mensem to
Shri/Smt. _____ which may be accepted by the Director of
Accounts and Treasuries as admissible under the rules.

The grant of this pension shall take effect from _____

There are no dues recoverable from the pensioner/There are dues amounting to
Rs. _____ on account of _____ recoverable from the
pensioner.

The pension herein sanctioned is payable at _____
Treasury and is chargeable to _____

Dated Aizawl,

the _____

Secretary,

Mizoram Legislative Assembly

Aizawl.

Memo No. _____

Copy to :-

1. The Director of Accounts and Treasuries, Mizoram Aizawl.
2. Person concerned.
3. The Treasury Officer _____

by order, etc.

Secretary,

Mizoram Legislative Assembly

Aizawl.

FORM - 2**(See rule 6)****DECLARATION**

(To be furnished with the pension bills every month)

I declare that -

(i) I am not holding the elected office of the President/Vice President of India or is appointed to the office of the Governor of any State or the Administrator of any Union Territory.

(ii) I am not a member of the Council of States or the House of the People or any Legislative Assembly of State or Union Territory or Legislative Council of a State or the Metropolitan Council of Delhi.

Nor am I employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or become otherwise entitled to any remuneration from such Government, Corporation, or local authority.

OR

(iii) (a) I am a member of _____ or I am employed as _____ in _____ and the total remuneration received by me as being such member of being in such employment is Rs. _____

(b) I am in receipt of pension of Rs. _____ from _____

(iv) I am not in receipt of any pension from the Central Government or State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority.

(v) In case of any over-payment resulting from clerical errors or due to lack of information regarding recovery of Government dues, such over-payment may be recovered from the amount of pension due to me in such manner as the Government may deem fit and proper.

(vi) In case of any outstanding loan or dues recoverable from me, I do hereby give my consent to the recovery of the same from my pension amount, as may be decided by the Secretary.

Dated _____ Pensioner's Signature _____

The _____ Pensioner's Name _____

Address _____

* Here mention the name of the Office of the Central Government/State Government/Corporation/Local Authority.

**RULES REGULATING THE EXPENDITURE OUT OF THE DISCRETIONARY
GRANT OF THE SPEAKER, LEGISLATIVE ASSEMBLY, MIZORAM**

1. The expenditure out of the Discretionary Grant will be subject to the following restrictions:-

(a) No recurring expenditure will be incurred;

(b) All expenditure will be subject to audit by the Accountant General, Assam etc.,

Drawing Officer should, as far as possible produce vouchers for the expenditure bearing the payees' receipts for the purposes of audit and, in exceptional cases when a receipt cannot be obtained for a Grant to any Institution or private individual a certificate from the Speaker, Mizoram Legislative Assembly that the amount has been disbursed to a name, Institution or person will be sufficient for the purpose of audit.

(c) The expenditure should be incurred on small grants/donations to local non-government Institutions of a public or quasi-public character and also to individuals in exceptionally genuine cases of hardship. Expenditure on rewards should not be authorized from the Discretionary Grant. No part of the grant should be expended on an object designed to benefit an individual Government servant.

(d) Grants from the Discretionary Grant shall not ordinarily be made if grants for the same purpose have been made by the Governor or any Department or in cases where the Governor or any Department has refused assistance.

2. All proposals for payment out of the Discretionary Grant should be dealt with in the Speaker's Personal Branch which will put up all cases for personal orders of the Speaker with a statement in Annexure I of these Rules.

3. A sanction indicating the lump sum amount as provided for in the Annual Financial Statement will be issued by the Finance Department to the Accountant General, Assam. A copy of each sanction will be endorsed to the Account General, Assam, Meghalaya, Arunachal Pradesh and Mizoram, Shillong.

4. Amounts shall be drawn by the Under Secretary, Mizoram Legislative Assembly who is declared as D.D.O. on abstract contingent bills quoting the number and date of sanction. The abstract contingent bills will be adjusted by submission of detailed countersigned contingent bills quoting the number and date of the abstract contingent bills within a period of one month and, in any case, by 31st March. The detailed bills will be countersigned by the Secretary.

5. Cases of each sanction against the grant accorded by the Speaker should be entered in a Register in the form indicated in Annexure II. The Finance Department will ensure with the help of the above Register that double payments are avoided.

6. No re-appropriation from, and to, the provision for Discretionary Grant shall be made without the approval of the President.

ANNEXURE – I**STATEMENT SHOWING THE BALANCE AVAILABLE FOR SANCTION OUT OF
THE DISCRETIONARY GRANT OF SPEAKER, MIZORAM LEGISLATIVE
ASSEMBLY**

199.....	199.....
Total grant for the year	Rs.....
Less (i) Amount sanctioned so far	Rs.....
(ii) Amount earmarked	

ANNEXURE-II**SPEAKER'S DISCRETIONARY GRANT-REGISTER OF SANCTION**

Sl No.	Name of the applicant or institution with address	Date of orders of the Speaker	Object of the Grant	Amount sanctioned	No. and date of communication sanction No. & date	Ref.No. of payment (Name of Try/Sub-Try with of voucher	Date of Payment	Initial of Disbursing officers	Remarks
1	2	3	4	5	6	7	8	9	10

Categories of Documents

1. Discretions by the Speaker.
2. Rules.
3. Salaries and Allowances Acts.

The Mizoram Legislative Assembly does not have any provisions for any arrangement that exists for consultation with, or representation by the members of the public in relation to the formulation of its policy or administration thereof. As such, members of the public do not contribute or partake in the formulation of its policy or administration.

The Mizoram Gazette**EXTRA ORDINARY**

Published by Authority
M.R – N.E./907/98

Vol. XXIX Aizawl, Monday, 13.3.2000, Phalguna 23, S.E, 1921, Issue No. 65

NOTIFICATION

No. H. 12018/2/99-PAD , the 10th March, 2000. In exercise of the powers conferred by sub-section (10 of Section 19 of the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999, (Act No. 5 of 1999) read with Section 14 thereof, the Governor of Mizoram is pleased to make the following rules, namely :-

CHAPTER – I**PRELIMINARY**

1. (1) These rules may be called the “Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000”.
- (2) In these rules, unless the context otherwise requires :-
 - a) “Act” means the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 (Ct No. 5 of 1999)
 - b) “Family” means spouse of the member and legitimate children and step-children residing with and wholly dependent upon the member;
 - c) “Form” means a form appended to these rules;
 - d) “Government” means the Government of Mizoram;
 - e) “Member” means a member of Mizoram Legislative Assembly and includes Chief Minister, Deputy Chief Minister, Speaker, Minister, Minister of State, Deputy Government Chief Whip, Leader of Opposition-party recognized as such the Speaker and Deputy Speaker;
 - f) “Sanctioning Authority” means Secretary to the Mizoram Legislative Assembly.

CHAPTER-II

GRANT OF LOANS FOR CONSTRUCTION OF HOUSE

3. A member desirous of getting loans for construction of a house may apply for it to the Sanctioning Authority as in Form 'A'.

4. Subject to the provisions contained in Section 14 of the Act, and also subject to the following conditions, the Sanctioning Authority may sanction a repayable loan of a sum not exceeding five lakh rupees for building or constructing a house, namely:-

(a) The members concerned shall furnish an affidavit to the Sanctioning Authority to the effect that he is the sole owner of the land on which he intends to construct a house, and that neither he nor any other member of his family has drawn any house-building advance or housing -loan under any scheme from any other source.

(b) The member concerned shall certify that the loan is actually required for constructing a house for occupation by himself or by his family members.

(c) The land which is freehold, along with the building to be constructed there-upon shall be mortgaged to the Government as in Form 'B' before the loan amount is drawn by him.

(d) The loan amount shall be disbursed in three installments depending upon the stage of construction and the amount of each installment shall be as under:-

(a) first installments: equal to forty per cent of the loan for starting construction;

(b) second installment: equal to forty per cent of the loan after the house has been constructed upto floor-level;

(c) third installment: equal to twenty per cent, i.e. the balance amount of the loan, after the roof-level has been completed;

Provided that the second or third installment shall be released only when the member certifies and the Sanctioning Authority is satisfied that the amount of the first or second installment, as the case may be, has actually been utilized for which it was drawn.

(d) the member shall forthwith refund to the Government the amount if any, which is spent for the purpose for which it was drawn.

(e) the building shall be maintained in good condition by the member concerned and all local taxes including house-tax in respect of the building shall be regularly paid by him.

(f) the member shall insure the house so constructed with any of the local Units or Branches of the General Insurance Corporation against fire, earthquake etc. for the value of the loan within one month of completion of the building, and such insurance shall be renewed from time to time till the loan along with interest is fully repaid.

(g) the member shall be liable to pay interest on the loan taken, and make timely repayment of the loan-amount as well as the interest required hereinafter in these rules.

CHAPTER-III

GRANT OF LOANS FOR PURCHASING READY-BUILT HOUSE

5. (1) A member desirous of getting loan for purchasing a house may apply for it to the Sanctioning Authority in Form 'C'.

(2) The application referred to in sub-rule (1) shall be accompanied by a Deed of Agreement of sale as in Form 'D' executed by the intending seller in his favour.

(3) The member shall furnish a surety bond as in Form 'E' executed by a person owning immovable property free from all encumbrance, for such loan.

6. Subject to the provisions contained in Section 14 of the Act and also subject to the following conditions, the Sanctioning Authority may sanction the repayable loan of sum not exceeding five lakhs rupees or the agreed price of the house, whichever is less, in one installments for the purchase of a house, to a member, namely:-

(a) The member concerned must furnish an affidavit to the Sanctioning Authority to the effect that neither he nor any member of his family has drawn any house-building advance or loan under any scheme from any other source or under Rule 4 of this rule.

(b) The member must purchase the house within one month from the drawal of the said loan.

Provided that the Sanctioning Authority, with prior approval of the Government in the Parliamentary Affairs Department, may, on sufficient reasons to be recorded in writing, extend the period for more than one month but not exceeding two months in total.

(c) The member shall submit to the Sanctioning Authority satisfactory proof of the purchase of the house including registered conveyance deed, immediately after the purchase of the house.

(d) The member shall within a fortnight refund the surplus-amount to the Government, in case the amount of loan drawn by him is more than what has been actually spent for the purchase of the house.

(e) The member shall mortgage the house purchased with the loan amount drawn, in favour of the Government, as in Form 'B', within a period of five days from the date of purchase thereof.

(f) The house shall be maintained in good condition at the cost of the member concerned till the time the amount of loan is not repaid fully, and all relevant taxes charged on the house, including house tax etc. shall be regularly paid by him.

(g) The member shall insure the house so purchased with the loan within one month of the purchase and such insurance shall be renewed from time to time till the time the loan along with interest is fully repaid.

CHAPTER-IV**INTEREST ON LOAN FOR CONSTRUCTION OR PURCHASE OF HOUSE**

7. In respect of the loan for construction of house sanctioned under rule 4, simple interest at the rate of five and a half percent per annum shall be charged on such loan amount from the date loan is drawn.

8. In respect of the loan sanctioned for the purchase of a ready built house under rule 6, simple interest at the rate of five and a half percent per annum shall be charged on such loan amount from the date the loan is drawn.

Provided that-

- (1) The interest when it is in fraction shall be rounded off to the nearest rupee.
- (2) The interest shall be calculated on the balance amount of such advance, as may be out-standing on the last day of each financial year, by the Sanctioning Authority.
- (3) In case the loan is drawn in more than one installment, the rate of interest applicable shall be determined with reference to the date on which the first installments have been drawn.
- (4) The interest shall be recoverable along with the principal amount in the manner indicated in rule 10.
- (5) The audit branch of the Sanctioning Authority's Office shall check the correctness of the interest to be recovered from the member.

