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**MINISTER
SCHOOL EDUCATION
DEPARTMENT
GOVERNMENT OF MIZORAM**

MIZO LANGUAGE DEVELOPMENT BOARD BILL, 2022

**SCHOOL EDUCATION DEPARTMENT
GOVERNMENT OF MIZORAM**

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MIZO LANGUAGE DEVELOPMENT BOARD BILL 2022

A

BILL

To provide for establishment of Mizo Language Development Board to have absolute authority on the development, promotion, preservation and enrichment of Mizo Language and literature and to undertake any other matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of Mizoram in the Seventy Third year of the Republic of India as follows, namely :-

CHAPTER I

PRELIMINARY

- 1. Short title, extent and commencement**

- (1) This Act may be called Mizo Language Development Board Act, 2022
- (2) It shall extend to the whole of Mizoram.
- (3) It shall come into force on the date of publication in the Official Gazette.
- 2. Definition** -----
- In this Act, unless the context otherwise requires-
- (a) “Board” means the Mizo Language Development Board established under this Act;
- (b) “Central Rules” means the Central Civil Services (Classification, Control, and Appeal) Rules 1965, the Central Civil Services (Conduct) Rules 1972, the Central Civil Service (Temporary Service) Rules 1965 and the Fundamental Rules and the Subsidiary Rules and such other Rules of the Central and the State Government, as may be applicable to the employees of the Government of Mizoram;
- (c) “Chairman” means the Chairman of the Board;
- (d) “Controlling Authority” means any authority designated as Controlling Authority of the Board by the Government under sub-section (2) of Section 3;
- (e) “Government” means the Government of Mizoram;
- (f) “Secretary” means the Secretary of the Board.

CHAPTER II

- 3. Establishment -----**
- (1) On and from the commencement of this Act, the Government shall constitute an autonomous Board namely Mizo Language Development Board.
 - (2) The Secretary to the Government of Mizoram, School Education Department or such other authority as the Government may, by notification, empower shall be the controlling authority of the Board.
 - (3) The Board shall be a body corporate with perpetual succession and a common seal and shall have the power to acquire and hold any property, to enter into contract and to all other things necessary for the purpose of carrying out its duties and functions and shall, by the said corporate name, sue and be sued.
- 4. Constitution of the Board -----**
- (1) The Board shall consist of the following members:-
 - (a) The Chairman of the Board.
 - (b) The Secretary of the Board.
 - (c) The Chairman, Mizoram Board of School Education....Ex-officio.
 - (d) The Director, Art & Culture.....Ex-officio.
 - (e) The Director, SCERTEx-officio.
 - (f) Two members from the Mizo Academy of Letters.
 - (g) Two members from the Mizo Writers Association.
 - (h) One representative of Mizoram University.
 - (i) Two eminent persons.
 - (2) The Board shall have power to co-opt not more than two members from amongst distinguished educationists.
 - (3) The Board so constituted shall function as the Governing Body of the Board.
- 5. Term and tenure of office -----**
- (1) The term and tenure of office of the Chairman and all the nominated members shall be three years from the date of publication of the Notification:

Provided that the Government may, by notification, extend the term of office of all such members by a period not exceeding one year.
 - (2) Notwithstanding anything contained in sub-section (1), the term of office of out-going members shall be deemed to have been extended up to the date on which the newly nominated members are notified by the Government.

