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Circulation Manager : L.D. Zauva

Office Address

Mizoram State Legal Services Authority
New Secretariat Complex,
Junior Judges Building
Khatla, Aizawl
Phone : 0389-2336621 Fax : 0389-2336619
Email : mizoramslsa@gmail.com

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Editor: Marli Vankung

Office Address:
Mizoram State Legal Services Authority
New Secretariat Complex,
Junior Judges Building
Khatla, Aizawl
Phone : 0389-2336621 Fax : 0389-2336619
Email : mizoramslsa@gmail.com

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Editorial:

DAN HMAN TANGKAI



Dr. HTC Lalrinchhana

Dan siamtu (Legislature) kan nei a, dan lekkawhtu leh inrelbawlna ataka chantir tu tur (Executive) kan nei bawk a, dan rorelna kengkawhtu tur (Judiciary) kan nei bawk. Chutihlain, ramchhunga dan kan neih tamtak te hi athat leh that loh pawh hriat loh khawp in atak takin kan kengkawh lo thin tih kan hria anga, enge achhan leh vang tih erawh in puhmawh tawn theih tak ani ang.

Mizoram kan tih taka hi Kumpinu awpna hnuaiiah pawh khan “Scheduled District” ah te, “Backward area” ah te leh “Excluded area” ah te hial dah alo ni tawh a, achhan chu kan hnam ze nun mawl leh ram dan ngaihsak lemlo tak avangin ramchhung dan tha tak takte hi kan millo tlata hriat vang ani.

India ram indan hnu-ah pawh abika enkawlina “Sixth Schedule” hnuaiiah te kan la awm leh ta zel anih kha. Tunah erawh kan nun leh hawiher, lekhathiamna leh eizawna thlengin alo danglam ta a, India ram mai nilo, rampawn lam nun leh khawsak dan thlengin kan chawlut ta. Kan dan neih that mek te hmang tangkai a, sorkar finchhuah leh dan rorelna “Court” lam thlenga ataka chantir tu tur chu ramchhung mipui te kan ni ta bera, kan ram dan leh hrai neihte belchianga, ataka chantir tur pawhin mawh kan phur vek tihna ani ta ber anih chu.

LEGAL ENVIRONMENT



*Lalhmachhuana
Conciliator, Lok Adalat
Chairman Central YMA, Legal Cell*

Min hualveltu hrang hrang tui, boruak, lei leh nungcha leh ramngawte vawnhim hi kan mawhphurhnaah siamtu in alo ruat a ni a. Amaherawhchu khawvel hmasawanna thangzel avangin a nih tur ang ni ta lovin harsatna kan siam ta zawk a, tunlaia problem lian tak Pollution Problem hi a lo chhuak ta a ni.

Khawvel sik leh sa leh boruak ramngaw leh nungchate chhe zel tur venna ah hian dan tam tak awm a. India ram ngei pawhin dan hmanga environment venhimna tha tak a nei a, chungte chu chipchiar tak leh a vai chuan sawi sen rual a ni lovang a, a tlangpui ngaih pawimawh zualte chauh han tarlan ka tum a, mithiam zawk ten an la belhchhah zel turah pawh beisei ila.

Environment venhimnaa dan leh hrai kan neihte hi chi thum (3) in a thenhran phawk theih a, chungte chu:-

(1) Constitutional Measures: India ram Dan pui Constitution Article 48A leh 51 A ah chuan environment chungchang tarlan a ni a. Kan Dan chungnung ber Constitution hi a ram mipui leh State ngei pawhin a zawm ngei tura duan a ni.

Article 48 A:- (Fundamental Duty of the State)

Article 48-a a landan danin State sawrkar hrang hrangin environment venghim tur leh siamtha turin mawhphurhna a nei a. tin, ramngaw leh nungchate him taka vengavawnghim turin hma a la ngei tur a ni.

Article 51 (A) (g) (Fundamental Duty of the Citizen):

Article 51 (A) (g)-a tarlan angin India ram mipuite mawhphurhna (duty) pawimawh tak chu kan chhehvel ramngaw leh nungcha, tui leh lei chunglangte venhim a ni. A venhim chauh ni lovin a siamtha tur pawhin theih tawkin hma kan la ngei tur a ni. A chungat arlan dan danpuiin a ram mipuite mawhphurhna a siam leh a tuk hi kan zawm gnei tur a ni a. Mahni kut zalin kan chhehvel tichhe zawngin tuman engmah kan ti thianga lo a ni.

(II) Statutory Measures:- Ram danpui duansa bakah ram hruaitu atana thlan chhauhten dan an siam thain a tul dan azirin an siam belh thei a (ram mipui leh ramin a mamawh dan a zirzelin) chung zinga environment venhim nana dan an siamte leh kan hman mekte chu, a pawimawh zual paruk lo tarlang ila.

- (1) Environment (Protection) Act. 1986
- (2) Air (Prevention and Control of Pollution) Act. 1981
- (3) Water (Prevention and Control of Pollution) Act. 1974
- (4) Wildlife (Protection) Act. 1972
- (5) The Indian Forest Act. 1927
- (6) The Forest Conservation Act. 1980

(III) Judicial Measures: India rama dan lama rorelna sang pahnih Supreme Court leh High Court te pawhin, Article 32 leh Article 226 hmangin Environment Pollution laka ram venhim a nih theih nan hma a la thei a. Hei hi ram mipui tupawhin, mipui vantlang hamthatna leh chhawr tangkai tur thil a nih chuan, P.I.L (Public Interest Litigation) an thehlut thei a, chumi atang chuan court-in chaktakin hma a la nghal thei a, tin, a tul a nih chuan order a chhuah nghal thei a ni. Article 32-na bik hi Supreme Court thuneihna a ni a, Article 226 hi High Court thuneihna a ni thung. Mipui vantlang aiawhin mi tupawhin rorelna sangah hian PIL an thehlut thei a, an thu thlen chu mipuiin an chhawr tangkai theih tur a ni. Environment venhim kawnga sawrkarin dan a siamte tawite tein han tarlang ila:-

Wildlife (Protection) Act. 1972:

Wildlife (Protection) Act 1972-a kan hmuh danin mi tupawhin ramsa leh nungchate thah leh tihnat phal a ni lova. Tin, phalna nei lo chuan khawi pawh phal a ni lo. Ramsa zawng zawngte hi sawrkar ta an nih avangin thuneihtute phalna lo chuan tihnat, tihhlum, awh leh man mai mai phal a nilo a ni. Nungcha han tih hian ramsa chi hrang hrangte, ke pali nei chite, bawkvaka kal chite, sava leh a note leh a tui te, khuai, sangha, phengphehleph leh tuia cheng chi kaikuang, chakai te chenin a huam tel a. Tin, hei bakah hian an chenna hmun ramngaw leh tuite a huap nghal vek a ni. **Section-39-na** ah chuan, eng ramsa leh sava pawh phalna nei lo chuan kawl leh neih leh tihhlum te, a tlaw chhar te, phal a ni lo. Tin, nungcha atanga lak - an vun, hmul, ki, etc.

leh tihhlum nana hmanrua hman, chung ti tu te chu an lirthei te chenin man theih a ni. **Section 48-na** ah chuan, tumahin eng nungcha mah an manin an hralh thiang lova, tin, an sa, vun, ki, hmul, etc. reng reng an neiin an hralh thiang hek lo.

Section - 50-na chuan **Dan bawhchhiate check leh man theihna dan tarlan a ni a.** Forest Officer, Police Officer, S.I chin chunglam ten mi tu hnen atang pawhin nungcha leh nungcha atanga lak, an sa, ki, vun, etc. leh thing leh thlai roh bikte an kawl nia rinhlelh chuan a check theiin an man thei bawk. Wildlife Warden te chuan dan bawhchhiate chhuichhuahna atan Search Warrant an pe thei a ni.

HREMNA:

Section - 51naah chuan, mi tupawh he dan (Art.) in a tarlan bawhchhetu chu dan bawhchhia an ni a, kum 3 thleng lung in tan emaw Rs. 25,000/- thleng chawi theihna leh a kawpin emaw hrem theih an ni. Tin, dan bawhchhiatna hi Sanctuary leh National Park huam chhungah a nih chuan kum 6 thleng tantir theih a ni bawk. Tin, nungcha hmanga dan lova sumdawngte chu kum khat aia tlem lo an tan theih bakah kum 7 thleng pawhsei theih a ni.

Court-a thu thlen dan: Section-55: Mi zawng zawngin nungcha humhalh dan hi bawhchhiat nia an hriat pawhin Court-ah thu an thlen mai thei lova, Central sawrkarin a ruat bikte chauhin an thlen thei a ni tih Wildlife (Protection) Act. 1972 hian a tarlang a ni.

COURT-A THU THLEN THEI TE:

- (a) Director, Wildlife Preservation emaw, Central sawrkarin a ruat bik officer.
- (b) Chief Wildlife Warden emaw, State sawrkarin Officer thuneihna a pekte.
- (c) Mimalin emaw pawlhoin emaw sawrkarin a ruat bik Officer te hnena an thlen hnuah pawh ni 60 ral hnuah pawh hmalak a nih lohin court-ah an thlen thei.

Section - 60:

Nungcha humhalhna dan bawhchhetu man chhuah nana tanpuitu mimal emaw, pawlho emaw te chu pawisa 20% Dan bawhchhetuin a chawi atangin thuneituten an pe thei a ni.