9. Penal interest at the rate of three per cent per annum shall be charged after the expiry of the recovery period on the outstanding Principal balance of the Loan.

CHAPTER-V**RECOVERY OF LOANS SANCTIONED FOR CONSTRUCTION OR
PURCHASE OF HOUSE**

10. (1) The loan sanctioned for construction of house under rule 4 shall be considered along with interest due thereon in equal monthly installments within a period of twenty years commencing on the expiry of two months from the date of drawal of the first installments or of the completion of the building, whichever is earlier.

(2) The loan sanctioned for purchase of house under rule 6 shall be recovered along with interest due thereon in equal monthly installments within a period of twenty years commencing from the date of purchase of the building or on expiry of two months after the drawal of the loan, whichever is earlier.

Provided that where a member having obtained a loan under rule 4 or rule 6 dies during his term as a member, the amount of such loan or any part thereof, along with the interest accrued thereupon which would have remained outstanding under these Rules on the date of his death, may be written off with the approval of the prescribed authority.

Provided further that where a member who has drawn a loan under rule 4 or rule 6 fails to repay the entire loan with interest within the stipulated period of twenty years due to any reason, the outstanding balance of the loan drawn by him with interest accrued thereon shall be recovered from the sale properties in respect of such loan. If the sale proceeds of the mortgaged property or properties in respect of such a loan do not meet the required amount to be recovered, the balance amount shall be recovered as an arrear of land-revenue under the Mizoram Public Demands Recovery Act, 2001.

Provided also that when a loaner ceases to be a Member of the Legislative Assembly, recovery of every such loan, as fixed under sub-rule (1) or (2) and the interest accrued thereupon, shall be made from the pension or family pension as the case may be.

(3) The amount of monthly installments for recovery of every such loan, as fixed under sub-rule (1) or (2) and the interest accrued thereupon shall be deposited by the loaner in the Government Treasury of Mizoram and the original challan in token of having deposited such amount by him, shall be submitted to the Secretary, Mizoram Legislative Assembly immediately.

CHAPTER – VI
GRANT OF ADVANCE FOR PURCHASE OF MOTOR VEHICLE

Application for grant of advance for purchase of motor vehicle advance	11	A member desirous of getting advance for the purchase of a motor vehicle may apply for it to the Sactioning Authority as in Form 'F' and a surety bond as in Form 'G' executed by the person having immovable property for such.
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Conditions for grant of advance for purchase of motor vehicle	12	Subject to the provisions contained in section 14 the Act and subject to the following conditions, the Sactioning for Authority may sanction a repayable advance of a sum of money upto four lakh rupees or the actual price, whichever is less, in one installment to a member for purchase of a motor vehicle :-
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(a) The member shall execute an agreement as in Form 'H' before the drawal of the advance;

(g) The member shall purchase the vehicle within a period of a one month from the date of drawal of the advance;

Provided that the Sanctioning Authority may, on sufficient reasons to be recorded in writing, extend the period upto six months.

I The member shall hypothecate the vehicle in favour of the Government as envisaged in Form 'I', after its registration or within a period of fifteen days from the date of purchase thereof, whichever is earlier;

(d) The Member shall get the vehicle comprehensively insured for value of advance within one month from the date of purchase and such insurance shall be renewed from time to time till the time the advance alongwith interest due upon is fully repaid;

(e) Where a member purchases a new vehicle, he shall, while applying for registration, state that the vehicle is subject to hypothecation in favour of the Government as envisaged in Form 'I';

(f) The Sanctioning Authority shall, furnish to the Director of Accounts and Treasuries, Government of Mizoram as well as to the Teasury Officer concerned certificate to the effect that a deed in Form 'I' Hypothecating the vehicle in favour of the Government has been got executed from the member concerned and that it has been found to be in order before the amount of advance is drawn.

CHAPTER – VII
INTEREST ON ADVANCE SANCTIONED FOR PURCHASE OF MOTOR VEHICLE

Interest on advance sanctioned for purchase of motor vehicle	13	In respect of any advance sanctioned rule 12, an interest shall be charged by the Government from time to time on Car- Advance made to Government servants by the Government of Mizoram.
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Provided that –

- (1) The advance will carry such interest from the date on which it is advanced.
- (2) The interest when it is fraction shall be rounded off to the nearest rupee.
- (3) The interest shall be calculated on the balance amount of advance, as may be outstanding on the last day of each financial year, by the Sanctioning Authority.
- (4) The interest shall be recoverable along with the principal amount in the manner indicated in rule 15.
- (5) The audit branch of the Sanctioning Authority's Office shall check the correctness of the interest to be recovered from the member.

Penal interest in respect of advance sanctioned for purchase of motor vehicle	14	Without prejudice to any other action that may be taken under these rules, a member who is found to have misused the advance or has not fulfilled all or any of the conditions of sanction or has retained the amount of the advance already drawn, beyond the period specified for its utilization, or has failed to pay any installment within the time due for the purpose, he shall be charged with penal interest at the same rate at which it is charged with penal interest at the same rate at which it is charged by the Government from time to time on Car-Advance made to Government servants by the Government of Mizoram.
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CHAPTER – VIII
RECOVERY OF ADVANCE SANCTIONED FOR PURCHASE OF MOTOR VEHICLE

Recovery of Advance
 Sanctioned purchase of
 motor vehicle

- 15 (1) An advance sanctioned to member for purchase of motor vehicle under rule 12 shall be recovered from for monthly salary bills of the member along with interest accrued thereon in equal monthly installments commencing from the month immediately succeeding the month in which the advance is drawn. Installments of such advance shall be so regulated that the entire amount of advance along with interest is recovered from the member within a period of ten years from the date of drawal of the advance.

Provided that where a Member having obtained an advance under rule 12 dies during his term as a member, the amount of such advance or any part thereof along with the interest accrued thereon, which would have remained outstanding under these Rules on the date of his death may be written off with the approval of the Government.

Provided also that when a loanee ceases to be a Member of the Legislative Assembly, recovery of every such advance, as fixed under sub-rule (1) and the interest accrued thereupon, shall be made from the pension or family pension, as the case may be.

Provided further that where a member who has drawn an advance under rule 12 ceases to be a member as a result of defection or due to dissolution of Mizoram Legislative Assembly consequent upon a proclamation under Article 356 of the Constitution of India or for other reasons which may cause his disqualification from such membership before he can complete his usual tenure of five years, he shall be liable to continue repayment of the balance amount of such advance already drawn by him along with interest due thereon, till he completes the period equivalent to his normal tenure of five years from the date of his taking oath as if the House had not been dissolved or the member had not been disqualified, and only thereafter the remaining balance of the advance, if any, along with interest due thereon shall be recovered from the sale proceeds of the mortgaged property in respect of such advance and in case it is still found inadequate, the balance amount shall be recovered as an arrear of land revenue under the Mizoram Public Demands Recovery Act, 2001.

- (2) The amount of monthly installments for recovery of every such advance, as fixed under sub-rule (1) and the interest shall be realized from the monthly salary bill of each such member, by the Sanctioning Authority.

CHAPTER – IX
MISCELLANEOUS PROVISIONS

Safe custody mortgage deeds and other documents	16	The Sanctioning Authority shall ensure that all mortgage of deeds, surety bonds and the hypothecation deeds referred to in rules 4, 6 and 12 are duly executed and kept by his office in safe custody.
Disbursement of loan and advance	17	The amount of loans sanctioned under rule and rule 6 and the amount of advance sanctioned under rule 12 shall be drawn and disbursed by the Sanctioning Authority.
Prohibition for sale	18	The house constructed or purchased with the loan and the motor vehicle purchase with the advance under these rules shall not be sold or disposed off otherwise without previous permission of the Government so long as such loans or advances together with interest accrued thereon have not been fully realized or satisfied.
Repeals and Saving	19	<p>(1) On the commencement of these rules, every, rules, regulation or order including office memorandum (hereinafter referred to as the old rule) in force before such commencement, shall, in so far as it provides for any of the matters contained in these rules, ceases to operate.</p> <p>(2) Notwithstanding such cessation of operation, anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.</p>

P. Chakraborty
Secretary to the Govt. of Mizoram,
Parliamentary Affairs Department.

FORM 'A'
APPLICATION FORM FOR GRANT OF LOAN FOR CONSTRUCTION OF HOUSE

1. Name of a Member :
(in block letters)
2. Father's name :
3. Name of the Constituency from :
which elected
4. Date of swearing in as Member of :
the Mizoram Legislative Assembly
5. Particular of salary and :
Allowances drawn
6. Particulars of any other Government :
loan/advance outstanding against him
giving nature of advance and rate of
monthly recovery
7. Permanent Address :
8. (a) Amount of loan admissible :
(b) Amount of loan required :
9. (a) Description of plot :
(i) Exact location of the plot :
(ii) Area of the plot; and :
(iii) Where you intend to settle :

(b) Attach declaration and :
Affidavit in the enclosed form
10. (a) (i) Is your title to land undisputed
and free from encumbrances?
If so, give certificate to that effect.

(ii) Is the land allotted by the
State Government? If so, give
land settlement with non-encumbrance
certificate to that effect

(b) Approximate floor area of the
House to be constructed;

(c) Estimated cost of construction

- (d) Whether the construction is required to be completed within a specific period? If so, enclose an attested copy of the notice or order.

Is the land free hold? (Attach consent of the competent authority to this effect)

Does the land/plot fall within town area or outside town area?

Explanation : - Competent authority in case of land situated within the limits of town areas is Director of authority outside town limit shall be the Village Council concerned.

DECLARATION

1. I understand to utilize the amount of loan for the purpose for which it has been applied for and understand that in case of misutilization of the loan or misrepresentation of any fact, I shall, in addition to refunding the entire amount in lumpsum along with interest, be liable to pay penal interest at such rates as may be specified by the Governmetn from time to time.

I undertake to refund the balance left it, Document enclosed.

- 1.
- 2.
- 3.

Signature of the Member
With address

Station :
Date :

AFFIDAVIT
[See rule 4 (a)]

AFFIDAVIT OF son/daughter of Age.....
 Resident of.....

I, the aforesaid..... Hereby solemnly affirm and declare as follows :-

That I am the sole owner/or allottee of the plot no..... on which I now
 intend to construct the house at.....

That I want to construct the house for my bonafide residence.

That neither I nor any member of my family has drawn any house building advance
 or loan under any scheme from any source.

Place :

Date :

DEPONENT

Verified that the above statement of mine is true and correct to the best of my
 knowledge and belief and nothing has been concealed therein.

Place :

Date :

DEPONENT

FORM 'B'

(See rules 4(c) and (6))

**FORM OF MORTGAGE DEED TO BE EXECUTED WHEN THE PROPERTY IS
FREE HELD.**

This indenture made this.....of.....two thousand andbetween.....son/daughter of.....aged..... Member, Mizoram Legislative Assembly (hereinafter called the "mortgagor") which expression shall include his/her executors, administrators and assignees) of the one part and the Governor or Mizoram (hereinafter called "the Mortgagee" which expression shall include his successors in office and assignees) of the other part.

WHEREAS the Mortgagor is the absolute and sole beneficial owner and is seized and possessed of or otherwise will and sufficiently entitled to the land /or house hereditaments and premises hereunder described in the Schedule hereunder written with the Boundaries thereof coloured.....and expressed to be hereby conveyed, transferred and assured (hereinafter referred to as "the Mortgaged property").

AND WHEREAS the Mortgagor agree applied to the mortgage for loan of Rs.....(Rupees.....)only the purpose of enabling the Mortgagor.

1. to construct house on the hereditaments,
2. to purchase a ready built house.

AND WHEREAS the Mortgagee to sanction a loan to the Mortgager the said sum of Rs_____ on certain terms and conditions.