- 6. Resignation, removal of members and casual vacancy etc. ----**
- (1) A member of the Board, other than ex-officio members, may resign his/her seat by giving notice to the Chairman in writing, and such member shall be deemed to have vacated his seat from the date of acceptance of his resignation by the Chairman.
 - (2) Any nominated or co-opted member who remains absent for three consecutive meetings of the Board without permission of the Board, shall be deemed to have vacated his seat from the Board and the Government shall have the right to nominate a member to fill up such vacancy.
 - (3) In the event of casual vacancy occurring by resignation, removal, death or disqualification of members, such vacancy shall be filled by nomination or co-option, as the case may be, in the manner provided in section 4; and such member shall hold office for the unexpired portion of the term of office of the member in whose place he or she is nominated or co-opted.
- 7. Meeting of the Board -----**
- (1) The Board shall meet at least once in a year.
 - (2) The Secretary, at the instance of the Chairman, may at any time call regular or special meeting of the Board.
 - (3) The Secretary, with the consent of the Chairman upon the requisition by not less than one-third of the members of the Board excluding the ex-officio members, shall call a special meeting of the Board within 10 days from the date of the receipt of such requisition.
- 8. Quorum -----** Seven members of the Board present at the Meeting shall form a quorum of the Board meeting.

CHAPTER III

POWERS AND DUTIES OF THE BOARD

- 9. Powers and duties of the Board -----**
- The Board shall have the following powers and functions:
- (a) to work as an authority on the preservation, development and enrichment of Mizo Language;
 - (b) to publish books, journals and news letters on itself or through its agency;
 - (c) to award outstanding works on poetry, drama, novel and other creative works;
 - (d) to appoint experts, on payment of honorarium, to examine and comment upon a work assigned to them for the purpose and reason the Board may like to identify or notify;
 - (e) to hold festival of letters and music, to sponsor and organize seminars, symposium, debate, translation works on its own or through an agency or on joint basis at the headquarters or at other

places where the Board deems it suitable and beneficial;

- (f) to appoint and depute man of letters, prospective writers or a study team in and outside the country for a specific (or definite) purpose and time which the Board may deem fit;
- (g) to sponsor project works like standardizing the sound system of the Mizo language by assigning alphabet to a particular sound or modifying the orthographic system aided by tonal marks, to modify and reform mode of writing and punctuation;
- (h) to undertake research works helpful for the growth and development of Mizo language, literature and culture by producing Mizo encyclopedia, standard dictionary, descriptive grammar of Mizo tongue with scientific description of the language and such other related works;
- (i) to establish a specialized library of language and literature equipped with modern technique of audio and visual media for recording sound system and the movement of lips and tongue and such other necessary works;
- (j) to assist needy writers on its own or through an appropriate agency in fulfillment of the objectives of the Board;
- (k) to set up different committees or sub-committees and cells for publication, research and documentation, grammar and codifying, copyright and censorship, translation etc.

CHAPTER IV

Controlling Authority

10. Powers of Controlling Authority -----

- (1) The Controlling Authority shall have the right to address the Board with reference to any of the works done by the Board and to communicate his views on any matter with which the Board is concerned.
- (2) The Board shall report to the Controlling Authority such action, if any, as it proposes to take or has taken upon its communications when the Controlling Authority requires the Board to do any particular work done by it.
- (3) The Controlling Authority shall have the right to direct the Board on certain issues, if in the opinion of the Controlling Authority such direction is required and the Board shall have to comply with such direction.

- 11. Dissolution -----**
- (1) Notwithstanding anything contained in the Act, the Government shall have the power to dissolve the Board, if in its opinion the Board has persistently made defaults in the performance assigned to it by or under this Act.
 - (2) In the event of dissolution of the Board, all the members of the Board, and its committees and sub-committees including the Chairman shall cease to be members of the Board and shall be deemed to have vacated any of the offices of the Board held by them.
 - (3) The Government shall appoint the Chairman or administrator of the Board if and when the Board is dissolved under sub-section (2) of section 11 of the Act, provided a new Board shall be constituted within 4 months from the date of the dissolution of the Board.
 - (4) In consistence with the provision of the Act, the Government may issue direction as it may think fit and the Board shall comply with such directions.
 - (5) The Government may, by order in writing specifying the reason thereof, suspend the execution of the resolution or order of the Board, if the Government is of the opinion that such resolution, order or act is in excess of the power conferred upon by or under this Act.