Ramsain pawl a khawih a zangnadawmna:

Mizoram State Notification No. C. 18013/2/9/FST The 19th September, 2002-a a landanin ramsain pawl a lo khawih chuan zangnadawmna sawrkarin a pe ang. Hetiangin:

**Ramsain pawl a khawih dan
Zangnadawmna pek theih zat**

- (1) Mihring thihna leh ramtuileilovah Rs. 1,00,000/- thleng
- (2) Hliam - Damdawia an inenkawlina man Reimburse theih a ni.
- (3) Mihring na taka hliam Rs. 33,000/- thleng
- (4) Buh kung dinglai suasam (Lo-ah) Rs. 2000/- thleng

Compensate dil dan:

Compensate dil duh chuan hengte hi hriat a ngai:-

- (1) Thihna/Hliam na takah: Postmortem report/medical report recognised Doctor hnen atanga lak tur.
- (2) R.O hnenah ransain pawih a khawih atanga ni 5 chhungin hriattir tur.
- (3) Pawikhawih a nih atanga thla khat chhungin DFO hnenah atanga form la chhuakin fill up a theluh tur.
- (4) Rs. 2000/- chinah DFO in thutlukna a siam thei ang a, Rs. 2000/- chin chunglamah Chief Wildlife Warden-in a siam thei ang.

Ramsa tihlum theih dan:

Ramsa reng reng mihring nunna atana hlauhawm leh buh leh bal tichhe zawnga che an nih chuan emaw, dam lo, dam khawchhuak zo dawn lova a lan chuan Chief Wildlife Warden emaw, a hnuaia officer sawrkarin thuneihna a pek ten tihlum phalna an pe thei a ni.

Forest Act, leh a kaihnawih te:

(I) The Indian Forest Act. 1972: He dan hi forest venhimna kawnga pawimawh leh sulsutu ani. Reserve Fores, Village Forest, Protected Forest te dan anga siam nan leh enkawl zui nan a tul a. Forest Officer te chu thuneihna pek an ni a, hetiangin:

- (a) Power of Civil Court
- (b) Search Warrant

(c) Inquiry lak theihna

(II) The Forest (Conservation) Act. 1980:

1. He dan hian ram chhunga forest tha tak awmsa, thil danga hman tura khawih danglam a nih loh dan a veng tlat a, loh theih loha thil danga hman a tul a nih pawhin state sawrkarin Ministry of E&F Govt. of India ah phalna a lak phawt a ngai a ni. Heng - Thingpui, Coffee, Spices, rubber, Palms, Oil plant leh Horticulture Crop leh medicinal Plants chin nan te pawh hian Natural Forest tichhe zawng ahmalak a khap tlat a ni.
2. Forest ram chhungah Pass emaw phalna emaw mimal pawl or agency hnenah a pe thiang lo a ni.
3. Thing nung, to sa te tirem/kit in thing dangte a phun tur a ni lo.

(III) The Air (Prevention and Control of Pollution) Act. 1981:

Industry lo pung zel leh Technology lo sang zel avang hian kan chenna boruak a chhe zel niin a lang a, chumi venghim tur leh industry ten meikhu an tihchhuah te mihring tana a hlauhawm thei vennan he dan hi duan a ni. He dan kengkawh tur hian Central leh State sawrkarah Pollution Control Board din tur a ni a, hma an la ngei tur a ni. Section 21-ah chuan industry eng pawh Air Pollution tichhe thei leh mihring tana hlauhawm khawp tichhuak a nih chuan an industry khar sak emaw, license cancelled sak emaw thlengin tan tir theih a ni bawk.

The Water (Prevention and Control of Pollution) Act. 1974:

He dan hi tui leh a kaihnawih - luipui, kawrte leh kan tui tlante tihbawlhhlawh a nih loh nana venghimtu a ni. He dan lekkawh tur hian Central Pollution Control Board emaw, State-ah chuan State Pollution Control Board te din a ni.

State Board emaw Central Board ten dan an siam te leh a kenkawhna kawnga harsatna siam emaw zawm lo emaw an awm a nih chuan Sec 41 (1) hmanga thla 3 thleng lung in tan leh cheng singkhat thleng chawitir theih an ni. Sec 40-48 ah chuan company emaw mimal emaw, tui leh tuihnar tibawlhhlawhtute chu pawisa a awm tawk chawitir bakah lung in tantir theih an nihna tarlan a ni.

Section 24-naah chuan mi tumahin lui tui leh tuikhur te tur hmangin an tibawlhhlawh tur a ni lo a, direct emaw indirect emaw pawhin an tibawlhhlawh tur a ni lo.

Section 25-naah chuan, luite leh tuihnar bul hnaiah industry din emaw, hnathwh emaw, chung luite tibawlhhlawh thei tur anga a lan chuan din phal a ni lo a ni. Tin, an thli chhia te pawh luiah chuan an luan luhtir mai tur a ni lo a ni.

Environmental Protection Act 1986:

He dan hi tunlai chuan environment venhimna lamah chuan hman lar tak a ni a, hei hian Water Act 1974 leh Air Act 1981 a kim tawk lote a rawn belhchhah a ni. Sec 3 (1) ah chuan Central government (Ministry of

E & F) chuan environment venhim leh quality siam thatna lamah hma chak takin a la thei ang tih a ni a, tin, a tul a nih chuan state sawrkar nen pawh hma lak ho theih a ni.

Prevention (a venhim lam):

Environment venhimna lam hawi he act-ina a tarlan chu Sec 7-9 (1), (3) ah te tarlan a ni a, mi tupawhin Environmental Pollution (bawlhhlawh) sawrkarin a bituk aia tam a tihchhuah emaw, a venhimna lama hma la lo a, mumal lo taka bawlhhlawh (tur) hlauhawm bikte a tichhuak emaw, a khawih emaw a nih chuan a mawhphurh a ni ang a, dan anga hrem theih a ni ang.

Control:

Section 10 (1) (2) (3) (4) ah chuan, industry te leh khawl hmanga hnathawhte boruak chia tichhuaka mipui vantlang tana harsatna thlen thei tur khawp an nih chuan sawrkarin a endik thei a, tin, a tul a nih chuan sample te lain Government Recognise Laboratory-ah an endik thei a ni.

Hremna:

Sawrkarin dan a siamte palzut emaw bawhchhia emaw, industry, mimal, pawl an awm a nih chuan hrem theih an ni a. sec 15 naah chuan kum 5 thleng lung in tan leh cheng nuai khat thleng a tam lamah a chawitir theih a ni.

Sec 16-na chuan company ten dan an bawhchhia a nih chuan a mawhphurtu tur chu company hotu Director emaw Secretary emaw an nih thu a tarlang a ni.

Sec 17-naah chuan sawrkar department environment venhimna dan palzutte chu a department head ten mawh an phur a ni tih a tarlang a ni.

National Forest Policy 1988:

Indian Forest Act 1972 Sec 3-20-ah chuan Reserved Forest siam chungchangah State Government-in thuneihna a neia, mipui vantlang tana tha tur a nih chuan ram awl chu Reserved Forest-ah a puang thei a ni.

1. Forest Land emaw, Waste land emaw sawrkar thuneihna phak chinah sawrkar chuan Reserved Forest a puang thei a ni.
2. A tul a nih chuan notification pawh a tichhuak thei a ni.
3. Tupawh, sawrkarin Reserved a puan chhunga mei tikang emaw, sa pel emaw, sangha hrai emaw, thang kam emaw an awm chuan dan anga hrem theih an ni.
4. Section 26-ah chuan tupawh quarry lo siama lung la emaw, Forest Reserved tiche zawnga thing lo kit emaw ran tlat tir nana a lo hmang emaw an awm a nih chuan lung in tan leh pawisa chawitir theih a ni.
5. Sawrkarin Reserved Forest ni lo sawrkar ram awl, venhim ngai zuala a ngaihte chu Protected forest-ah a puang thei a, Sec - 29-ah chuan, chung ram enkawl nan chuan a tul a nih chuan notification chhuahin rules te pawh a duang thei bawk a ni.

Consumer Huang

LPG CUSTOMER TE TIHTUR LEH MAWHPHURHNA TE
(Rights & Responsibilities of LPG Customers)



- *Lallunghnema*
Charity Lodge
MB - 9402321590

Kan nitin khawsak relna pawimawh ber zinga mi pakhat chu Cooking Gas hi a ni a, khawi kipah pawh hmuh turin Gas hi a awm zel ta mai bawk a. Mihring cheng zata chhut chuan India ramah hian Mizoram hi Gas hmang tam ber kan ni awm e. Mithiamte chhut dan chuan 85% velin Gas kan hmang mek a ni. Kan lo hriat ve mai mai atana tha chu Govt. Oil Company hian Gas bur khatah Rs 130/- zel a hloh tih hi a ni. Thil chhum nan chauh Domestic Cylinder te hi hman tur a nih laia hmun dang sumdawna hmun Restaurant leh Hotel-ah te hman a nih thin avangin Gas hi nasa takin kan indaih loh phah thin a. Gas Cylinder Rules-ah chuan heng Hotel-a Domestic Cylinder hman hi dan bawhchhiatna a ni a. A hmangtute chu hrem theih an ni.

Tunhma lam khan LPG Control Order leh Gas Distributor te kaihhruaina dan leh khuahkhirhna dan te ka ziaak nual tawh a. Tunah hian Customer te tihtur leh an mawhphurhna te kan sawi leh dawn a ni. Ngun takin

ilo zirho dawn teh ang. Hetiang hian zawhna leh chhanna angin kan inhrilhfhiah dawn a ni.

Zawhna = L.P.Gas hi enge ni?