AND WHEREAS one of the conditions for the aforesaid loan is the that the Mortgagor should secure the payment of the said loan and due observance of all the terms and conditions contained in the Mizoram Legislative Assembly (Grant of Loan and Advance to Members) Rules, 2000 (hereinafter referred to as the "said rules" which expression shall. Where the context so admits, include any amendment thereof of addition thereto for the time being in force) by mortgage of the property described in the Schedule hereunder written.

AND WHEREAS the Mortgagor_____

1. has sanctioned to Mortgagor, a loan of Rs._____ (Rupees_____) only payable by such installments and in the manner as hereinafter appearing;
2. has paid to the Mortgagor a loan of Rs._____ only on_____ and in the manner provided in the said rules upon having the repayment of the loan with interest and the observance of all the terms and conditions contained in the said rules as hereinafter mentioned secured in the manner hereinafter appearing.

AND WHEREAS the Mortgagor is to receive from the Mortgagee the aforesaid loan in lump sum or in the following installments:

1st Installment Rs._____

2nd Installment Rs. _____

3rd Installment Rs. _____

Now, this indenture witnesseth as follows:-

(a) In pursuance of the said rules and in consideration of the said loan sanctioned/paid by the Mortgagee to the Mortgagor to the Mortgagor pursuant to the provisions contained in the said rules the Mortgagor doth hereby covenant with the Mortgagee that the Mortgagor shall always duly observance and perform all the terms and conditions of the said rules and shall repay to the Mortgagee the said loan of Rs._____ (Rupee _____) only along with interest thereon by _____ annual installments commencing from the month of _____ two thousand and _____

Provided that in the event of the demise of the Mortgagor the amount of such advance or a part thereof which have accrued on the date of the date of this death in accordance with the terms and conditions of the grant of loan along with interest thereon shall be written off with the approval of prescribed Authority.

(b) If the Mortgagor shall utilize the loan for purposes other than that for which the loan is sanctioned, or if the Mortgagor shall become insolvent or be disqualified to be a member of the Mizoram Legislative Assembly for any reason, or if the Mortgagor fails to observe or perform any of the terms, conditions and stipulations specified in the said rules and on his/her part to be observed and performed then and in any such case the whole of the amount of the loan or so much thereof as shall then remain due and unpaid shall become payable forthwith to the Mortgagee with interest thereon at the rate of eight percent per annum calculated from the date of the payment by the Mortgagee of the First Installment of the said loan;

(c) In pursuance of the said rules and for the consideration aforesaid and to secure repayment of the aforesaid loan and interest as shall at any time or times hereinafter be due to the Mortgagee under the terms of these presents, the Mortgagor doth hereby grant, convey, transfer, assign and assure unto the Mortgagee ALL and SINGULAR the said mortgaged property fully described in the Schedule hereunder written together with building erected or material for the time being thereon with all rights, easements and appurtenances to the said mortgaged property or any of them belonging to HOLD the said mortgaged property or material for the time being thereon unto and to the use of the Mortgagee absolutely for ever free from all encumbrances SUBJECT NEVERTHELESS to the proviso for redemption hereinafter contained;

PROVIDED ALWAYS AND it is hereby agreed and declared by and between the parties hereto that if Mortgagor shall duly pay to the Mortgagee the said principal sum and interest hereby secured in the Manner herein provided and also the other moneys (if any) determined to be payable by the Mortgagor to the Mortgagee under the terms and conditions of the said rules, then the Mortgagee will at any time thereafter upon the request and at the const of the Mortgagor recover, retransfer and reassure the said mortgaged property unto and to the use of the Mortgagor or as they may direct.

(d) AND IT IS HEREBY EXPRESSLY AGREED AND DECLARED that if there shall be any breach by the Mortgagor or the covenants on his part herein contained and to be observed and performed by him or if the Mortgagor shall become insolvent or be disqualified to be the member of the Mizoram Legislative Assembly for any reason under these presents together with interest thereon shall have been fully paid off or if the said loan or any part thereof becomes payable forthwith under these presents or otherwise, then and in any such cases it shall be law-ful for the Mortgagee without intervention of the Court to sell the said mortgaged property or any part thereof either together or in parcels and either by public auction or by private contract with power to by in or rescind any contract for sale and re-sell without being responsible for any loss which may occasioned thereby and to do and execute all such acts and assurance for effectuating any such sale as the Mortgagee shall think for AND IT IS HEREBY declared that the receipt of the Mortgagee for the purchase money of the premises sold or any part thereof shall effectually discharge the purchaser or purchasers therefrom AND IT IS HEREBY declared that the Mortgagee shall hold the moneys to arise from any such sale in pursuance of the aforesaid power upon TRUST in the first place thereout to pay all the expenses incurred on such sale then to pay moneys for the time being owing on the security of these presents and the balance, if any to be paid to the Mortgagor.

(e) The Mortgagor hereby covenants with the Mortgagee as follows:-

(i) that the MORTGAGOR NOW hath in himself good right and lawful authority to grant, convey, transfer, assign and assure the mortgaged property unto and to use of the Mortgagee in the manner aforesaid.

(ii) That the Mortgagor shall carry out the construction of the house exactly in accordance with the plan and specifications approved by the competent authority. The Mortgagor shall certify, when applying for installments of loan that the amount already drawn out of the said sanctioned loan has actually been used on the construction of the house. He will allow the Mortgagee to carry out either by himself or through his representative and inspection to verify the correctness of the aforesaid certificate. If a false certificate is furnished by the Mortgagee forthwith interest thereon in addition to penal interest at such rate as specified in rule 9 of the said rules.

(iii) That the Mortgagor shall complete the construction of the house within six months unless an extension of time is allowed in writing by the Mortgagee. In case of default the Mortgagor shall be liable to repay forthwith the entire amount of loan to him together with interest calculated under the said rules in one lump sum. The Mortgagor shall report to the Mortgagee the date of completion of the house furnish a certificate to the Mortgagee that the full amount of the loan has been utilized for the purpose for which it was sanctioned.

(iv) That the Mortgagor shall immediately insure the house at his own cost with the Insurance Corporation for a sum not less the amount of aforesaid loan and shall deem it so insure against loss or damage by fire, flood and lightning as provided in the said rules till the loan is fully repaid to the Mortgagee. The Mortgagor shall pay regularly the premium in respect of the said insurance from time to time and will then be required to produce to the Mortgagee the premium receipts for inspection.

(v) That the Mortgagor shall maintain the aforesaid house in good repair at his own cost and shall pay all the municipal and other local rates, taxes and all other outgoings in respect of the Mortgaged property regularly until the loan been repaid to the Mortgagee in full. The Mortgagor shall also furnish to the Mortgagee an annual certificate to the above effect.

(vi) The Mortgagor shall afford full facility to the Mortgagee for carrying out inspections after completion of the house to ensure that it is maintained in good repair until the advance and interest thereon has been repaid in full.

(vii) The Mortgagor shall refund to the Mortgagee any amount together with interest, if any, due thereon drawn on account of the loan in excess of the expenditure incurred for which the loan was sanctioned.

(viii) The Mortgagee shall not during the continuance of these presents charge, encumber, alienate etc. or otherwise dispose off the mortgaged property.

SCHEDULE

In witness whereof, the Mortgagor has here unto set his hand and the Governor of Mizoram has caused Shri/Smt. _____ for and on his behalf set his hand hereunto the day and year first above written;

Signature of the Mortgagor.

In the presence of

1. First witness :
Address :
Occupation :
2. Second witness :
Address :
Occupation :

IN WITNESS THEREOF

Shri _____ for and on behalf of the Government of Mizoram has signed this present.

Signed by Shri _____ in the presence of :-

First witness	:
Address	:
Occupation	:
Second Witness	:
Address	:
Occupation	:

FORM 'C'**(See rule 5 (1))****APPLICATION FORM FOR PURCHASE OF READY BUILT HOUSE**

1. Name of a Member :
(in block letters)
2. Father's name :
3. Name of the Constituency from :
which elected
4. Date of swearing in as Member of :
the Mizoram Legislative Assembly
5. Particular of salary and :
allowances drawn.
6. Particulars of any other :
Loan or advance outstanding against him
giving nature of advance and rate of
monthly recovery
7. Permanent Address :
8. (a) Amount of loan admissible :
(b) Amount of loan required :
9. Location of the house with full address :
- 10 (a) Area of the plot and :
(b) Covered area :
11. Age of the house :
12. Name of the owner and address :
13. (a) Price to be paid/settled (attach an attesting
copy of the agreement of sale deed).

- (b) Indicate the exact date by which the agreement or sale deed will be executed.
- (c) If the price of the house proposed to be purchased is more than the amount of loan, how do you propose to pay the balance.
14. Have you satisfied yourself that the transaction would result if you acquire an undisputed title to the house (enclose an attested copy of the letter from the seller that subject to settlement/payment of the price he can hand over to the applicant the vacant possession of the house within a period of two months from the date of the letter)
15. Is the land on which the house stands a free-hold?
(Attach consent of the competent authority to his effect)
16. Attach affidavit in the enclosed Form :

DECLARATION

I, Shri/Smt_____ undertake to utilize the amount of loan for the purpose for which it has been applied for and understand that in case of any fact. I shall, in addition to refunding the entire amount in lump sum along with interest, be liable to pay penal interest at such rates as may be specified by the Government from time to time.

I undertake to refund the balance left if, Document enclosed.

Station :

Date :

Signature of the Member
With Address.

AFFIDAVIT

(See rule 4 (a))

AFFIDAVIT OFson/daughter of.....
age..... resident of

I, the aforesaid..... hereby solemnly affirm and
declare as follows :-

That I want to purchase a ready built house for my bonafide residence;

That neither I nor any member of my family has drawn any house
building advance or loan under any scheme from any source.

Place :

Date :

DEPONENT

Verified that the above statement of mine is true and correct to the best
of my knowledge and belief and nothing has been concealed therein.

Place :

Date :

DEPONENT

FORM 'D'**(See rule 5 (2))****AGREEMENT OF SALE**

This agreement of sale is made at _____ the _____ day of _____ 20_ between (1) _____ S/o _____ resident of House No. _____ (hereinafter referred to as the seller which expression shall include his heir, executors, successors, legal representative and administrator of the one part) and

(2). Shri _____ S/o _____ resident of House No. _____ (hereinafter referred to as the purchaser which expression shall include his heirs, assignees, successors and legal representatives and administrators) of the other part:

WHEREAS the said seller is the absolute owner and in possession of own residential House No. _____ Measuring _____ square metres _____

And whereas the said house is free from all encumbrances, that is sale, gift, mortgage and will etc.

And whereas the seller has agreed with the purchaser for the absolute sale of his above mentioned house in favour of the purchaser and the purchaser has also agreed to purchase the same, on the following terms and conditions:-

(a) That the sale price of the said house is fixed at Rs. _____ and Rs. _____ has been paid as earnest money to the seller with the promise that remaining amount will be paid by the purchaser within _____ months.

(b) That the seller hereby further agrees and undertakers to execute and sign all such papers/documents regarding the transfer of ownership of the said house in the name of the purchaser at the cost of the purchase without any hesitation and delay.

That all the expenses on the sale deed, i.e. the cost of stamps and registration

charges, if any and on the deed of conveyance shall be borne by purchaser.

In witness whereof, the parties have set their hands on his deed at _____ on the _____ day of _____ in the presence of the following witnesses.