CHAPTER V

OFFICERS OF THE BOARD, THEIR APPOINTEMENT, POWERS AND FUNCTIONS

- 12. Officers of the Board -----**
- The following shall be officers of the Board, namely:-
- (a) the Chairman
 - (b) the Secretary, and
 - (c) such other officers as may be declared by the Board to be the officers of the Board.
- 13. Appointment, qualifications, powers and functions of Chairman -----**
- (1) The Chairman shall be a whole-time officer appointed on contract basis by the Government on such terms and conditions as may be prescribed.
 - (2)
 - (a) To be the Chairman of the Board, a person must have at least a Master's Degree from any recognized Indian University with a minimum of 20 years experience in the field of education.
 - (b) The Chairman must be between 50 and 70 years of age, and the upper age limit may be extended by the Government in public interest.

- (3) The Chairman shall be appointed for a term of three years at the first instance. The Government may, however, extend the contract if mutually agreed upon for a specific period it may deem fit, but the term of the Chairman shall not be extended except under special circumstances:

Provided that the Government may, at any time, terminate the services of the Chairman if he functions in violation of the provisions of this Act or rules made thereunder.

- (4) The Chairman may resign his office by giving notice in writing to the Government.
- (5) It shall be the duty of the Chairman to see that the provision of this Act, the rules and the regulations made thereunder are faithfully observed and shall have all powers necessary for this purpose.
- (6) In case of emergency which, in the opinion of the Chairman, requires immediate attention and action, the Chairman, as he deems fit, shall take necessary action, and shall report his action to the Controlling Authority immediately and to the Board at its next meeting.
- (7) The expenditure of the Board shall be incurred in his name and he shall have the power to sanction expenditure as per rules.

14. Appointments, powers and functions of the Secretary -----

- (1) The Secretary shall be a whole-time officer of the Board and shall be appointed by the Government on such terms and conditions as may be prescribed.
- (2) The Secretary shall, subject to the control of the Board :-
- (a) be the administrative officer of the Board.
 - (b) be responsible to ensure that the order of the Board are carried out; and
 - (c) have the power to enter into contract for and on behalf of the Board.
- (3) The Secretary shall be responsible to ensure that all the funds of the Board are spent for the purpose for which they are granted.
- (4) The Secretary shall prepare the annual financial statement of the Board.
- (5) The Secretary shall exercise such other powers as may be prescribed by regulations.
- (6) The Secretary shall be responsible for keeping the minutes of the meeting of the Board.
- (7) The Secretary shall have the right to be present and to speak at the Board meeting but shall not have the right to vote.
- (8) All the action taken by the Secretary shall be subjected to the approval of the Chairman, and all the action taken between the two meetings of the Board shall be reported at the nearest next meeting of the Board for approval.

15. Powers of other officers -----

Other officers of the Board shall have powers and duties as may be prescribed by the rules of the Board.

- 16. Allowances etc. of members of the Boards, Committees and Sub Committees for attending at the Board Meeting etc. -----**
- Members of the Board or any Committee or Sub-Committee constituted under this Act but are not in the service of the Government, shall, in respect of expenses incurred by them for attending meeting of the Board, or of any such Committee or Sub-Committee, or in exercising any power or performing any duties conferred or imposed on them by or under this Act, be paid by the Board such allowances and as such rates as may be prescribed.
- 17. Powers of the Board to make regulations ---**
- (1) Except in the cases where the Government is empowered to make rules under this Act, the Board may make regulations for the purpose of carrying into effect the provision of this Act.
 - (2) In particular and without prejudice to generality of the foregoing power, such regulations may provide for all or any of the matters, namely:-
 - (a) laying down the procedure to be observed for conduct of its meeting;
 - (b) the constitution, power and duties of committee or sub-committees and such other body the Board may like to set up from time to time;
 - (c) the creation of post and appointment of employees of the Board and the condition of their services;
 - (d) the rates at which the Board shall pay allowance or honorarium to persons referred to in section 16; and other bodies or person the Board may like to set up or assign work or both in furtherance of this Act:

Provided that the regulations made by the Board or any amendment thereto shall not take effect until such regulation or amendment receive the approval of the Government.