Chhanna = L.P Gas chu Hydro-carbon chawhpawlh a ni a, Crude Oil, tuialthei ekchhia atanga siam chhuah a ni a, Butane leh Propane te chu Hydrocarbon bawlhlo te an ni. Gas kan tih tak composition hi a technical deuh avangin mipui nawlpui ina kan hriat a tul em em lem lo bawk a, hei bak chu kan sawi tui tam lo mai ang.

Zawhna = Engtingge Domestic Connection i neih theih ang?

Chhanna = Nangmahni bialtu Indane Distributir hnen atangin Domestic Connection i ti thei a, hengte hi khua leh tui dik i ni tih chian nan i neih a ngai bawk – 1. Ration Card, 2. Electric/ Tui bill pekna, 3. Voter I.D Card, 4. Local Council/ VC lehkha leh Passport size thlalak.Heng lehkha pawimawh i neih hnu hian i dilna form chu a tul ang ang i submit ang. Tin, Domestic Indane Connection i tih dawnin ISI mark Hotplate IS – 4246 inchhut kaina leh IS 10909 inziak Rubber tube i nei bawk tur a ni.

Hemi hnu hian Distributor te chuan in inah an rawn fit sak ang che. Tin, Security deposit hetiang hian tih tur a ni- Cylinder man Rs 500/- Pressure Regulator man Rs.

50/- i pe a nga, hei bakah hian Service charge engemaw neuh neuh a awm bawk anga, a vain Rs 700/- bak sen a ngai lo a ni. Hetianga kan tarlan kher nachhan hi Gas connection tihnaah hian mipui tam zawkin thil kan hriat chian loh em avangin Connection te hi cheng sangbi tak tak kan chawi thin a, hei hi Company dan piah lam niin a lang. Hotplate te hi ISI mark a nih phawt chuan khawi hmuna mi pawh I lei thei a ni. Tin, Gas bur (Cylinder) hi Company ta a ni kan tih tawh kha. Inlei saka hralh mai mai chi pawh a ni lo.

Zawhna = LPG Distributor Showroom/ Godown atanga Gas kan lak hian Rebate kan hmu thei em?

Chhanna = Thei e, Distributor te Showroom/Godown atang Gas i lak chuan bur 1-ah Rs.8 rebate i hmu tur a ni. Mahse, tunlai hi Mobile Distribution, veng chhunga Gas sem tih a nih avangin rebate hi kanti zen zen lo a ni.

Zawhna = Ka Regulator hi chhe ta se, entinng e ka tih ang?

Chhanna = I Pressure Regulator a chhiat chuan Distributor te hnenah i report anga, annin a thlawnin an lo thlak sak tur che a ni.

Zawhna = Cylinder Refill hi englai pawhin a tih theih em?

Chhanna = Gas hi a hman dan tur dik taka hman a nih chuan refill atanga ni 21 chhungin a lo refill

sak leh tur che a ni a, mahse, tunlaiin Gas a harsat avngin hetiang diak diak hian thil a tih theih loh thin a ni. Mizoramah hian ka hriat dan a sual loh chuan ni 15 chhungin refill phalsak kan ni awm e.

Zawhna = Indane Connection transfer dan min hrihlh thei em?

Chhanna = Connection transfer i duh chuan i awmna tur a tanga hnai berah hengte hi i tih fel hnuin Distributor hnenah i thehlut tur a ni.

(1) Transfer Termination Voucher

(2) Gas Cylinder ruak leh Regulator

(3) Subscription Voucher

Heta kan hriat tur chu Consumer dik tak chauhin Gas hi an hman loh chuan engemaw harsatna awm thulah buaina a awm thin a. Tin, Cylinder hi bungraw dang anga hralh chhawn mai mai chi a nil ova, company ta liau liau a ni tih i hria ang u.

Zawhna = Engtingge Domestic LPG hi kan enkawl ang?

Chhanna = Mei chhemna hmun hnaivaiah Gas chhit loh tur a ni. Khawnvartui leh bati te hi Gas bul hnaiah dah loh tur. Gas Cylinder aia sangah Gas thuk hi hun tur ani. Gas hi boruak pangngai aia a rih zawk avangin Gas put chhuak a awm chuan lei charah Cylinder kha dah tur a ni. Chutiang tak chuan choka

khawngkhar te chu englai pawhin hawn reng tur a ni.

- (1) Eirawngbawl zawh hnu apiangin Gas thuk tihfai ziah thin ang che.
- (2) Puanchhe hnawng deuh hlekin rubber tube te chu tihfai thin ang che. Rubber tube chu khi a awm leh awm loh endik fo thin ang che.
- (3) Fimkhur thu hlaah burner kuate chu enfiah thin ang che.
- (4) Remchem avanga Gas a zawh leh zawh loh fiah nana Gas bur a letling zawnga khai leh hunsawn hunsawn hi chin loh tur a ni. Cylinder valve te, cap te leh seal te uluk taka endik thin tur a ni.

Zawhna = Ka Gas Connection hi midang hnenah ka pe (transfer) thei ang em?

Chhanna = Thihna avang chauh lo chuan connection hi tu hnenah mah pek phal a ni lo a. A neitu a lo thih hlah chuan a rokhawmtu in Gas connection chu a rochun ve nghal mai tur a ni.

Zawhna = Gas chhiat laia invenna tha ber enge ni?

Chhanna = Gas i chhit laiin Apron hmang ziah thin rawh. Synthetic leh nylon lam chi puante hi kangmei an duh bik avangin heng ang chite hi hman loh hram tur a ni. Tin, Gas I hman loh apiangin Regulator atangin off ziah thin

ang che. Gas thuk bulah puan zar suh. Gas I hman lain in turverh khar ang che. Gas chhit nan chuan Gas lighter aiin nawalh hman a him zawk.

Zawhna = Motor Car atana LPG Cylinder hman hi a tha em?

Chhanna = Motor Car atana LPG Cylinder hman hi thil sual a ni a, hei mai bakah motor chhunga awmte tan leh a vela kea kalte tan a hlauhawm em em a ni. Gas Cylinder vawnhim thua kan hriat tur chu Gas hian hun a heh lova, pawisa a heh lo bawka, I thil chum lain burner te zawk hmang la, I thil chum a so tawh chuan Gas chu herhte thin ang che.

Hei le, Gas chungchang hi tun hnaiah ka ziaak zing ta malh malh hle mai a, mi thenkhat tan leh keima tan tak pawh ninawm a tling ve thei mai awm e. Chuvangin, Consumer te chanvo leh tul dang hun dangah chuan kan ziaak taw hang. Tin, he thu ka ziaak lai ngei pawh hian thian thenkhat phone call ka dawng a, Gas black-a hralh ruk chungchang an vei thu leh man chhuahte hrem an nih loh fo chungchang leh sorkar thuneitute hmalakna an duh khawp loh zia minrawn hrilh mawlh mawlh mai a. Ni e, Sorkar hian Gas hralhru tute leh thildang bawhchhetute chu dim miah lova a hremna a chelek hi kan dan tlanna tur a ni pakhat reng a ni.

Ref: A.K Kalita, Chief LPG Manager

*IOC Ltd. (AOD) Seminar Paper at Consumer Convention
Aizawl, Mizoram*

PUBLIC INTEREST LITIGATION



*Laldinpuia Tlau
Secretary,
Saiha District Legal Services Authority*

Mi rethei leh mi mawl zawkte tan pheichham ni hial awm a mawi, PIL hi India rama ching chhuaktu chu, a hming phuah chaih lo mah se, judge lar, Supreme Court judge pawh lo ni tawh, Justice Krishna Iyer nia ngaih a ni. A tilar zuitu pawh amah leh Justice P.N Bhagwati te an ni nghe nghe.

PIL awmzia hi khawiah mah hrilhfiahna fumfe a awm lo. A ngial a nganin han hrilhfiah tai la.

| | | |
|------------|---|------------------------|
| Public | - | Vantlang/ ram |
| Interest | - | Hamthatna/ that tlanna |
| Litigation | - | Dilna |

Vantlang thatna tura thubuai putluh tihna a ni thei awm e.

PIL huam chin – Court-ah hian thubuai put luh dan kawngkal awmsa a awm a. Chu inhungbikna bang chu chhu chhiain hetiang hian court-ah PIL a put luh theih.

- (1) Dinmun tleua ding, court thleng pha lote dilna chu India Dan bupui chang 32 leh 226-na hmangin pawm theih a ni.

- (2) Vantlang tana pawimawh tak tak, fundamental rights venhimna te, sawrkar hnathawk dan chungchangah te.
- (3) Mi tam tak chung a rorelna dik lo a thlenin.
- (4) Mi rethei te, ngaihsak hlawh lo te, lehkhathiam lo leh rualbanlote harsatna enfiah nan.
- (5) Mimal hamthatna tur leh inkhinna chu pawm theih a ni lo.

Heti hian a sawi theih bawh awm e, dilna chu mi tam tak huapzo niin, a tuartute chu khawtlanga humhalh ngai bik (disadvantaged section), heng hmeichhia, naupang, chhawrluih adt. ten an siamtute rahbehna lak atanga humhalh nan, democracy thianghlimna veng turin, sawrkar hmalaknain khuarel chung a nghawng tha lo a neih dawnin.

PIL hman theihna- A chung a mi nen khian a inzui viau naa, a hranin han sawi ila.