Witness No. 1 _____

Witness No. 2 _____

Seller

Address :

Purchaser

Address :

FORM 'E'**(See rule 5(3))****SURETY BOND****KNOW ALL MEN BY THESE PRESENTS THAT**

I, _____ aged _____ years son/wife/daughter called "the surety") am held and firmly bound unto the Governor of Mizoram (hereinafter called "the Government" which expression shall include his successors in office and assignees) in the sum of Rs. _____ (Rupees _____) only to be paid to the Government FOR WHICH PAYMENT to be well and truly made. I hereby bind myself, my heirs, executors, administrators and representatives firmly by these presents. As witness I set my hand this _____ day of _____ two thousand and _____

WHEREAS _____ son/wife/daughter of _____ in the District of _____ at present Member, Mizoram Legislative Assembly (hereinafter called the "Borrower") applied to the Sanctioning Authority for loan of Rs. _____ for purchasing a built-up house at _____ District _____

And whereas the Sanctioning Authority sanctioned the payment of Rs. _____ (Rupees _____) only under the Mizoram Legislative Assembly (Grant of Loan and Advance to Members) Rules, 2000 (hereinafter referred to as the "said rules" to Shri _____ son/wife/daughter of _____ resident of _____ at present Member, Mizoram Legislative Assembly for purchasing a built up house _____ District _____

AND WHEREAS THE BORROWER has undertaken to repay the said amount in _____ monthly installments;

ANDWHEREAS THE BORROWER has further undertaken to mortgage the built-up house purchased with the help of the amount and observe the provisions of the said rules;

AND WHEREAS in the consideration of the Sanctioning Authority having agreed to grant the aforesaid loan to the borrower, the surety has agreed to execute the above bond with such condition as hereunder is written.

NOW THE CONDITION OFN THE OBLICGATION IS SUCH that it the sad borrower shall duly and regularly pay or cause to be paid to the Government the amount of the aforesaid loan owing to the Government by installments until the said sum of Rs. _____(Rupees _____) only along with interest due thereon shall be duly paid mortgage the house referred to above which ever event happens earlier then this bond shall be avoid otherwise the same shall be and remain in full force and virtue. BUT SO NEVERTHELESS THAT if the borrower becomes insolvent or ceased to be a member or otherwise disqualified to be a Member of the Mizoram Legislative Assembly, the whole or so much of the said principal sum of Rs. _____(Rupees _____) only together with interest as shall then remain unpaid shall immediately become due and payable to the Government, and recoverable from the surety in one installment by virtue of this bond.

The obligation by the surety shall not be discharged in any way effected by an extension of time or any other indulgence granted by the Government to the said Borrower. Signed and delivered by the said _____at _____ on this _____day of _____ in the presence of the following witnesses:

- | | | |
|----|------------------|-------------------------|
| 1. | Signature..... | (Signature of Surety) |
| | Address | Address |
| | Occupation | |
| 2. | Signature | Signature of Magistrate |
| | Address..... | First Class |

FORM 'F'**APPLICATION FORM ADVANCE FOR THE PURCHASE OF MOTOR VEHICLE.**

1. (a) Name of the Member :
 (in block letter)
- (b) Father :

2. Name of the Constituency :
 From which elected

3. Date of swearing in as Member of :
 The Mizoram Legislative Assembly.

4. Particulars of Salary and allowances drawn :

5. Particulars of any other advances :
 Outstanding against him giving
 nature of advance and rate of
 monthly recovery.

6. Permanent :

7. Anticipated actual price of Motor :
 Vehicle indicating type and class
 of vehicle.

8. Amount of advance required :

9. Number and rate of installment in :
 which the advance is desired to
 be repaid

10. Whether the intention is to purchase :
 a new or old Motor Vehicle.

11. Documentary proof to show that :
 negotiations have been made and
 that delivery will be taken within
 one month from the date of
 withdrawal of the advance.

12. Certificates:-

(a) Certified that I have not taken delivery of the motor vehicle for which I have applied for the advance.

(b) Certified that I have completed negotiations for the purchase of motor vehicle and will take delivery of motor vehicle before the expiry of the period specified in clause(b) of rule 12 and in the event of my failure to purchase and take delivery of the conveyance within the period so specified, I undertake to refund the entire advance together with interest in one lumpsum.

(c) Certified that I am unable to make the purchase without the advance applied for.

(d) Certified that I shall insure the motor vehicle comprehensively from the date of taking delivery of the motor vehicle.

(e) Certified that I shall hypothecate the motor vehicle purchased with the aid of advance in favour of the Government after registration or within fifteen days from the purchase thereof whichever is earlier.

(f) Certificate that agreement in the enclosed form 'H' has been executed.

(g) Certificate that I and the members of my family do not own a motor vehicle.

Or

I undertake that I will dispose of the motor vehicle which is with me or any member of my family within one month from date of purchase of the new motor vehicle.

(h) Certified that the information given above is complete and true.

Date:

Signature of the Member

With address.

FORM 'G'
(See rule 11)

KNOW ALL MEN BY THESE PRESENTS THAT I _____
 AGED _____ YEARS _____ son/wife/daughter of _____ a
 resident at present having immovable property in the State of _____
 (hereinafter called "Surety" am held and firmly bound unto the
 Government of Mizoram (hereinafter called "the Government") which expression shall
 include his successors in office and assignee) in the sum of Rs. _____
 (Rupees _____) only to be the sum of Rs. _____
 (Rupees _____) only to be paid to the Government for which
 payment to be well and truly made I hereby bind myself, my heirs, executors,
 administrations and representatives, firmly by these presents.

As witness I set by hand this _____ day of _____
 two thousand and WHEREAS _____ son/wife/daughter of _____ resident of in
 the District of _____ at present a Member, Mizoram
 Legislative Assembly (hereinafter called "the Borrower") applied to the Sanctioning
 Authority sanctioned the payment of Rs. (Rupees _____)
 only under the Mizoram Legislative Assembly (Grant
 of Loan and Advance to Members) Rules, 2000 son/wife/daughter of
 _____ resident of present Member, Mizoram Legislative
 Assembly for purchasing a motor vehicle.

AND WHEREAS THE BORROWER has undertaken to repay the said amount in
 _____ monthly installment.

AND WHEREAS THE BORROWER has further undertaken to hypothecate the
 motor vehicle purchased with the help of the said amount and observe the provisions of the
 said rules;

AND WHEREAS in consideration of the Sanctioning Authority having agreed to
 grant the aforesaid advance to the borrower, the Surety has agreed to execute the above
 bond with such condition as hereunder is written.

NOW THE CONDITION OF THE OBLIGATION IS SUCH THAT IF THE said
 Borrower shall duly and regularly pay or cause to be paid to the Government the
 amount of the aforesaid advance owing to the Government by installment only along
 with interest due thereon shall be duly paid or hypothecated the motor vehicle referred to
 above whichever happens earlier than this bond shall be void otherwise the same
 shall be and remain in full force and virtue BUT SO NEVERTHELESS THAT if the
 Borrower become insolvent or cease to be a Member or otherwise disqualified to be a
 Member of the Mizoram Legislative Assembly the whole of so much of the said principal

sum of Rs. _____ (Rs. _____) only together with the interest as shall then remain unpaid shall immediately become due and payable to the Government, and recoverable from the surety in one installment by virtue this bond.

The obligation undertaken by the surety shall not be discharge or in any way effected by an extension of time or any other indulgence granted by the Government to the said Borrower.

Signed and delivered by the said

_____ at _____ day of 20_____

1. Signature _____

2. Address _____

3. Occupation _____

Certified that the surety is the absolute owner of immovable property worth Rs.

Signature of Magistrate
First Class.

FORM 'H'**(See rule 12(a))****FORM OF AGREEMENT TO BE EXECUTED AT THE TIME OF DRAWING OF
ADVANCE FOR THE PURCHASE OF MOTOR VEHICLE**

An agreement made on _____ day of _____ two thousand and _____ between Shri _____ son/wife/daughter of _____ resident of _____ District _____ at present Member of Mizoram Legislative Assembly (Hereinafter called "the Borrower") which expression shall include his heirs,

administrators, executors and legal representatives of the one part and the Governor of Mizoram (hereinafter called "the Government") which expression shall include his successors and assignees) of the other part:

WHEREAS the Borrower has under the provision of the Mizoram Legislative Assembly (Grant of Loan and Advance to Members) Rules, 2000 (hereinafter referred to as "the said rules") which expression shall include any amendment thereof for the time being in force applied to the Sanctioning Authority for a loan of Rs. _____ for purchase of Motor Vehicle.

AND WHEREAS the Sanctioning Authority has agreed to advance the said amount to the borrower on the terms and conditions hereinafter contained.

NOW IT IS HEREBY AGREED between the parties hereto that in consideration of the sum of Rs. _____ paid by the Government to the Borrower (the receipt of which the borrower hereby acknowledge) the Borrower hereby agreed with the Government:-

(1) to pay the Government the said amount with interest calculated according to the said rules by monthly installments as provided in the said rules within one month from the date of these presents to spend the full amount of the said advance for purchase of Motor Vehicle.

(2) to execute a document hypothecating the said Motor Vehicle to the Government as security for the amount advanced to the Borrower as aforesaid and interest in the form provided by the said rules and IT IS HEREBY LASTLY AGREED AND DECLARED THAT IF THE motor Vehicle has not been purchased within one month from the date of these presents and hypothecated as aforesaid after its registration or within a period of fifteen days from the purchase thereof whichever is earlier or if the Borrower within that period becomes insolvent or cease to be a Member of the Mizoram Legislative Assembly the whole amount of advance and interest accrued thereon shall become due and payable.

IN WITNESS whereof the Borrower and _____for and on behalf of the Governor have hereunto set their hands the day and year first before writer.

Signature by the said _____ in the presence of the following
witnesses:

1. _____

Signature and designation

2. _____

of the Borrower

(Signature of the Witnesses)

FORM 'I'**(See rules 12(c) and (f))****FORM OF HYPOTHECATION DEED FOR ADVANCE FOR PURCHASE OF
MOTOR VEHICLE**

This indenture made this _____ day of _____
two thousand and _____ between _____
(hereinafter called "the Borrower") which expression shall include his heirs,
administrators, executors and legal representatives of the one part and the Governor of
Mizoram (hereinafter called "the Government") which expression shall include his
successors and assignees of the other part:

WHEREAS the Borrower has applied for and has been granted an advance
of Rs. _____ (Rupees _____) only to purchase
a motor vehicle under the Mizoram Legislative Assembly (Grant of Loan and Advance to
Members) Rules, 2000 (hereinafter referred to as "the said rules") which expression shall
include any amendment thereof or additions thereto for the time being in force on the
terms and conditions contained in the Agreement, dated
_____ (hereinafter referred to as "the Principle Agreement");

AND WHEREAS on the condition upon which the said advance was
granted to the Borrower is that the Borrower would hypothecate the said motor
vehicle to the Government as security for the amount advanced to the Borrower, AND
WHEREAS the Borrower has purchased with or partly with the amount so advanced as
aforesaid the motor vehicle particulars whereof are set out in the Schedule hereunder written

NOW THIS INDENTURE WITNESSETH that in pursuance of the said
agreement and for the consideration aforesaid that the Borrower doth hereby covenant to
pay to the Government the sum of Rs. _____ aforesaid or the balance thereof
remaining unpaid at the date of these presents by the equal installments of
Rs. _____ each on the first day of every month and will pay interest on the
sum for the time being remaining due and owing that such payments may be recovered
from monthly salary bills of the Member according to rules, and in further pursuance of
the said agreement, the Borrower doth hereby assign and transfer unto the Government
motor vehicle the particulars whereof are set out in the schedule hereunto written by
way of security for the said advance and the interest thereon as required by the said
rules.

DECLARATION

1. I understand to utilize the amount of loan for the purpose for which it has been applied for and understand that in case of misutilisation of the loan or misrepresentation of any fact, I shall, in addition to refunding the entire amount in lumpsum along with interest, be liable to pay penal interest at such rates as may be specified by the Government from time to time.

2. I understand to refund balance left, if any. Document enclosed.

1.

2.

3.

4.