CHAPTER VI

FINANCE AND AUDIT

- 18. Preparation, presentation and sanction of budget of the Board -----**
- (1) The Chairman shall place before the annual meeting of the Board, held in the year following the year in which it is established and before annual meeting thereafter, report on the working of the Board during the preceding financial year together with a budget estimate showing the anticipated income and expenditure of the Board during the financial year in which annual meeting is held.
 - (2) The budget estimate shall, after approval of the Board, be forwarded to the Government within such time as may be prescribed.
 - (3) The Government shall either accord its approval of the Budget estimate or return it to the Board with comments and suggestions, if any for resubmission.

- 19. Government Grant to the Board -----** The Government may, after considering the budget estimates of the Board and such other reports as it may call for, make such annual and periodical grants to it as may think fit.
- 20. Funds of the Board and use thereto --**
- (1) The Board shall constitute funds as under:-
 - (a) Reserve fund, named Mizo Language Development Board Reserve Fund.
 - (b) Grant in Aid (GIA) received from the Government.
 - (c) Operational fund named Mizo Language Development Board Operational Fund.
 - (2) Interest occurring on all money held in the funds under sub-section (1) shall be transferred to the operational fund annually and shall be considered as annual income of the Board and taken into account in the preparation of the Board's budget.
 - (3) All sums representing income from endowments or property owned or managed by the Board shall be deposited in the Operational fund.
 - (4) All money payable to the credit of the Board funds shall forthwith be deposited with any of the scheduled banks to the credit of the relevant funds and all cheques drawn on the funds shall be signed by the drawing and disbursing officer so appointed by the Secretary and be presented for encashment after obtaining the counter signature of the Chairman.
 - (5) No expenditure shall be incurred from the relevant fund of the Board except for the purpose as provided under this Act, unless such expenditure is provided for in the Budget approved under this Act or can be met by re-appropriation in the prescribed manner.
- 21. Audit of Accounts ----**
- (1) The accounts of the Board shall be examined and audited annually by an auditor appointed by the Government, besides audit by the Accountant General concerned as and when it so desires.
 - (2) The Secretary of the Board shall send a copy of the reports on account audited to the Government within three weeks after the completion of the audit.
 - (3) The Government shall take such action on the audit reports as it thinks fit.

CHAPTER VII

- 22. Transitional provision -----** Any matter required to be provided by regulations under this Act shall, until such regulations are made, be provided by rules under this Act.

CHAPTER VIII

- 23. Amendment of the Act and permanent dissolution ---** Amendment of this Act may be initiated by the Board and it may submit the same to the Government and the Government may direct the Board to initiate such amendment if and when necessary.

In the event of permanent dissolution of the Board, all the properties of the Board shall be inherited by the concerned Government department.

- 24. Power to make rules --**
- (1) The Government may make rules for carrying out the provision of this Act.
 - (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters namely :-
 - (a) the acquisition, possession and disposal of property by the Board, the condition of such acquisition, possession and disposal and the performance by the Board of any function referred to in sub-section (3) of section (3).
 - (b) Terms and conditions of appointment of the Chairman under section 13.
 - (c) Terms and conditions of appointment of the Secretary under section 14.
 - (d) the discipline relating to the officers and the staff of the Board; Provided that until such rules are made, the Board shall have the powers to adopt, extend and apply any Central or State rules to the employees of the Board as it may think fit;
 - (e) Allowances etc. of members of the Board, Committees and Sub-Committees for attending the Board Meeting etc.
 - (f) the form in which the budget estimate of the Board shall be prepared.
 - (g) Time period within which budget estimate after the approval of the Board may be forwarded to the Government under section 18.
 - (h) the manner in which all payments to and from the Funds shall be made.
 - (i) Any other matters required to be prescribed or provided or made by rules.

**25. Power to
remove
difficulties.**

- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.

- (2) Every order made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly.