1. Pollution (tui, boruak adt. bawlhhlawh zel tur ven nan).
2. A firfiaka chetna
3. Kawngpui himna.
4. Mihring dikna chanvo (Basic human right)
5. Sawrkar hmalakna (Content or Conduct of Govt. Policy)
6. Khawpui inrelbawlna (municipal duties) leh
7. Dikna Bulpui dang bawhchhiatna (violation of other fundamental rights) ah te thehluh theih a ni.

Thehlut theite - Tun hma chuan, mahni leh thian hnaivaite dikna (interest) humhalh nan chauh a thehlut thei a. Hei hi tizau tawhin, vantlang thatna duhtu apiang tan thehluk theih a nit a. Midang tan malsawmna ni turin PIL hmangin ke a pen theih ta a ni. Entirnan, Aizawl pa pawh Mizoram khawthlang lama kawngpui siam chhe lutuk chungchangah a zualko theih daih.

Eng lakah - PIL ni tur chuan dilna chu vantlang huap ani tur a ni a. Mimal thil chu PIL a tling lo. Chuvang chuan, PIL chu mimal lakah thehluk theih a ni lo a, sawrkar laipui emaw, state sawrkar emaw, tualchung sawrkar emaw leh sawrkar-a thuneitute emaw lakah chauh thehluk theih a ni. Sawrkar din thuneitu khin tel a nih erawh chuan mimal (private pary) pawh khin theih a ni a, private party chauh erawh khin theih a ni lo.

Khawiah - PIL ngaihtuah theitu chu Supreme Court leh High Court chauh a ni a. Supreme Court leh High Court thuneihna inthliar dan hi khawiah mah ziah a nih loh avangin an thuneihna pawh a inang a ni. A thu azir chuan thehlukna tur chu langsa a awm thei bawkan. India danpui kaihhnawihte chu Supreme Court ngaihtuah deuh bik tur pawh ani awm e.

A thehluk dan - Hun rei tak chhung chu Court te hian lehkha tluang pangngai leh post card te pawh PIL atan a pawm mai a. Mahse mipuite pawhin a awlsamna chu hmang sualin court a tibuai ta zek a. Tunah chuan PIL reng reng chuan a nih dan chiang takin a sawi ang a, a hmanhmawh tlak dan pawh a tilang ang a. Chutah

chuan court-in pawm tur a nih leh nih loh a endik tawh thin dawn a ni.

Supreme Court hi a fimkhur hle a. PIL hi ralthuam hriam tak leh thil mawi tak ni mah se, a phenah mimal hlawkna leh phuba lakna remchang awm thei a ni a, fimkhur tawpkhawka kalpui tur a ni a, PIL hmang tute chu rilru thianghlim leh kut fai, ngaihtuah hmasa zet hnua lokal an ni tur a ni a ti.

Court pawhin

- (a) Dilna siamtu tihtakzetna
- (b) An thusawi nihphung leh dikzia
- (c) An thusawi chiang lo leh fiah lo a lo endik phawt thin tur a ni.

A nazawnga PIL thehlut mai mai hi hremna nasa tak awm theih a ni thung a. Mi pakhat chuan India hnam hlapui atanga Sindh paih rawtna a theh lut a, rilru thianghlim lo pu leh hnam inpumkhatna tichhe zawnga hmala nia thiam loh chan tir niin PIL thehluttu chu hrem a ni.

Kawng hmang thenkhat - Court kalphung phelh dul hi a tum pakhat a ni. Justice Bhagwati chuan S.P Gupta vs Union of India chuangchang a ngaihtuah laiin '*Rorelna kalpui dan (Procedure) hi rorelna dik kutke (handmaiden) chu a ni ngei a, mahse kalpui dan kikawi vel hian rorelna dik a dal tur a ni lo*' a ti a. Chuvang chuan thubuai thehluh dan ang diak diaka kal a tul lem lo.

PIL reng reng chu Writ Petition anga file tur a ni a. Writ Petition hi PIL nen a danglam hretna chu, a tuartu/ nghawngte chauhin an thehlut thei a.

High Court-ah chuan Copy hnih siam tur a ni a. Copy hmasa siamin an khingpuite pek a, an pe ngei a ni tih finfiahna kha petition-ah chuan tihlan tur a ni.

Supreme Court-ah chuan panga siam tur a ni a. Hriattirna pek hunah chauh an khingpuite chu a copy pek tur a ni a. Respondent khat zelah Rs. 50 a ni ang.

Court thubuai dang angin a kawng a zawh ang a. Chutih mek lai chuan, court-in tha a tih chuan puhna endik turin Commissioner a ruat ang a. An khin ten chhanna a pek leta, a khingtuin a chhan let ve leh hnuah final hearing a awm ang.

Writ Petition thenkhat pawh vantlang khawih nia court-in a hriat chuan PIL anga ngaih theih a ni ang, thuneitute tih tur ngenna felfai a keng nghal thin tur a ni.

A tihlawhtlinna - PIL hi kawng tam taka bawhzui leh tihlawhtlin theih a ni.

- 1. Hmalakna lailawk** - Thu tawp siam hmaa hmalakna lailawk ang hi; Entirna thenkhat han sawi ila, lung in tang rei tawh, a chungchang la rel fel si lo chhuah lai lawk, thilsiamna khar tir lailawk. Supreme Court –a PIL tam ber hi hetiang chinfel rih hi a ni.
- 2. Committee din** – Thil awmdan zir chianga a hmuh dan theh lut turin Committee/ Commissioner din theih a ni a. Chu thuneitu chu a lungawi lote

dawngsawnga ching fel nghal turin thuneihna pek theih a ni.

- 3. *Thu tawp siam*** – An khinte tih tur kawh hmuhin thu tawp a siam theih a. A tlangpuiin a tihhlawhtlin hun tur bithliah a awm thin.

A tangkaina –

Mi rethei leh dan lama hriatna nei lote humhalhtu a ni.

Court inkhinna senso tam tak a tul lo.

Court kalna nei lo tan pawh dikna hmunah remchang a ni.

Thubuai tam tak tur a veng.

Thuneihna hman sual tur a veng.

SEPERATION OF JUDICIARY

Mizoramah separation of Judiciary hi kan la hriat chian lutuk loh avangin tlemin han sawi zau ila. Mi nawlpui hriatthiam dan chu – thhuchhe remtute dah hran tih hi a ni mai awm e. A inngahna chu , ‘*Nemo judex in causa sua*’/ ‘*Nemo debet esse judex in propia causa*, a sap tawngin ‘no man shall be a judge in his own cause’, a Mizotawngin, mi tumah amah thil tih vek endiktuah a tang tur a ni lo tihna a ni.

Hman lai chuan lal leh an khawnbawl upate khan thuneihna pathum – dan siam, dan kenkawh leh dan bawhchhiate chungchang rel sak hi an pumhmawm vek thin a. Hei hi a that lohzia leh thuneihna hman sual a hlauhawmzia chu mi fing hmasa Aristotle, John Bodin, Locke etc. te khan an sawi fiah thin a. Chiang kekkawk

leh awmze nei takin French mi fing Montesquieu chuan a lehkhabu *Espirit des Lois* (The Spirit of the Law) –ah chuan a rawn ziak ta a.

He ngaihdan hian ram a la duai duai a. India danpui siam a lo nih pawh khan a tulzia leh thatzia, mahse a harsatzia hre chung bawkin hemi chunghcang hi India Danpui Art. 50-ah chuan ti hian *‘State chuan vantlang rawngbawlna kawngah executive atangin Judiciarychu la hrang turin hma a la ang’* tiin a lo indah a. hei hi kaihhruaina a nih miau angain state te chuan, state hrang hrangte chu zawm turin a lo hraittir tawh thin.

Mizoram sawrkar pawhin Separation of Judiciary chungchang hi ni 1.8.1983 ah ngaihtuah lehin, hmasawna kawng khat atan court building hran neih a rel thlu a.

Ni 16.1.2006 ah Council of Minister chuan khatih laia Aizawl District bikah dahhran a remti a. Chutih lai chuan Supreme Court chuan India hmarchhak zawng zawngah a nihna dik taka kalpui turin hriattirna a chhuah bawk a. 21.2.2005 –a Cabinet meeting chuan Autonomous District Council te huam loin Mizoram puma hman a lo remti ta a. Mahse NGO’s lamin ‘kan la inpeih lo e’ a tih avangin a reh leh vang vang a. Hemi hma deuh hian Supreme Court chuan ni 17.1.2005 khan Mizoram, Meghalaya, Nagaland te chu nei ngei turin a rawn hriattir a.

Hun a inher zel a, chung lam atanga nawrna leh hmasawn duhna thinlung avangin Judicial District chu Civil leh Criminal atan siam a ni a. Inrelbawlna atana

ram bial then (administrative district_) chu pariat a ni a. Mahse Judicial District-a then a ni. June ni 2. 2008-a Cabinet thukhawm chuan Separation of Judiciary chu Mizoram pum, Autonomous District huama neih a rem ti a. Chu chu Separation of Judiciary bul tan ni ani ta a.

Ngun taka kan chhiar chuan, Executive atanga Judiciary dah hranna tur hi vantlang rawngbawlnaah tih a ni a. Chuti anih chuan, executive leh judiciary awmzia kan hriat a tul a.

Executive - Dan leh ram hmasawanna tura ruahmanna awmte kengkawhtute an ni a. State sawrkarna chelhtute leh sawrkar hnathawkte hi an ni ber. State sawrkar hotu lu ber chu Govenor a ni a, sawrkar siamtu leh neitu ber chu Chief Minister a ni a, sawrkar hnathawk lal ber chu Chief Secretary a ni thung.