Station :

Signature of the Member with Address

THE SCHEDULE
DESCRIPTION OF MOTOR VEHICLE

Maker's Name _____

Description _____

No. of Cylinders _____

IN WITNESS where of the said _____ Borrower
 and _____ for and on behalf of the Governor have hereunto set their
 respective hands that _____ day _____ and year first above
 written.

Signed by the said _____ in the presence of the
 following witnesses:

1.

2.

Signed by (Name and Address)

Signature of the Borrower
 Address _____

For and on behalf of the
 Government of Mizoram in the
 Presence of the following
 Witnesses:

1.

2.

(Signature and Address of Witnesses)

THE MIZORAM LEGISLATIVE ASSEMBLY (MEMBER'S DEATH GRATUITY AND FAMILY PENSION) RULES, 2000.

Short title and commencement

1. (1) These Rules may be called the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000.
- (2) They shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In these rules unless the context otherwise requires -
 - (a) "Act" means the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 (Act No. 5 of 1999).
 - (b) "Death Gratuity" means the Death Gratuity as defined and quantified in Section 16 of the Act.
 - (c) "Director" means the Director of Accounts and Treasuries, Mizoram.
 - (d) "Family" means the family of a member, as defined in Section 2(d) of the Act.
 - (e) "Family Pension" means the Family Pension as defined and quantified in Section 17 of the Act.
 - (f) "Form" means a form appended to these Rules.
 - (g) "Member" means a Member of the Mizoram Legislative Assembly as defined in Section 2(g) of the Act and includes a former member for the purpose of family pension under Section 17 of the Act.
 - (h) "Secretary" means the Secretary to the Mizoram Legislative Assembly.

Obtaining of claims for death gratuity and family pension

3. (1) Where the Secretary has received an intimation about the death of a sitting or former member of the Mizoram Legislative Assembly during his term of Office, he shall ascertain whether Death Gratuity or Family Pension or both, as the case may be, is/or are payable in respect of the deceased member.
- (2) (a) Where the family of the deceased member is eligible for the Death Gratuity under Section 16 of the Act, the Secretary shall ascertain -

(i) If the deceased member had nominated any person or persons to receive the gratuity in Form 1.

(ii) If the deceased member had not made any nomination, or the nomination made does not subsist, the person or persons to whom the gratuity is payable in terms of Section 16 of the Act.

Provided that the preference amongst other members of the deceased member's family, than the surviving spouse for the purposes of payment of death-gratuity under Section 16 of the Act shall be determined from the arrangement of such members in the definition of family provided in Section 2(d) of the Act.

Provided further that in case any one of such other members of the deceased member's family than the spouse, is granted a legal heirship certificate by a competent court of law, he or she shall be treated as the First - Preference members of the family for the purpose of payment of death gratuity under these Rules.

(b) The Secretary shall, then, intimate the person concerned in Form II or Form III, as may be appropriate, for making a claim in Form IV.

(c) On receipt of the claim or claims in Form IV, the Secretary shall determine after such verification as he deems necessary, the eligibility or otherwise for the grant of death gratuity to the person or persons claiming for the same and, by order, shall sanction the amount of Death Gratuity payable to the claimant in Form VII.

(3) Where the family of a deceased member is eligible under Section 17 of the Act for the family pension -

(a) The Secretary shall ascertain if the deceased member had nominated any person or persons to receive family pension in Form No. 1(A).

(b) If the deceased member had not made any such nomination, or the nomination made does not subsist, the person or persons to whom the family pension is payable in terms of Section 17 of the Act.

Provided that the preference amongst other members of the deceased member's family, than the surviving spouse for the purposes of payment of family pension under Section 17 of the Act shall be determined from the arrangement of such members in the definition of family provided in Section 2(d) of the Act. Provided further that in case anyone of such other members of the deceased member's family than the spouse is granted a legal heirship certificate by a competent Court of law, he or she shall be treated as the first preference member of the family for the purpose of payment of Death Gratuity under these Rules.

(c) The Secretary shall intimate the widow or widower in Form V for making a claim in Form VI; and

(d) Where the deceased member is survived only by a child or children, the legal guardian so declared by a competent Court of law, in case of minor child or children, or such child or children may submit a claim in Form VI to the Secretary;

(e) On receipt of the claim or claims in Form VI, the Secretary shall determine after such verification as he deems necessary, the eligibility or otherwise for the sanction of family pension to the person or persons claiming for the same and, by order, shall sanction the amount of Family Pension to the claimant in Form VIII.

Sanction, drawal and disbursement of provisional family pension and gratuity

4. (1) After the documents referred to in Rule 3 have been sent to the Director the Secretary shall draw provisional family pension not exceeding the maximum amount specified in Section 17 of the Act and hundred percent of the death gratuity as specified in Section 16 of the Act.
- (2) For the purpose of this Rule, the Secretary shall adopt the following procedure, namely -
 - (a) he shall issue a sanction letter in favour of the claimants endorsing a copy thereof to the Director and indicating therein the amount of provisional family pension and hundred per cent of the death gratuity as determined.
 - (b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under Rule 3(2)(c).
 - (c) after issue of the sanction letter, he shall draw -
 - (i) the amount of the provisional family pension; and
 - (ii) the amount of hundred percent of the death gratuity after deducting there from the dues mentioned in clause (b) above, in the same manner as pay and allowances of Secretariat are drawn by him.
- (3) The Secretary shall disburse the provisional family pension including arrears, if any, and the death gratuity immediately after the same have been drawn under sub-rule (1).
- (4) The payment of provisional family pension may continue for a period of six months from the date following the date of death of the member unless the period is extended under this rule.
- (5) The Secretary shall inform the Director -
 - (a) as soon as the death gratuity has been paid to the claimant or claimants; and
 - (b) as soon as the provisional family pension has been paid.

(6) The mode of payment of provisional family pension or of gratuity or of both shall be such as may be decided by the Secretary.

Authorization for payment of Final Family Pension

5. (1) On receipt of the order sanctioning final Family Pension under Rule 3, the Director, Accounts & Treasuries shall prepare Family Pension Payment Order and forward the same to the Treasury Officer mentioned in the application under Rule 3.

(2) Each Pension Payment Order shall be in two halves, of which one shall be known as the Disburser's half and it shall be kept in the Treasury at which the payment is to be made, in such manner that the pensioner shall not have access thereto and the other to be delivered to the Secretary, Legislative Assembly who shall arrange personal appearance of the Family Pensioner for receipt of the first payment of Family Pension.

(3) In issuing the Pension Payment Order, Director, Accounts & Treasuries shall attach to each half of the order a specimen signature of the Pensioner if he can sign his name or the thumb and finger impressions of the left hand of the Family Pensioner, if he cannot sign his name.

(4) The Secretary, Legislative Assembly shall produce the Family Pensioner's portion before the Treasury Officer whenever he claims payment of Family Pension and no payment shall be made if he fails to produce it.

(5) Each payment of Family Pension shall be entered on the reverse of both the halves of the Pension Payment Order, both entries being attested at the time of payment under the signature of the Treasury Officer.

(6) The Treasury Officer shall ensure that all necessary deduction and adjustments as may be indicated by the Director, Accounts & Treasuries are made while making payment of Family Pension.

(7) The payment of Family Pension shall be effective from the date specified in the order. The Family Pension shall become due for payment only on the expiry of the month to which it relates.

(8) In the event of the death of the Family Pensioner, the amount of the Family pension due till the date of his death including unpaid arrears shall be paid to the eligible claimants.

(9) Family Pension or Death Gratuity sanctioned to any person under these Rules, is liable to be cancelled or modified if it is found that there has been any error in the calculation of the period of his eligibility for the grant of Family Pension and Death Gratuity under the Act.

(10) Except as otherwise provided in these Rules, a Death Gratuity shall be paid in lumpsum and a Family Pension shall be paid monthly.

Recovery of Dues

5A. Dues, if any, towards housing loan, motor vehicle advance and arrears of the Member's hostel rent, guest charges, trunk call and phonogram charges, loss of library books or any other dues to the Legislative Assembly Secretariat from the pensioner when he was a Member shall also be recovered from the Pension payable to him or from the Family Pension payable to his family, as the case may be.

Repeal and Savings

6. (1) On the commencement of these Rules, every Rules, regulation or order including office memorandum (hereinafter referred to as the old rule) in force before such commencement, shall, in so far as it provides for any of the matters contained in these Rules, ceased to operate.

(2) Notwithstanding such cessation of operation, anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these Rules.

FORM - 1**NOMINATION FOR DEATH GRATUITY**

When the MLA has a family and wishes to nominate one member thereof.

I _____ hereby nominate the person mentioned below who is a member of my family and confer on him/her the right to receive death gratuity which may be authorised by the Government of Mizoram in the event of my death during my term of office.

Name and Address	Date of birth	Name and Address	Relationship
of spouse		of first preference	with member

This nomination supersedes the nominations made by me earlier on _____ which stands cancelled.

NOTE : The MLA shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of 20_____ at

Witnesses to signature

1. _____

2. _____

Signature of MLA

FORM - 1(A)**NOMINATION FOR FAMILY PENSION**

When the MLA has a family and wishes to nominate one member thereof.

I _____ hereby nominate the person mentioned below who is a member of my family and confer on him/her the right to receive family pension which may be authorised by the Government of Mizoram in the event of my death.

Name and Address of spouse	Date of birth	Name and Address of first preference	Relationship with member
1	2	3	4

This nomination supersedes the nominations made by me earlier on _____ which stands cancelled.

NOTE : The MLA shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of 20____at

Witnesses to signature

1. _____

2. _____

Signature of MLA

FORM - II

Form of letter to the member or members of the family of a deceased Member of Legislative Assembly where valid nomination for the grant of the death gratuity exists.

To,

Subj: Payment of death gratuity in respect of the late Pi/Pu

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Pi/Pu _____ (Designation) Member of Legislative Assembly a death gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed Form IV.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, whole or in part, precise details of the contingency may kindly be stated.

Yours faithfully,

Secretary to the
Mizoram Legislative Assembly.

FORM - III

Form of letter to the members of the family of a deceased Member of Legislative Assembly where valid nomination for the grant of the death gratuity does not exist.

To,

Subj: Payment of death gratuity in respect of the late Pi/Pu _____

Sir/Madam,

I am directed to say that in terms of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000, a death gratuity is payable to the following members of the family of late Pi/Pu _____ (Designation) Member of Legislative Assembly in equal share:-

- (i) Wife/husband including judicially separated wife/husband:
- (ii) Sons including step-children
- (iii) Unmarried daughters and adopted children

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal shares :-

- (i) Widowed daughters including step-daughters and adopted daughters;
- (ii) Father including adoptive parents in
case of individuals whose per-

- (iii) Mother son law permits adoption
- (iv) brother below the age of eighteen years and unmarried and widowed sisters including step-brothers and step-sisters;
- (v) married daughters; and
- (vi) children of a pre-deceased son.

3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed Form IV as soon as possible.

Yours faithfully,

Secretary to the
Mizoram Legislative Assembly.

FORM - IV

Form of application for the grant of death gratuity on the death of Member of Legislative Assembly.

(To be filled in separately by each claimant and in case the claimant is minor, the Form should be filled in by the guardian on his/her behalf. Where there are more than one minor, the guardian should claim gratuity in one Form on their behalf)

1. (i) Name of the claimant in case he is not minor

- (ii) Date of birth of the claimant _____
2. (i) Name of the guardian in case the claimants are minors _____
- (ii) Date of birth of the guardian _____
3. (i) Name of the deceased Member of Legislative Assembly in respect of
 whom gratuity is being claimed _____
- (ii) Date of death of Member of Legislative Assembly _____
- (iii) Constituency from where the Member of Legislative Assembly was
 elected _____
4. Relationship of the claimant/guardian with the deceased Member of Legislative
 Assembly _____
5. Full postal Address of the claimant/guardian _____

6. (i) Where gratuity is claimed by the guardian on behalf of minors, the names of the minors, their ages, relationship with the deceased Member of Legislative Assembly.