Judiciary - Thubuai remtu (court). Thubuai rem bakah hian dan thar siam thei leh dan awmsaa fiah lo lai hrilhfiaktu a ni.

Uluk taka kan chhiar chuan, executive laka judiciary lak hran a nihna tur chu a kip a kawiah ni loin, vantlang rawngbawlna kawngah chauh tih kan hre thei ang.

A awmze tlangpui chu :-

1. A hran hlaka Criminal Court leh Civil Court din.
2. Heng Court pahnihte chung a thuneihna hi High Court kuta dah a ni.
3. Court chi hniha thubuai remtute leh thawktu dangte chu court sang zawk enkawlna hnuaiah dah

a ni. Judicial Officer-te thawhna hmun siam sak (posting), sawn (transfer), chawlh lailawk tie (Suspension), kaisanna (promotion) adt. chu High Court kutah a awm.

4. Judicial Magistrate te chu High Court enkawlina leh thununna hnuaiah an thawk a, Anmahni neitu leh hlawh petu chu state sawrkar a ni tih erawh theihngihl lo ila. Executive Magistrate te chuan State sawrkar thununna hnuaiah an thawk thung.

Heti zawng hian han sawi thung ila.

- a) Mizoramah chuan MJS-te chauhin Court-a thubuai an rem thei.
- b) MJS te hi sawrkar hmalakna hrang hrang. NLUP, NREGS, Cencus, Election adt.-ah chhawr theih an ni ta lo. Kawng lehlama sawi chuan, hmasawanna tur sum thahnem tak chu MJS kutah dah a ni ve ta lo.
- c) HC phalna la hmasa loin official committee-ah an tel ve thei lo. Function/ Meeting chu thil hran a ni.
- d) Court sang zawkte hi court hniam zawk rorel (judicial work)-ah a inrawlh ngai lo. Zualkona (Appeal)/ ennawn (revision) dilna an dawn erawh chuan, ngun takin court hniam zawk thutlukna chu a lo en tha thin.

Kaisara thil chu Kaisara hnenah tih angin, court rorelna chu Judicial mite hnenah chauh a awm ta a. Separation of Judiciary thatna ber chu, danin a sawi ang taka dik taka rorel turin, Judicial Officer tan

Ministry/ Official, Party Worker leh Court sang zawk hlauh/ mitmei ven tur a awm lo.

COURT KALHMANG

Court hnathawh ber chu Justice pek chhuah a ni. Justice chu Mizotawngin ‘rorelna dik’ tiin kan dah. Dan mit atanga rorelna dik awmzia chu *dan ang taka rorelna* hi a ni.

Mizoram tana court kan neih leh san dan indawtte.

Supreme Court : India rama Court sang ber a ni.

High Court : State pakhata court sang ber a ni. India hmarchhak state 7 chuan Gauhati High Court kan la intawm

CIVIL COURT

District Judge : Inkhinna hlut lam nuai hnih chung lam zawng khawihtu. High Court thuneihna khum loin a huam chhunga Civil Court chunga thuneitu ber a ni.

Addl. District Judge: District Judge nen an thuneihna a inang.

Senior Civil Judge : Inkhinna hlut lam nuai hnih chung lam zawng khawihtu (District Judge, Addl. District Judge, Senior Civil Judge te thuneihna hi inang a ang viau awm e; mahse, a inang lem lo. Chipchiarin kan ziak hman lo ni mai se)

Civil Judge : In khinna hlut zawng nuai hnih hnuai lam a rel thei.

Code of Civil Procedure Sec – 15-ah chuan thubuai reng reng a ngaihtuah theitu court hniam ber zelah thehluh tur a ni tih a inziak.

Criminal Court

Criminal Law-in a tum ber chu misual laka khawtlang ven leh misual hren hi a ni. Chronicles 6:23 *‘mi sual chu a sual mana thiam loh chantirin, mifel chu a fel mana thiam chantirin a chhiahhlawhte rorelsak ang che’* tih hian a kaww fuh ber awm e. Indian Penal Code, Code of Criminal Procedure leh Law of Evidence bute hi India rama Criminal law te an ni.

Sessions Judge : Dan bawhchhiatna engpawh a khawihin hremna a pe thei a, thi tura chungthu a rel erawh High Court nemngheh a ngai.

Addl. Sessions Judge : Sessions Judge nen an thuneihna a inang.

Chief Judl. Magistrate : Kum sarikh thleng lung in a tan tir thei.

Judl. Magistrate 1st Class : Kum thun thleng lung in tan tir leh cheng 10,000 thleng a chawi tir thei.

Criminal Court hi sawrkar dan bawhchhiate hremna hmun a nih miau avangin thil tisuala puhte leh

tuartu inkhinna a ni lo a. Sawrkar leh thiltisuala puhte inkhinna a ni zawk.

Dik taka rorel turin lungthu pathum a awm

Court : Dan ang taka rorelna. Dan a chelek hmain finfiahna a nei phawt thin.

Prosecution : J.F Laldailova siam English- Lushai Dictionary-ah chuan procecution chu hekna, khinna a ti a. Thubuai kalpui tihna a ni thei awm e. Sawrkar aiawha thubuai kalpuite hi public prosecutor an ni. Sawrkar ukil awm lohnaah chuan police, inspector aia hniam lo ruat theih a ni. Civil Case-ah chuan Government Advocate tih a nit hung. Sawrkar hna thenkhat ang bawkin Addl.PP/ GA te, Asst. PP/GA te pwh an awm.

Defence : Thubuai neite chu sualna an nei lo, vur angin an var e titu lam an ni a. Ukilte hi thubuai neiten an ruai mai a. Ruai thei lo khawpa a retheih chuan sawrkarin a rawih sak thin. A chang chuan sawrkar mi rawih ve vete an inhnial bap bap thin a nih chu.

Civil Court and Criminal Court danglamna

- 1) Civil Court chu mimal chanvo leh dikna humhalhna hmun a ni a. Criminal Court chu sawrkar dan bawhchhiate hremna a ni.
- 2) Civil Court-ah chuan thiam lo zawkin a thiam zawk dilna a tihhlawhtlin sak a. Criminal Court-ah

chuan thubai neia puh chu thiam loh chan tir a nih chuan pawisa chhawitir emaw lungin tan tir emaw a pahnih emaw hmanga hrem a ni.

- 3) Civil Court-ah chaun sawrkarin senso a nei lo a, inkhinna senso zawng zawng hi a inkhingen an tum vek a. Criminal Court-a thubuai kalpuina senso zawng zawng chu sawrkar tum a ni a tih theih awm e.
- 4) Civil Court-ah chuan court fee tih loh chu sawrkarin chan let a nei lem lo a. Criminal Court-a thiam loh chan tir chu pawisa chawi tir a nih chuan sawrkar chhiahah a lut vek ang. A tuartuin chan let a nei lem lo, zangnadawmna ang erawh chuan thil tisualtu chawi chu a chang thei tho. Pawisa/bungrua hmuh let leh erawh a neitu dik tak hnenah pek let thin a ni.
- 5) Civil Court-a thubuai chu Civil Procedure Code sawi anga kalpui ani a, Criminal Court-a thubuai chu Code of Criminal Procedurer sawi anga kalpui a nit hung.
- 6) Salmond-a chuan 'civil proceeding-in a tum ber chu dikna tundin a ni a, criminal-in a tum ber chu thil ti sual hrem a ni' a ti.

Kunga chuan Thanga bumina cheng sing khat a hman sak a. Civil Court-a an inkhinga, Thanga a chak chuan Kunga'n cheng sing khat (a tul chuan a pung nen) a pe let vek nag. Criminal Court-a thiam loh chan tir anih erawh chuan Kunga chu lungin tan tire maw,

pawisa chawi tir emaw a pahnih emaw hmanga hrem tur a ni a. Thanga chuan chan a nei lem lo ang.

District Council hnuaiia court inkhaichhawn dan

District Council Court : Heta lalber chu Court President a ni a, Judicial Officer dangin an pui.

Subordinate District Council Court : Heta roreltu chu Magistrate a ni.

Village Court : C lampum hi Council tihna chauh ni lovin Court a ni tel tih hria ila.

Tun hmaa Mizo District Council kha nuaibo ni tawh mah se, District Council Court hi chu ala awm zel a. Amaherawhchu, titawp tura hmalak mek ani. Hengn – Mara Autonomous District Council, Lai Autonomous District Council leh Chakma Autonomous District Council hnuaiiah te chuan hna pawimawh tak an la thawk reng a. Civil Court leh Criminal Court te nen khian, indipdal loin, mahni hna ve ve thawkin thubuai chinfel hna a thawk thin.

He court hian Civil leh Criminal thubuai, Hnam dan angin tlang mi leh tlang mi inkarah ro a rel ber. Tribal leh Tribal ni lo inkhinna leh sawrkar khinna an khawih thei lo.

Service matter chu Constitution Court-in a khawih thin a. Mizoramah Administrative Tribunal kan neih ve loh avangin High Court leh Supreme Court chauhin an khawih thin.

THIAMTHU



*K.L.Liana,
26-3-2013*

Mizo tawngin Thiamthu sawina hun pek, ti ta ila, a dik mai ang chu maw, Sap tawng chuan Natural Justice Principle an ti a ni awm e. Hemi awmzia nita chu mi insawifiahna emaw thiamthu sawina hun emaw pe lova thiam loh chantir ngawt loh tur, tihna a ni ber mai. Hei hi a pawimawh em em a, court lamah pawh ngaih pawimawh a ni a, sawrkkar Dept pawhin a ngai pawimawh a, kohhran leh pawl tinreng mai tan hian a pawimawh vek a ni ber.

Eden Huan atanga intan daih tawh kha a ni nghe nghe a. Pathian khan kha huana thei awm zawng zawng, an duh leh an it apiang kha ei a phal a. Mahse thing pakhat chauh, a chhia leh a tha hriatna thing rah erawh chu ei a khap thung a ni. Chu huanah chuan Nunna Thing pawh a awm bawk a, mahse le, kan thlahtute khan vanneih thlak kan ti dawn nge vanduai thlak kan ti zawk dawn, an ei lo hlauh mai a, lo ei hman se chuan an thi thei lo vang a, keini an thlah kal zelte nen lam hian kan thi dawn lo pawh a ni mahna.

Khatia an bawhchhiat hnu khan Pathian chuan chu Nunna Thing rah chu an ei hlauh palh ang a, kumkhuain an dam mai ang tih a hlau a, chuvang chuan

Cherup mei-khandaih vir tawn zawk zawk a ventir kha a ni a, itin ei duh mah se, an tan tihngaihna a awm lo.

Tichuan le, Adam te nupa chuan Lalpa khap theirah ngei mai chu an han en a, ei chakawm mit la tak a ni, tih an hmu a, an ei ta. An mit a lo var a, saruaka awm an ni tih an inhria a, an zak a, theipui hnah siam chawp hmangin an zahmawh an khuh ta. Hetah hian thil mak leh danglam tak pakhat a awm, chu chu hei hi a ni. Kha thei an ei hma khan an mit reng a del lo, ngaiteh, a del hauh lo mai. A del loh avang tak reng chuan kha theirah pawh kha ei itawm leh mit la tak a ni, tih chu an hmuh atangin an hria a, chumi avanga lova ei an ni reng bawk. Mahse an ei khan an mit a lo var ta a, tih ziak a ni tlat. Tisa mit, mim thei, khap thei hi chu a ni lo tih zawng a chiang reng mai. Helai chang hi chu a thlarau lam thil a, mahse chu chu kan sawi tur erawh a ni si lo.

Tichuan Pathian lei leh van, ni leh thla leh arsi zawng zawng, engkim siamtu chuan hriat loh reng khawvelah a nei lo va, vanah pawh chutiang tho chu a ni ang. Adama te khan an ei a ni, tih chu a hre em em. E khai, theirah ei ka khap kha in ei ta si a, chuvang chuan huan atang hian chhuak ula, rim takin in ei tur zawngin thlan tla zawih zawihin in thawk tawh ang, ti ta sela, tunge Lalpa rorelna chu a dik lo a ni, ti thei awm ang le?

Mahse ani chuan a ti lo. An tisuala a thu an awih lo a ni, tih pawh hre reng mah sela, thiamthu sawina hun pe loin an chungah ro a rel mai ngawt lo va, hremna dan chu a lek kawh ngawt hek lo. Eden huana a zu tlai leng chuan, Adam khawngge i awm? Saruakin i awm a ni tih tuin nge hrilh che? Theirah kha i ei a ni maw? Tiin

thiamthu sawina hun leh anmahni insawifiahna turin hun a pe a nih chu. An tisuah tih hrereng chungin thiamthu sawina hun a pek chuan a rorelna felzia chu nasa takin a tilang a. Adama pawh chuan thiamthu a han sawi ta reng a nih kha. Mahse ka ei lo, i hre suah palh a ni ang, chu a ti ngam lo, mawhpuh tur erawh chu a hmai bik lo, a nupui Evi chu a han kawh ta mai a nih kha.

Evi pawh chuan mawhpurthu tur dang a lo nei ve tho mai, rul kha a han puh ve ta zeh mai a. Hei hian mi thiamthu sawina hun pe lova an chungah rorelna lek kawh ngawt leh hremna pek mai ringawt chu a dik tawh lohzia chu a tilang a, Lalpan bul a lo tan tawh chu nakin hun lo kal zel tur atana amahin a anpui ngeia a siam mihringte zingah rorelna dik leh fel a awm theihna turin entawn atan bul a lo tan a, a lung a lo phum tihna a nih chu. Chu thil pawimawh inngahna tlak chu khawvel rorelna court pawh hian a hre chiang em em a, churang chuan mi thiamthu sawina hun pe loin an chungah rorelna a lek ngawt ngai lo va, thiam loh lah a chantir ngawt ngai hek lo. Amaherawhchu thiamthu sawina hun pe chung pawhin miin engmah an sawi loha an ngawih reng thung erawh chuan thiamthu sawi tur an nei lo tihna a kawh thung thin.

Police-ten rukrua puhin mi an man a, court-ah an thlen a, mahse kha rukru nia an puha kha thiamthu sawina hun pe loin court chuan thiam loh a chantir mai lo. An puhna lehkha zawng zawng te, thuhretute thusawi an ziah zawng zawng te, engkim mai kha misuala an puh hnenah khan a copy Cr PC an tih mai chang 207 angin

an pe vek tur a nih chu. Chutiang thil dik lo tak tia an puhna leh a finfiahna nia an ngaih zawng zawngte chu a copy an pek hnu chuan an puh atan pawh engtia chhan tur nge ni ang, tih kha a lo hre thei dawn ta a, thiamthu sawina hun tha leh zau tawk pek a ni ta tihna a lo ni e. Hei hi Eden atanga Lalpan kan inghahna tura a lung lo phum sa tawh kha a ni.

Court tan chang a ni lo ve, pawl thil leh sawrkar, kohhran thleng mai hian a pawimawhna chu a danglam chuang lo. Tun hma deuh chuan nu nau chhan em em mai an awm thin a, a tlangpui thuin thingtlang lamah a ni duh fo va. Naupang an tap a, a engamah hmian a veltu han hau ta hrep mai emaw han vel ve nghal mai emaw an awm chawk thin. Chutianga naupang tapa puitling an inrawlh avang chuan lehlam nu leh pate an lo lungawi bik lo va, naupang vangin puitling an inhau a, thinrim khawpin an awm fo thin. Chutianga an thinrim chhungin a naupangte erawh rilru thianghlim tak puin an lo lungawi tawh a, hlim takin an lo inkawm a, an inkhualtelem a, naupang an inkawm ngeih leh tawh hnu thlengin a puitlinga zawk la thinrim ta an awm thin. Enge a chhan? Eng dang vang a ni lo va, a chungka kan sawi thiamthu sawina hun a veltu an pek loh vang mai a ni e.

Naupang chu lungchhe takin a lo tap hawng a, chumi khami chuan min vel, a ti a, a veltu a tih chu va hauha va velh ve ngawt chuan buaina dang a thlen a, tehna dik lah a ni hek lo. Mahse thiamthu sawina hun pek tur a ni zawk a. Engtiziaa lo vel mai nge maw i nih le, tia zawh tur a ni a. Chutianga thiamthu sawina hun pek a nih takah chuan a veltu chuan a han sawi ve ta a, a

tapa zawk kha a lo thiam i khaw lo mai ni reng chuan, velh awm tak leh velh ngei chi hi a lo ni zawk daih thei a, a sual zawka kha mi dang thiamthu sawina hun pek loh avangin a fel zawk emaw tih palh a awl a, chu chu thil dik a ni ngai lo vang.

Pawl thilah reng reng pawh, mite chung a hremna emaw eng emaw tih a nih dawn chuan thil dik lo tia puhnaah khan thiamthu sawina hun pek ngei ngei tur a ni a, pe loin a chungah rorel ngawt tur a ni lo. An puhnate chu a lo dik a nih chuan a phutawh hremna pek ngei tur pawh a ni ang, mahse dawt leh dik lo taka puh pawh a lo ni ve thei tho tih erawh hriat a tha awm e. He natural Justice Principle an tih mai hi a pawimawha a tul thin avangin keini pawhin kan hriatreng fo a tul a, Lalpan kan entawn leh inghahna tura a lungphum pensana thil tih hi a fuh ngai lo va, a dik hek lo a ni, tih hi hre tawh mah ila i hre nawn fo ang u.

LEGAL AWARENESS A RAWTNA THENKHAT TE

***(Zawhna leh rawtna dang te pawh Issue dangah tih
chhuah zel tum a ni)***

1. Awareness Campaign hi mipui a tam thei ang berin an ngaihthlak theih nan hei aia uar zawka hmalak theih nise a lawmawm hlein ka ring.

= ***A theih ang anga hma lak mek zel a ni e.***

2. Fimkhur ngai lai a awm a, a chhan chu Domestic Violence kan thlur lutuk chuan hmeichhiate an pawngpawrh dawn tlatin a lang.

= ***Hmeichhia te hi humhalh ngai zawk a ni a, a enkawltu mipa te hian enkawl dan kan thiam chuan pawng pawrh lo turah ngai ang hmiang.***

3. Thingtlang hmun kilkhawr zawkte tan leh tlema khaw lian ve deuh te tan Legal Clinic zau zawka hawn belh zel nise, mi harsa leh kilkhawr zawka awmte leh district kawpui emaw pan kher lova awlsam zawka mipuiin an harsatna an chinfele theih nan.