Serial No.	Name	Age	Relationship with the deceased Member of Legislative Assembly	Postal Address
1.				
2.				
3.				
4.				
5.				

(ii) Relationship of the guardian with minor

7. Place of payment of Pension and Gratuity (Treasury, Sub-Treasury, Public Sector Bank Branch or the Pay and Account's Office) _____

Signature/Thumb impression
of the claimant/guardian

8. Two specimen signatures or left hand thumb and finger impressions of the claimant/guardian duly attested.

(To be furnished in a separate sheet)

9. Attested by -

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

10. Witnesses :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

FORM - V

Form of letter to the widow/widower/family of a deceased Member of Legislative Assembly/an Ex-Member of Legislative Assembly for grant of Family Pension

No. _____

Government of Mizoram

To

Subj : Payment of Family Pension in respect of late Pi/Pu_____

Sir/Madam,

I am directed to state that in terms of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000, a family pension is payable to you as widow/widower/family of the late Pi/Pu _____ Member of Legislative Assembly/Ex-Member of Legislative Assembly.

2. You are advised that a claim for the grant of Family Pension may be submitted in the enclosed Form VI.

3. The Family Pension will be payable till your death or re-marriage, whichever event occurs earlier. In the event of your death or marriage, the Family Pension shall be granted to the child or children, if any, through the guardian.

Yours faithfully,

Secretary,

Mizoram Legislative Assembly.

FORM - VI

Form of application for the grant of Family Pension on the death of a Member of Legislative Assembly/an Ex-Member of Legislative Assembly.

1. Name of the applicant _____
 - (i) Widow/widower _____
 - (ii) Guardian if the deceased person is survived by child or children _____

2. Name and age of surviving widow/widower and children of the Member of Legislative Assembly/Ex-Member of Legislative Assembly.

Serial No.	Name	Relationship with the deceased person	Date of birth by Christian era
1.			
2.			
3.			
4.			
5.			
6.			

3. Name and No. of the PPO of the deceased pension.

4. Date of death of the Member of Legislative Assembly/Ex-Member of the Legislative Assembly _____

5. Constituency from where the Member of Legislative Assembly was elected

6. If the applicant is guardian, his date of birth and relationship with deceased Member of Legislative Assembly/Ex-Member of Legislative Assembly.

- 6A. If the applicant is a widow/widower the amount of service pension which she/he may be in receipt on the date of death of the husband/wife

7. Full address of the applicant _____

8. Place of payment of Pension and Gratuity (Treasury, Sub-Treasury or Public Sector Bank Branch and Pay and Accounts (Office) _____

9. Enclosures :
 - (i) Two specimen signatures of the applicant, duly attested (To be furnished in two separated sheets).
 - (ii) Two copies of passport size photographs of the applicant, duly attested.

Two slips each bearing left hand thumb and finger impression of the applicant, duly attested.

 - (iv) Descriptive Roll of the applicant, duly attested, indication (a) height and (b) personal marks, if any, on the hand, face, etc. (Specify a few conspicuous marks, not less than two, if possible) (To be furnished in duplicate).
 - (v) Certificate(s) of age (in original with two at tested copies) showing the dates of birth of the children. The Certificate should be from the Registrar of death and birth. (This information should be furnished in respect of such child or children, the particulars of whose date of birth are not available with the Head of Office).

10. Indicate whether family pension is admissible from any other source - Military or State Government and/or Central Government and/or Autonomous District Councils of Mizoram.

11. Signature or left Hand Thumb Impression of the applicant.

12. Attested by :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

13. Witnesses :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

NOTE : Attestation should be done by two Members of Legislative Assembly or Gazetted Government Servants or two or more persons of respectability in the town, Village or Pargana in which the applicant resides.

FORM - VII**SANCTION ORDER****See Rulee 3(2)(c)**

Under the provision of Section 16 of the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 read with sub-rule (2)(c) of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000 sanction is hereby accorded for lumpsum payment at Rs. 2,00,000/- (Rupees two lakhs) only to Pi/Pu _____ Member, Mizoram Legislative Assembly, as Death Gratuity to his/her _____

The expenditure is debitable to the head

2071 - Pension and Other Retirement Benefit

01 - Civil

111(1) - Pension to Legislators

Secretary,

Mizoram Legislative Assembly.

Memo No.LA/ESTT_____Dated Aizawl, the _____

Copy to :-

1. The Treasury Officer, Aizawl South/Aizawl North/Lunglei/Kolasib/Champhai/Lawngtlai/Serchhip/Mamit/Saiha.
2. Persons concerned.
3. The Accountant General, Mizoram etc. Shillong.
4. Sanction Guard File.

Deputy Secretary,

Mizoram Legislative Assembly.

FORM - VIII**SANCTION ORDER****See Rule 3(3)(c)**

The undersigned having satisfied that Pi/Pu _____ Ex-MLA has served as Member of Assam/Mizoram Legislative Assembly during the following periods :-

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

hereby ordered the grant of Family Pension of Rs. _____/- (Rupees _____) only per mensem which shall be increased by five percent annually at compound rate to a maximum of seven thousand rupees to Pi/Pu _____, Ex-MLA which may be accepted by the Director, Accounts & Treasuries, Aizawl as per amendment made in the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly (First Amendment) Act, 2002.

The grant of this Family Pension shall take effect from _____

There are no dues/dues recoverable from the pensioner on account of -

(a) Housing loan sanctioned Rs. _____

(Sanctioned Vide No. _____)

(1) Principal balance Rs. _____

(2) Interest balance Rs. _____

(3) Penal interest Rs. _____

Total Rs. _____

(b) Car advance sanctioned Rs. _____

(Sanction Vide No. _____)

(1) Principal balance Rs. _____

(2)	Interest balance	Rs. _____
(3)	Penal interest	Rs. _____
	Total	Rs. _____

The Family Pension herein sanctioned is payable at _____ Treasury and chargeable to :

- 2071 - Pension and Other Retirement Benefits
- 01 - Civil
- 111(1) - Pension to Legislators

Secretary,

Mizoram Legislative Assembly.

Memo No.LA/ESTT_____ Dated Aizawl, the _____

Copy to :-

1. The Director, Accounts & Treasuries, Aizawl.
2. The Treasury Officer, Aizawl 'S'.
3. Person concerned.
4. Guard File.

Secretary,

Mizoram Legislative Assembly.

State of the Mizoram Legislative Assembly Committees

The Mizoram Legislative Assembly does not have any boards, councils or any other bodies as its part for the purpose of its advice. It, however, has the following Committees comprising of Members Legislative Assembly.

A Financial Committee

1. Public Account Committee
2. Estimates Committee
3. Public Undertakings Committee

B General Committee

1. General Purposes Committee
2. House Committee
3. Rules Committee
4. Business Advisory Committee
5. Select Committee
6. Petitions Committee
7. Committee of Privileges.
8. Subordinate Legislative Committee
9. Government Assurances Committee
10. Committee on Papers Laid on the Table
11. Library Committee
12. Budget Committee
13. Ethic Committee

C Subject Committee I – V

The meetings of the above Committee are not open to the public and the Minutes of such meetings are not accessible for the public as mentioned in Rule 215 and 217 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly.

QUESTION OF PRIVILEGE

What is Parliamentary Privilege and its scope ?

In Parliamentary language, the term “Privilege” means certain rights and immunities enjoyed by the legislature and its Committees collectively, and by the members of the House individually without which they cannot discharge their functions efficiently and effectively. The object of Parliamentary Privilege is to safeguard the freedom, the authority and the dignity of the Legislature. They are enjoyed by individual members because the House cannot perform its functions without unimpeded use of the services of its members, and by the House for the protection of its members and the vindication of its all authority and dignity. But they are available to individual members only insofar as they are necessary for the House to perform its functions freely without any let or hindrance. They do not exempt the members from the obligations to the society which applied to other citizens. Privileges of the Legislatures do not place a member of Legislature on a footing different from that of an ordinary citizen in the matter of the application of laws, unless there are good and sufficient reason in the interest of Legislatures itself to do so.

Main Privileges of Legislature

2. Some of the more important privileges of the Legislature and of its members and Committees are freedom of speech in the House, immunity to a member from any proceedings in any court in respect of anything said or anything done or any vote given by him in the House or any Committee there of, immunity to a person from proceedings in any court in respect of the publication by or under the authority of the House of any report, paper, votes or proceedings, prohibition on the courts to inquire into proceedings of Legislatures and freedom from arrest of members in civil cases during the continuance of the session of the House and forty day before its commencement and forty days after its conclusion.

(The privilege of freedom from arrest does not extend to preventive arrest or detention under statutory authority by executive order and in criminal cases.)

Breach of Privilege

3. When any individual or authority disregards or attacks any of the privileges, rights and immunities, either of the members individually or of the House in its collective capacity, the offence is called a breach of privilege and is punishable by the House. Besides breaches of specific privileges, actions in the nature of offences against the authority or dignity of the House, such as disobedience to its legitimate orders or libels upon itself, its members or officers, are also punishable as contempt of the House.

Contempt of the House

4. Contempt of the House may be defined generally as “any act or omission which obstruct or impedes the House in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty or which has a tendency, directly or indirectly to produce such result”. Some of the important types of the contempt of the House are – speeches or writing reflecting on the House, its Committees or members; reflections on the character and impartiality of the Speaker in the discharge of his duty, publication of false or distorted report of the proceedings of the House;

publication of expunged proceedings of the House, molestation of members on account of their conduct in the House or obstructing members while in the performance of their duties as members or while on their way to or from, attending the House or a Committee thereof, offering bribes to members to influence them in their Parliamentary conduct, and intimidation of members in connection with their Parliamentary conduct.

Consent of Speaker necessary to raise a question of Privilege

5. A member may, with the consent of the Speaker, raise a question involving a breach of privilege or contempt either of a member or of the House or of a Committee thereof.

Notice of question of Privilege

6. A member wishing to raise a question of privilege has to give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question sought to be raised is based on a document, the notice should be accompanied by the document.

Conditions of Admissibility

7. Right to raise a question is governed by the following conditions, namely :-

- i) not more than one question should be raised at the same sitting;
- ii) the question should be restricted to a specific matter of recent occurrence;
- iii) the matter requires intervention of the House.

In giving his consent, the Speaker is guided by the above conditions of admissibility of question of privilege and the past precedents relevant to the matter.

8. On receipt of the notice the matter is considered by the Speaker who may either give or withhold his consent to the raising of the question of privilege in the House. The Speaker, however, before deciding whether the matter proposed to be raised as a question of privilege requires the intervention of the House and whether he should give his consent to the raising of the matter to the House, may give an opportunity to the person incriminated to explain his case to the Speaker. The member concerned is then informed of the Speaker's decision. After the decision of the Speaker that he has withheld his consent to the raising of the matter in the House is conveyed to the member, the member is not permitted to raise the matter in the House. However, if the member is not satisfied, he may see the Speaker in his Chamber to explain his case.

How to raise a question of privilege ?

9. If the Speaker has given his consent to the raising of a matter in the House as a question of privilege, the member who tabled the notice has, when called by the Speaker, to ask for leave of the House to raise the question of privilege. While asking for such leave, the member concerned is permitted to make only a short statement relevant to the question of privilege.

Leave to raise a question of privilege in the House can be asked for only by the member who has given notice of the question of privilege. He cannot authorize another member to do so on his behalf.

10. A question of privilege is accorded priority over other items in the List of Business. Accordingly, to raise a question of privilege is asked for after the questions and before other items in the List of Business are taken up.

Urgent matters requiring immediate intervention of the House may, however, be allowed by the Speaker to be raised at any time during the course of a sitting after the disposal of questions but such occasions are rare.