= ***Hemi ti tur hian hmalak mek zel a ni.***

4. Court thuremna hi tunai hian chhuak hma thin se.

= ***Court lam thil a ni a, duh angin thil a kal zung zung theilo a ni***

5. Customary Law hi hmasawmna kal zel mila her rem leh siam danglam theih a nih chuan siam danglam nise. A chhan chu Hmeichhe fa leh mipa fa chanvo inan tlan theih dan zawngin. Entir nan : Fapa nei lo fanu chauh nei te, Ro kawm dan chungchangah

= ***Hmanlai atang kan pi leh pu ten an lo chindan a ni a, tun lai mila kan her rem chuan Customary Law a ni thei dawn em ni?***

6. Pawlsual hremna hi a nep deuh em aw.

= ***Court thuremna ah chuan damchhung tang (life imprisonment) tur a an tih hian a tlangpuiin kum 20 te a ni a, Judge thutlukna avangte, an nungchang leh chhandang engemaw vang in kum 20 tlinglo te an tang thin a, amaherawhchu, pawngsual case ah bik hi chuan damchhung tang tur a tih an nih chuan an damchhung kha a ni tawh mai a ni. Chhan dang enge maw vanga chhuah leh ingaihnathiam theih a ni lo. Hemi bakah hian hremna na zawk pawh Central Sawrkar hian a buaipui mek niin a lang.***

7. Hun thawl zawka neih a chakawm; Nasa zawka thingtlangah neih nise.

= ***Hun leh sumte kan neihdan azirin State leh District Legal Services Authority te pawhin a buaipui mek zel a ni.***

8. Dan chungchang Booklet ang tal tih chhuah nise.

= ***Legal Awareness Campaign, Street leh House to House Campaign ah te sem zel a ni. Tin, Dan leh Hrai te pawh Mizoram State Legal Services Authority in a chhuah a, a thlawna lak theih a ni a, a la duh tan Phone No: 0389-2336621 ah phone call in emaw 9436353232 ah SMS in emaw : Hming, Address kimchanga hriattir theih a ni.***

9. Media lamah uar zawka neih nise.

= ***Theih ang tawka tih zel tum mek a ni.***

CRIMINAL LAW (AMENDMENT) ACT 2013



T . Lalnunsiana,
Advocate

Thuhma:

Kan hriat theuh angin December 16, 2012 khan Delhi khawpuiah Medical College zirlai kum 23 mi chu rawng taka pawngsual rawn a ni a, chu thil thleng chuan hmeichhiate chung a nunrawna leh tharum thawhna thleng thin tihtawp a nih theih nana hmalakna kawngah harh tharna nasa tak mai India ram pumah a rawn thlen a. Sawrkar laipui pawhin rang takin December 22, 2012 khan hmeichhe chung a mipat hmeichhiatna lam hawi pawikhawihna chungchanga ‘dan’ kan neih mekte zir chiang tur leh a tul anga dan siam tha tura sawrkara rawtna thlen turin Chief Justice of India hlui J.S. Verma kaihhruainain Committee a din a, chu Committee chuan January 23, 2013 khan sawrkarah Report a thehlut a ni. Sawrkar laipuia Cabinet Minister thukhawm chuan Verma Committee rawtna zulzuiin February 1, 2013 khan dan siam thatna (Criminal Law Amendment Ordinance) chu a pawmpui a, chu dan thar chu Pu Pranab Mukherjee, India ram President chuan February 3, 2013 khan tichhuakin dan thar, Criminal Law Amendment Ordinance chu neih a ni ta a; chu Ordinance chu April 4, 2013 thlenga hman tura tih a ni. Chutih mek laiin chu Ordinance zulzui chuan Criminal Law (Amendment) Bill, 2013 chu Parliament-ah put luh a ni a, Lok Sabha chuan

March 19, 2013 khan chu bill chu passed in Rajya Sabha pawhin March 21, 2013 khan a passed ve leh bawk. India ram President chuan chu dan thar chu April 2, 2013 khan a pawmpui ve leh ta bawk a, chumi ni vek chuan Gazette of India-ah tihchhuah nghal a ni [*vide* No. 17 New Delhi, Tuesday, April 2, 2013/ Chaitra 12, 1935(Saka)] chutichuan hmeichhiate chung a mipat hmeichhiatna lam hawi zawnga hleilenna thleng thin ven leh tihtawp a nih theihna turin kan dan hman mek chu siam that a lo ni ta a ni. Chu dan thar chu ‘Anti-Rape Laws’ tia sawi a ni bawk a, Cr. PC, IPC leh Indian Evidence Act hnuaia hmeichhiate chung a hleilenna thleng thin leh a kaihhnawih dan leh hraite a siam tha a, Protection of Children From Sexual Offences Act, 2012 chu chhete a siam tha hlek bawk.

Code of Criminal Procedure 1973 (Cr. PC) siam that a ni

(1) Criminal Law (Amendment) Act, 2013 ang chuan hmeichhe zahawmna tibawrhbang zawnga mipat hmeichhiatna lam hawi tharum thawhna thleng reng reng chu a tuartuin Police hnenah a report a nih chuan hmeichhe Police-in a lo dawngsawngin pawikhawihna thleng chu a lo ziak chhawng (record) ang. Amaherawhchu, a tuartu hmeichhia chu a tawhsual tawhna avang chuan a taksa lamah emaw, a rilru lamah emaw hliam a tuar a nih chuan Police Officer chuan hmeichhe chenna Inah emaw, a tuartu tana hmun remchangah chuan a va pan chilh zawk tur a ni a, tawhsual tawktuin thil awm dan Police hnena a report lai chuan an kiangah tawng lettu emaw, thiamna bik nei

(Special Educator) a awm ve tur a ni. Tin, chutianga thu an inzawh fiah lai chu video-a a thla lak bawk tur a ni. [Amendment of Section 154 of Cr. PC & Section 161 of Cr. PC]

(2) Thuhretute thu zawh fiah an tul a nih pawhin kum 15 la tling lo te leh kum 65 pel tawh te, hmeichhiate leh rilru leh taksaa rualbanlohna nei te chu Police chuan an chenna Inah an pan zawk tur a ni [Amendment of Section 160 of Cr. PC].

(3) Magistrate-te pawhin hmeichhe zahawmna tibawrhbang zawnga tharum thawhna a thlen chuan a tuartute thu leh hla (statement) chu a rang thei ang berin an ziaak chhawng (record) vat thin ang [Insertion of Sub-section (5A) in Section 164 of Cr. PC].

(4) Hmeichhia kum 18 la tling lo, pawngsual tawk emaw, mipat hmeichhiatna lam hawi zawnga tawhsual tawk chuan a thu leh hlate Court-a a thlen laiin pawikhawihtu (accused) nen hmaichhana an inhmuh (confront) loh nan ruahmanna siam tur a ni [Insertion of Proviso in Section 273 of Cr. PC].

(5) Thubuai ngaihtuah a nih reng rengin chhan tha tak a awm a nih loh chuan witness-te thu zawh fiah kim an nih hma chuan ni tin thubuai chu ngaihtuah chhunzawm tur a ni ang. Amaherawhchu, thubuai chu pawngsual kaihhnawih thubuai a nih erawh chuan Police-te chhuina lehkha (Chargesheet) Court-a thehluh a nih atanga thla hnih chhungin thubuai chu chin fel tum hram tur a ni ang [Amendment of Sub-Section (1) of Section 309 Cr. PC].

(6) Acid theh tuartute leh pawngsual tawkte chu rang takin damdawiinah enkawl na pek nghal vat tur a ni a, damdawiin hi sawrkar enkawl a ni emaw, mi mal ta emaw pawh ni se chutiang tawhsual tawktute chu a thlaw nin enkawl na an pe ngei ngei tur a ni [Insertion of Section 357C of Cr. PC].

Indian Penal Code 1860 (IPC) siam that a ni

(1) Hliampui tawrh theih phah hialna tur nia langah chuan acid theh tumtu thihna hial thlen khawpin miin mahni inven theihna dikna chanvo (right of private defence) a nei [Insertion of new para in Section 100 of IPC].

(2) Sawrkar hnathawk, thubu ai chhuinaa a tel ve a tul hun pawha thupek zawm lo va thuneitute tanpui duh hauh lo te, hmeichhe pawngsual leh an zahawmna tihbawrhanna lam pawikhawina thleng chungchanga a hnena thu thehluh lo dawngsawng duh lo te chu thla 6 atanga kum 2 thleng hrehawm taka tantir a, pawisa chawitir baw k tur an ni [Insertion of Section 166A of IPC].

(3) Acid theh tuartute leh pawngsual tawkte Cr. PC Section 357C in a sawi anga rang tak leh a thlaw na lo enkawl duh lo chu sawrkar damdawiin a ni emaw, mi mal damdawiin emaw pawh ni se chu damdawiina hotu lu ber chu kum khat tantir emaw, pawisa chawitir emaw, a pahnih emawa hrem kawp theih a ni [Insertion of Section 166B of IPC].

(4) Hre reng chung a mi dang taksa tichhe tur leh tihmelhem tura Acid hmanga thehtu chu kum 10 aia tlem lo, dam chhung lung in tan thlenga hremna pek theih a

ni a, pawisa chawitir bawk tur a ni. He a pawisa chawi hi a pawikhawih tuartu inenkawlna daih zan tur a ni ang a, pawisa hi a tuartu hnenah pek vek tur a ni ang [Insertion of Section 326A]. Mi dang chhiatna tura Acid theh tumtu pawh kum 5 aia tlem lo, kum 7 thlen lung in tantir theih a ni a, pawisa chawitir bawk tur a ni [Insertion of Section 326B].

(5) Hmeichhiate zahawmna tichhe thei tura kut thawhtu chu kum khat aia tlem lo, kum 5 thleng tantir theih a ni a, pawisa chawitir bawk tur a ni [Amendment of Section 354].