Consideration of a question of privilege

11. After leave is granted by the House for raising a question of privilege, the matter may either be considered and decided by the House itself, or it may be referred by the House, on a motion made by any member, to the Committee of Privileges for examination, investigation and report. The usual practice is, however, to refer the matter of complaint to the Committee of Privileges, and the House defers its judgement until the report of the Committee has been presented. However, in cases where the House finds that the matter is too trivial or that the offender has already tendered an adequate apology, the House itself disposes of the matter by deciding not to proceed further in the matter.

Reference to Committee of Privileges by Speaker

12. The Speaker is empowered to refer *suo moto*, any question of privilege or contempt to the Committee of Privileges for examination, investigation and report. In doing so, the Speaker need not bring the matter before the House for consideration and decision as to whether the matter be so referred to the Committee.

Power of Speaker to give Directions

13. The Speaker may issue such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privilege either in the Committee of Privileges or in the House.

(Question of Privilege are governed by Article 105 of the Constitution and Rules 164-188 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly)

Powers, Privileges and Immunities of Legislatures their Committees and Members

In the Parliamentary language the term privilege applies to certain rights and immunities enjoyed by the Legislatures and Committees collectively, and by members individually. The object of parliamentary privileges is to safeguard the freedom, the authority and dignity of the Legislature. Privileges are necessary for the proper exercise of the functions entrusted to the Legislatures by the Constitution. They are enjoyed by individual members because the House cannot perform its functions without unimpeded use of the services of its members. The foundation upon which they rest is the maintenance of the dignity and independence of the House and of its members.

In interpreting these privileges, therefore, regard must be had to the general principle that the privileges are granted to members in order that they may be able to perform their duties in the House without let or hindrance. They apply to individual members only in so far as they are necessary in order that the House may freely perform its functions.

Privileges of Legislature do not place a member of the Legislature on a footing different from that of an ordinary citizen in the matter of the application of laws, unless there are good and sufficient reasons in the interest of the Legislature itself to do so. The fundamental principle is that all citizens including members of Legislature have to be equally treated before the eye of law.

When any individual or authority disregards or attacks any of the privileges, right and immunities, either of the members individually or of the House in its collective capacity or of its Committees, the offence is termed a 'breach of privilege' and is punishable by the House.

The Powers, privileges and immunities to State Legislatures and of its members and Committees have been laid down in Article 194 of the Constitution as follows ;

(1) Subject to the provision of this Constitution and to the rules and standing orders regulating the procedure of the Legislature, there shall be freedom of speech in the Legislature of every State.

(2) No member of the Legislature of a State shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Legislature or any Committee thereof, and no person shall be so liable in respect of the publication by or under the authority of a House of such Legislature of any report, paper, votes or proceedings.

This immunity is complete and is based on the principle that it is of the essence of Parliamentary system of Government that people's representatives should be free to express themselves without fear of legal consequences. What they say is subject to the rules of Parliament, the control of proceedings by the Speaker; but Courts have no say in the matter. However this immunity does not extend to anything said or done outside the walls of the House or to questions which have been disallowed. But it cannot be Contended that in order to be protected under CL. (2), the offending words must have been relevant to the business of the House of Parliament or the State Legislature (as the case may be). Once it is proved that Parliament/Legislature was sitting and its business was being transacted, anything said during this course of that business is immune from proceedings in any court.

‘Proceedings’ at the end of CL. (2) include not only speeches, but also motions, questions etc. as form part of the proceedings of the House. But questions which are disallowed never form part of the proceedings.

The immunity under CL. (2) is confined to a publication by or under the authority of a House. A newspaper is not privileged under this clause even though its report is faithful, unless it is authorized by the House.

The House has an absolute privilege to prohibit the publication of its proceedings entirely or such part of proceedings as has been directed to be expunged. Such part of the proceedings as has been directed to be expunged does not form part of the proceedings of the House and a publication thereof without authority of the House Constitutes contempt.

(3) In other respects, the powers, privileges and immunities of a House of the Legislature of a State, and of the members and the Committees of a House of such Legislature by law, and, until so defined, shall be those of that House and of its members and Committees immediately before the coming into force of section 26 of the Constitution (Forty-fourth Amendment) Act 1978.

(4) The provision of clauses (1) (2) and (3) shall apply in relation to persons who by virtue of this Constitution have the right to speak in, and otherwise Constitution have the right to speak in, and otherwise to take part in the proceedings of, a House of the Legislature of a State of any Committee thereof as they apply in relation to members of that Legislature.

Privileges specified in the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly

Certain privileges are enshrined in the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly which are (a) right of the House to receive immediate information of the arrest, detention, conviction, imprisonment and release of a member, (b) exemption of a member from service of a legal process and arrest within the precincts of the House.

Rule 184 : Provides that when a member is arrested on a criminal charge from a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order the committing judge, magistrate or executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, detention or conviction, as the case may be as also the place of detention or imprisonment of the member in the appropriate form set out in the Third Schedule.

Rule 186 : As soon as may be the Speaker shall, after he has received communication referred to in Rule 184 read it out in the House if in Session, or if the House is not in Session, direct that it may be circulated for the information of the members.

Rule 187 : No arrest shall be made within the precincts of the House without obtaining the permission of the Speaker.

Rule 188 : A legal process, Civil or Criminal shall not be served within the precincts of the House without obtaining the permission of the Speaker.

Rule 178 : The House has power to inflict among others the following punishments.

- (1) Admonition
- (2) reprimand
- (3) imprisonment, for such term as may be decided by the House but it shall not extend beyond the prorogation or dissolution of the House whichever is earlier and
- (4) suspension or expulsion of a member for a period not exceeding 30 days or till prorogation or dissolution of the House whichever is earlier.

Rule 164 : A breach of privileges, either of a member of the House or of a Committee thereof, may, with the consent of the Speaker be brought to the notice of the House :-

- (1) by a complaint from a member;
- (2) by a petition; or
- (3) by a report from a committee;

Provided that if the breach is committed in the actual view of the House, the House may take action without complaint.

Rule 166 : The right to raise a question of privilege shall be governed by the following conditions :-

- (i) not more than one question shall be raised at the same sitting;
- (ii) the question shall be restricted to a specific matter of recent occurrence;
- (iii) the matter requires the intervention of the House.

SHORT NOTE ON COMMITTEE ON PRIVILEGES

At the commencement of a new House and thereafter from time to time the Speaker nominates a committee of privileges consisting of not more than seven members.

The Chairman has power to regulate the proceedings and deliberation of the Committees. If any procedural matter arises at the sittings of the Committee it is decided by the Chairman. If any doubt arises on any point or procedure or otherwise the Chairman may, if he thinks fit, refer the point to the Speaker for final decision.

The Speaker has power to give such directions as may be necessary for regulating the procedure in connection with all matters connected with the consideration of questions of privilege in the Committee.

Where a member of the Committee has a personal, pecuniary or direct interest in any matter which is to be considered by the Committee he has to state his interest therein to the Speaker through the Chairman of the Committee.

After the Speaker has considered the matter he gives his decision which is final.

The Committee of privileges examines every question of privilege referred to it and determined with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach, the circumstances leading to it and makes such recommendations as it may deem fit.

When a question of privilege is referred to the Committee by the House or by the Speaker, a memorandum on the subject is prepared by the Secretariat for the consideration of the Committee. The memorandum sets out briefly the point of privilege involved, the facts of the case, and the law, practice and precedence bearing on the question of privilege.

For a proper examination of the question of privilege involved, the Committee may bear the member who raised the question of privilege in the House, or permit him to explain his case in a written statement, or hear any other member of the House who may desire to place his views before the Committee on the question of Privilege under consideration, or decide not to hear him. Where the breach of privilege involved is that of a member of the House, the Committee may afford him an opportunity to explain his case before the Committee in a person.

The Committee of Privileges has the power to send for persons, paper and records. A witness may be summoned by an order signed by the Secretary to appear before the Committee and to produce documents as may be required for the use of the Committee.

It is the general practice for the Committee to give an opportunity to the person alleged to have committed a breach of privilege or contempt of the House, to submit his explanation to the Committee in writing, and/or in person. The Committee may administer oath or affirmation to a witness examined before it. Where the charge of a breach of privilege or contempt of the House is based on some of documents, the Committee may ask for the production of the document in original.

The Committee decides in each case whether the evidence – oral or written – given before it should be appended to its report. No minutes of dissent are appended to the reports, but the Committee may agree that it be mentioned in the minutes that a member expressed his dissent from its report of findings or recommendations. The Committee may also permit a note containing the views of a member on the matter being appended to its report.

After the report of the Committee has been presented to the House, the Chairman or any member of the Committee or any other member may move that the report be taken into consideration. After the report is taken into consideration the Chairman or any member of the Committee or any other member move that the House agrees or disagrees with amendments to the recommendations contained in the report.

The motion that the report of the Committee of Privileges be taken into consideration is given the same priority as is given to a question of privilege under rule 257 of the Rules of Procedure and Conduct of Business in Mizoram Legislative Assembly. Further action is taken in accordance with the decision of the House on the report of the Committee.

On the dissolution of the Legislative Assembly all questions of privilege pending consideration before the Committee lapse.

ASSEMBLY SECRETARIAT STAFF

Sl. No.	Name	Designation	Phone No.
1.			
2.			
3.	Ngurthanzuala Bethlehem	Secretary	9436142496
4.	Vanlalnghenga Electric Veng	Addl. Secretary	9436142506
5.	S.R. Zokhuma Zotlang	Joint Secretary	9436742507
6.	H. Lalrinawma Ramhlun North	Deputy Secretary	9436154599
7.	C. Lalbiakthanga Khatla	Deputy secretary	9862366114
8.	Rinpuii Venghlui	Deputy Secretary	9436152622
9.	Lalchhandami Ramhlun North	Editor of Debates	9862304002
10.	Lalramzauvi Ramhlun South	Under Secretary	9436365152
11.	Lalmahruaia Zote Chanmari	Under Secretary	9436142998
12.	Lalthanzama Chanmari	Under Secretary	9402112318
13.	Lalnunpuii Renthlei Tuikhuahtlang	Under Secretary	9436381574
14.	Vanlalthantlingi Ramhlun South	Under Secretary	9436353175
15.	Zothansanga Ralte Tuikhuahtlang	Committee Officer	9436142550
16.	Lalhmingthangi Shivajitila, Khatla	Superintendent	9436152340
17.	Lianchhumi Vaivakawn	Superintendent	9436361378
18.	K. Lalmuanthangi Chaltlang	Superintendent	9436360313
19.	Lalthangmawia Tuikhuahtlang	Committee Officer	9862361345
20.	Lalremsangi Bethlehem	Asst Editor of Debates	9862300261
21.	R. Laldingliana Bethlehem	Superintendent	9862303229
22.	R. Lalchhandami Khatla	Superintendent	9436146446
23.	Vanlalnghaka Tuikual	P.S. to Speaker	9436142720

24.	Lalrinawma Sailo Bethlehem	Committee Officer	8731966166
25.	Lalhmingmuani Khatla	Committee Officer	9856565947
26.	John Lalrinawma Bungkawn Vengthar	Committee Officer	9436140443

Assistant :

27.	Lalrindiki 9612715174/2343746 (R) Zarkawt	Assistant	
28.	C. Sangthuami Tuikual	Assistant	8794581294
29.	R. Lalmawia 9436197118/2348266 (R) Zarkawt	Assistant	
30.	Rohlupuii Hunthar	Assistant	9436362441
31.	C. Remsanga Ramhlun South	Assistant	9436196564
32.	J. Chawngnghinglova Tuikual North	Assistant	8575894736
33.	Rodingliani Zadeng Babutlang, Zarkawt	Assistant	9436152145
34.	Vanlalchhuanga Ramhlun North	Assistant	9862324059
35.	K.V. Ruala Chaltlang	Assistant	8014529376
36.	Lalchhanhimi Dawrpui Vengthar	Assistant	9862331463
37.	H. Laldingpuii Ramhlun South	Assistant	9436385085
38.	Vanlalnghaka Tuikhuahtlang	Assistant	9862533515
39.	Zochhuannnguri Khatla	Assistant	2333814
40.	Chawngthangi Ramhlun North	Assistant	8575670893
41.	H. Malsawmkimi Mission Veng	Assistant	9436153361
42.	R. Malsawmtluangi Electric Veng	Assistant	8794303051
43.	R.L. Rintluanga Electric Veng	P.S. to Dy. Speaker	9436159319

Translator :

44.	Lalramdinga Khatla	Translator	9436153351
45.	H. Biaklawma I.T.I.	Translator	9863222744
46.	Laltanpuii Kulikawn	Translator	9862356024

47.	M. Zothanpuii Tuikhuahtlang	Translator	9089527200
48.	H. Hmingthansangi Chawnpui	Translator	9862568182
49.	S. Saihlupaia Sailo Chhinga Veng	Translator	9436453941

Stenographer :

50.	Vanlalhruaii Ramhlun	Steno Grade-I	9612166280
51.	Mary Lalrozami Bawngkawn	Steno Grade-II	9436196783
52.	Zomuanpuii Chanmari	Steno Grade-II	9612216500
53.	Laltlanmawii Chaltlang	Steno Grade-II	8575329584
54.	R. Lalrindiki Khatla	Steno Grade-III	9612952185
55.	Hmingthanzami Khatla	Steno Grade-III	9436365395
56.	Lalrempuii Khatla	Steno Grade-III	8974054510
57.	Lalronungi Ramhlun North	Steno Grade-III	9856691284

U D C :

58.	T. Thangkhuma Venghlui	U.D.C.	9436365396
59.	K. Thanpari Ramhlun North	U.D.C.	9436196590
60.	Lalnunpuii Zarkawt, Mc. Hill	U.D.C.	9436195592
61.	Rokhumi Venglai	U.D.C.	9436159938
62.	F. Lalbiakdiki 9856858532/2328872 (R) E. Hebron	U.D.C.	
63.	F. Lalrinzuali Ramhlun Venglai	U.D.C.	9862300337
64.	Lalsangpuii Bawngkawn	U.D.C.	9862322758
65.	F. Lalthuami Venghnuai	U.D.C.	8974436280
66.	Thanhmingliani Mission Veng	U.D.C.	9436156030
67.	Kapzawna 9863071916/2305067 (R) Ramhlun Vengthar	U.D.C.	

68.	Miriam H. Lalpuii Ramhlun South	U.D.C.	9436146432
69.	K. Vanlalhlua Mission Veng	U.D.C.	9862883324
70.	Lalbiakltuangi Chaltlang	U.D.C.	9862300370
71.	Zawlmawii Tuikual	U.D.C.	9862364052
72.	Rodingliana Bungkawn	U.D.C.	9436198368
73.	Lallungmuani 9436196620/8974743364 Bethlehem	U.D.C.	
74.	H. Zochawiliani Durtlang	U.D.C.	9612178283
75.	T. Lalchualovi Khatla	U.D.C.	9436154996

L D C :

76.	Vanlalchhani Khatla	L.D.C.	9862335705
77.	C. Laltlanthangi Electric Veng	L.D.C.	9862958159
78.	Vanlalliani 9612173232/2310483 (R) Khatla	L.D.C.	
79.	Hnaitu Chozah Sectt. Complex	L.D.C.	8416097254
80.	Zothangliani Bethlehem	L.D.C.	9774914466
81.	Mariah Zoliani 9615452704/2301630 (R) Khatla	L.D.C.	
82.	Vanlalhruii Electric Veng	L.D.C.	9862332363
83.	Lalnuntluanga Complex	L.D.C.	9612937875
84.	Rohlupuii Ramhlun North	L.D.C.	9436196433
85.	Lalhmingmawii Selsa Electric Veng	L.D.C.	9856300316
86.	F. Lalthanzami Chaltlang	L.D.C.	9436159840
87.	H. Lalremruati Durtlang, Leitan	L.D.C.	9862379095
88.	Vanlalhruiia Sailo Bethlehem	L.D.C.	9862647479
89.	C. Laldinpuii Ramhlun North	L.D.C.	9436385407

90.	Hmingthansanga Saron Veng	L.D.C.	9862770665
91.	R. Zodinthanga Vaivakawn	L.D.C.	9862384567
92.	Ricky Lalsangzuala Chaltlang	L.D.C.	8014528470
93.	Brenda Lalnunpuii 9774332081/2343629 (R) Chaltlang	L.D.C.	

Operator :

94.	C. Lalnunmawia Chamnari West	Senior Operator	9436352287
95.	Thangnghinglova Ramhlun	Operator	9862303226
96.	Lalthantluanga 9436352520/2333957 (R) Bungkawn	Operator	
97.	C. Manliana Chawnpui	Marshall	9862310676

Driver :

98.	Lalrinmawia Chanmari West	Driver Grade-I	9862792453
99.	K. Lalsiama Tuikhuahtlang	Driver Grade-I	9856715634
100.	B. Thangchungnunga Armed Veng	Driver Grade-I	8575276155
101.	Lalengmawia Ramhlun	Driver Grade-I	8974743164
102.	K. Zahmingthanga Durtlang	Driver Grade-I	9612259288
103.	Rodingluaia Tuikhuahtlang	Driver Grade-I	9436190371
104.	Rokima Ralte Republic	Driver Grade-I	9862924073
105.	Vanlalhruaia Durtlang	Driver Grade-I	
106.	Chhunthuama Bethlehem	Driver Grade-I	9612568457
107.	Lalparvula Chanmari 'E'	Driver Grade-I	9862363622
108.	Vanlalnghaka Tuikhuahtlang	Driver Grade-II	8974670027
109.	Lalramchhana Tuikhuahtlang	Driver Grade-II	9089603101
110.	R. Hmingsanga Khatla	Driver Grade-II	9862378111
111.	Lalramchuana Electric Veng	Driver Grade-III	9089674605

112.	Lalthlamuana Khatla	Driver Grade-III	9862725119
113.	H. Rolianpuia Armed Veng 'N'	Driver/D.Rider G-III	9862859956
114.	Lalmalsawma Tuikual	Driver/D.Rider G-III	8413058612
115.	F. Vanlalhriatrenga Nursery	Driver/D.Rider G-III	9612083467
116.	P.C. Vanlalpeka Ramthar	Driver	9862366117
117.	Ziona Vaivakawn	Driver	9863223888
118.	Lalthansanga Dawrpui Vengthar	Driver	8575305215

Grade IV :

119.	Zamliani Chhing Veng	Peon	8974116272
120.	Lalengmawia Tlangnuam	Peon	9862126466
121.	Hmingthanzauva Bawngkawn	Peon	9862284514
122.	Zakiamlova Ramhlun Sports Complex	Peon	9862361982
123.	Lalzawngliana Tuikhuahtlang	Peon	9436776988
124.	Lalauva Kanan	Peon	9089847851
125.	Rinzamlova Zarkawt	Peon	9774143231
126.	Laltlanmawia Khatla	Peon	9862105224
127.	Lalrinzauva Bethlehem	Peon	9862175850
128.	Lalramthanga Kanan	Peon	
129.	Lalbiakthanga	Peon	9862864120
130.	Nar Bahadur Sunar Tuikual South	Peon	9862126808
131.	Kamzawngliana Saikhamakawn	Peon	8729986388
132.	Lallianthanga Vaivakawn	Library Attendant	9862370497
133.	Dengkima Model Veng	Peon	9862566029
134.	Lalhmunliana Khatla	Peon	9612465337
135.	Vanhnuna Ramthar North	Peon	8732079063
136.	Buanghmingthanga Bawngkawn	Peon	9862666896

137.	Vanlalmuana Zemabawk	Peon	9862752885
138.	Hrangliana Zemabawk	Peon	9862363099
139.	H. Thantluanga Tachhip	Peon	9862711975
140.	Zohmingthanga Khatla	Peon	9862076157
141.	F. Lalrova Bethlehem	Peon	9856589083
142.	R.C. Lalbiakzuala Ramhlun	Peon	9862343754
143.	Lalngaihzuala Bethlehem	Peon	
144.	Hmingthanpuia Laipuitlang	Peon	9436382786
145.	Lalthianghlimi Model Veng	Library Attendant	9612482638
146.	Rohlua Ramhlun North	Peon	
147.	Lalengzauva Ramthar North	Peon	9862558085
148.	Lalrinmawii Bethlehem	Peon	9856837071
149.	Lalnunsanga Durtlang	Peon	8014671179
150.	Lalremsanga Khatla	Peon	9862598900
151.	Lalthansangi Ramhlun	Peon	9774636069
152.	Lalnunsangi Ramhlun	Peon	9862344355
153.	Vanlalthliri Khatla	Peon	9612169586
154.	Zosanglura Khatla	Peon	9862267999
155.	H. Lalrinkimi Chamnari	Library Attendant	9863132102
156.	Laldinpuii Khatla	Peon	9774856043
157.	Vanlalpari Republic K.P.	Peon	9612790480
158.	H. Lawmkima Republic	Peon	9774031366
159.	Lalthianghlima Chawnpui	Peon	8974675438
160.	V. Laltlanchhuahi Tuikhuahtlang	Peon	986265847
161.	R. Lalrinsanga Durtlang	Peon	9774377699

162.	Rengthuama Melthum	Peon	9862888133
163.	Ngurzamlia Bethlehem	Peon	9612852371
164.	Lalnunpuia Salem Veng	Grade-IV	9856255676
165.	Kapsangi Model Veng	Grade-IV	9436353354
166.	Zohmingthanga Tuikual North	Grade-IV	8794302787
167.	R.D. Lalduhzuala Bethlehem	Grade-IV	9089531643
168.	Lianhmingthanga Ramthar North	Grade-IV	8974559424
169.	Lalengmawii Tlangnuam	Grade-IV	9862368614
170.	Peter Lalrindika Hlimen	Grade-IV	9862539137
171.	Lalengkima Ramhlun South	Grade-IV	9862142906
172.	Malsawmdawngliana Khatla	Grade-IV	9862538020
173.	Lalthanthuami Tuikual South	Grade-IV	9612621588
174.	Lalnunmawia Bethlehem	Grade-IV	9089602894
175.	K. Lalthantluanga Hunthar	Grade-IV	9612694658

Printing

176.	Ronald V.L. Chhuana Bethlehem	Machineman	9612178287
177.	Lalbelhiani Khatla	Compositor-III	9862382709
178.	Vanhmingthangi Khatla	Compositor-III	9862344356
179.	Lalduhsaki Salem Veng	Compositor-III	9436352241
180.	Zoramthanga Ramhlun	Bindery Assistant	8413897102
181.	Lalrinchhani Khatla	Bindery Assistant	9862385544
182.	Lalrinliana Mission Vengthlang	Bindery Assistant	9862887429

M.R.

183.	Prem Bahadur Zotlang	Lift Operator	9612080606
184.	Isaac Zothantluanga Chanmari West		9862944077

185.	Isaac Zothanpuia Kulikawn		9856693788
186.	K. Liansanga Bethlehem		9862546622
187.	R. Lalchhanhimi Ramthar North		9862914429
188.	Lalhriatpuii Bethlehem Vengthlang		9612367822
189.	Lalmachhuani Bawngkawn Chhim Veng		9862647551
190.	Lianhnuni Tuikual South		9862076197
191.	Zirsangzuala Bawngkawn Chhim Veng		9615690682
192.	K. Zaithansanga Zarkawt	Driver	9862340875