(6) **Sexual harassment awmzia** [Insertion of Section 354A]: Sexual harassment chu:-

- i. Mipat hmeichhiatna lam hawi zawnga taksa inkhawih emaw,
- ii. Mipat hmeichhiatna hmang tura inthlem leh insawm emaw,
- iii. Hmeichhe duh lo chung thlalak dukdaklo inentir emaw,
- iv. Mipat hmeichhiatna lam hawi zawnga tawngkam hman emaw.

A chung a tarlan pakhatna, pahnihna leh pathumna te khi miin a ti (commit)a nih chuan kum 3 thleng tantir theih a ni a, pawisa chawitir emaw, a pahnih emawa hrem kawp theih a ni bawk. A palina khi miin a ti (commit) a nih chuan kum khat thleng tantir emaw, pawisa chawi emaw, a pahnih emawa hrem kawp theih a ni.

(7) Mipa tu pawh, hmeichhiate thawmhnaw hlihsak zawnga kut thawhtu emaw, chutianga titute lo puibawmtu (abettor) chu kum 3 aia tlem lo, kum 7 thleng tantir theih a ni a, pawisa chawitir bawk tur a ni [Insertion of Section 354B].

(8) Mipa tu pawh, hmeichhia saruak emaw, kekawrte leh kawr hnuai nen chauha a a awm lai lo bihthla emaw, thla lo laksak emaw hi 'voyeurism' an ti a, chutiang chu miin a lo ti a nih chuan a vawi khat tihnaah kum khat aia tlem lo, kum 3 thleng tantira hrem theih a ni a, pawisa chawitir bawk tur a ni. A vawihnihnaah phei chuan kum 3 aia tlem lo, kum 7 thleng tantir leh pawisa chawia hrem theih a ni. Hei hian hmeichhe inbual lai bihthlak te, pindana an inthlak lai leh zunram an thiar lai bihthlak te, mipat hmeichhياتna (sex) an hmang lai bihthlakte a huam [Insertion of Section 354C].

(9) Hmeichhe zui ruk te, min hnarin min duh lo a ni tih hre reng chung a um zuia talh mai te, internet leh phone hmangtea zar buai reng mai te hi 'stalking' an ti a, chutiang titu chu a hrem vawi khatnaah kum 3 thleng tantir leh pawisa chawitir theih a ni a, a vawi hnihnaah phei chuan kum 5 thleng tantir a, pawisa chawitir bawk tur a ni [Insertion of Section 354D].

(10) Mite tihchhiat (exploitation) tum ran chung a hna lak (recruit), thawm (transport), chhawr, sawn kual leh dawn sawn te hi phal a ni lo va. Chutiang chu miin vau-thaihna emaw, tharum leh tihluhna hmang emaw, ruk bo leh bum chhuah hmangin emaw, thuneihna hmangin emaw, tawktarh engemaw hmanga thlem chhuah emaw hmanga a ti a nih chuan mihring hmanga

sumdawnna (offence of trafficking) a ni. “Exploitation” tih hian physical exploitation emaw, sexual exploitation emaw, sal leh bawiha inhren behna emaw, taksa bunghrang lak leh paih tura intihluihna ang chi hi a huam vek a ni. Hetianga pawikhawitute hi kum sarih atanga kum sawm thleng tantir tur niin pawisa chawitir bawk tur a ni. Mihring hmanga sumdawnnaah hian mi pakhat aia tam thawn leh sawngbawl an nihin emaw, kum tling lo khawih tel a nih emaw chuan pawikhawihthu chu a tlem berah hrehawm taka kum sawm tantir tur a ni a, dam chhung tantir theih ni bawkin pawisa chawitir bawk tur a ni. Kum tling lo hi pahat aia tam khawih an nih chuan pawikhawihthu chu a tlem berah hrehawm taka kum 14 tantir tur niin dam chhung pawh sei theih a ni a, pawisa chawitir bawk tur a ni. Sawrkar hnathawk emaw, Police Officer emaw hetiang pawikhawihnaa inhnamhnawihthe leh kum tling lo thawn leh khawihnaa inhnamhnawih hrem nawnte chu dam chhung tantir tur a ni ang a, pawisa chawitir bawk tur a ni. Heta ‘dam chhung’ tih hian dam chhung tak tak, lei taksa boral hma tihna a ni, hremna dang a awm lo. [Substitution of Section 370].

(11) A chung a kan sawi tak ang a exploitation tuartute chu hre reng chung emaw exploit an ni tih ring chung a miin a lo chhawr a nih chuan a chhawrtu chu hrehawm takin kum thum atanga kum nga tantir a, pawisa chawitir bawk tur a ni. Tin, a tuartu kum tling lo a nih chuan a lo chhawrtu chu hrehawm taka kum nga atanga kum sarih tantir theih niin pawisa chawitir tur a ni bawk [Insertion of Section 370 A].

(12) **Pawngsual chungchang:** Criminal Law (Amendment) Act 2013 hian pawngsual chungchanga ‘dan’ hman leh neih mekte leh a hremna dante a rawn siam danglam a, thil langsar tak chu pawngsual chungchangah Consent Age kum 16 ni thin chu kum 18-ah a rawn tisang ta a, hei hi ‘mipaten’ kan hriat a tul lehzual hle mai. Dan kan hman mekah hi chuan hmeichhe duh lo chung, etc. a mipa serh hmeichhe zahmawha thun a nihin pawngsual tih a ni a, dan tharah erawh hi chuan hmeichhe duh lo chung, etc. a mipain a hnuaia mi anga hmeichhia a awmpui chuan pawngsual tih a ni.

- i. Hmeichhe serhah mipain a serh chu eng chen pawh a thunin emaw, mipa serh chu hmeichhe ka emaw mawngkuaah emaw thun luh a nihin emaw, chutiang chu hmeichhia tihtir a nihin emaw, chung thil chu mi dang tihtir a nihin.
- ii. Mipa serh ni lo hmanraw dang emaw, taksa peng dang eng pawh hmeichhe serh leh mawngah te thun a nihin emaw, chutiang chu hmeichhia tihtir a nihin emaw, mi dangte tihtir an nihin.
- iii. Hmeichhe taksa peng engemaw ber chu a serhah emaw, a mawngah emaw a taksa bung hrang dangah emaw mipain a thuntirin emaw, mi dang a tihtirin.
- iv. Mipa chuan a ka leh lei emaw in hmeichhe serh emaw, mawng emaw chu a hawl kual velin emaw, mi dang a tihtirin.

A chung a kan sawi takte khi heng a hnuaia tarlan engemaw ber nena tih (commit) a nih chuan ‘pawngsual’ tih a ni.

- i. Hmeichhe duh lo chung a nihin (Against her will). Heta ‘against her will’ tih hi hmeichhiain a hnial chung leh duh lo chung (resistance and opposition)a mipat hmeichhiatna hmanpui tihna a ni [State Of U.P. Vs. Chhoteylal decided on 14 January, 2011 in Criminal Appeal No. 769 of 2006].
- ii. A remtihna tel lo a nihin (Without her consent). He ta consent tih tawngkamin a sawi awmzia chu mahni chhia leh tha hriatna fim tak hmanga remtihna a ni. Nawr luihna te, vau behna te, bumna te leh thu dik hriat tawh loh vanga remtihna te hi he changin consent a tih hi chu a ni lo [Satpal Singh vs State Of Haryana decided on 28 July, 2010 in Criminal Appeal No. 763 of 2008,]. Duhthlanna thianga tak (voluntary participation) hi consent tih awmzia chu a ni [State of H.P. Vs. Mange Ram AIR 2000 SC 2798].
- iii. A remtihna pawh ni se thah emaw, tihnat emaw a vau hmasak a nihin.
- iv. A remtihna pawh ni se mipain a nupui a ni lo tih hre reng chung a ‘awmpui’ a, hmeichhia erawh chuan a pasal emaw tia a hai palh vang a nihin.
- v. A remtihna pawh ni se hmeichhe chhia leh tha hriatna chu ruihhlo leh thil dang engemaw hmanga tihbuai hmasak a nih a, a thil tih leh awm dan chu

eng thil chiah nge a nih pawh hre mumal lova a awmin.

- vi. A remtihna a ni emaw ni lo emaw, hmeichhia chu kum 18 tling lo a nihin.
- vii. Hmeichhia chu a remtihna lantir thei lo mi a nihin. Heta 'remtihna' (consent) tih awmzia chu chezia emaw, tawngkam emawa a remtih thlapna (voluntary agreement) hi a ni [Substitution of Section 375].

(13) **Pawngsualtu hremna dan** [Substitution of Section 376]: Pawngsualtu chu a tlem berah kum 7 tantir tur a ni a, a rei zawngah chuan dam chhung tantir theih niin pawisa chawitir tur a ni bawk. Amaherawhchu, heng a hnuai pawngsual kan tarlanah te erawh hi chuan pawngsualtu chu a tlem berah kum 10 tantir tur a ni a, dam chhung tantir theih niin pawisa chawitir tur a ni bawk. Heta 'dam chhung' tih hian dam chhung tak tak, a lei taksa dam hun chhung a kawka a ni.

- i. Police Officer, a hnathawhna huam chhunga pawngsualtu emaw, Police hmun leh a chhehvel (premises) a hmeichhe pawngsualtu emaw, ama mi mal emaw, a naute thuneihna hnuai (custody) emawa hmeichhe awm pawngsualtu,
- ii. Sawrkar hnathawkin, a thuneihna hnuai emaw, a naute thuneihna hnuai emawa awm pawngsualtu,
- iii. Sawrkar laipui emaw, State sawrkar emaw hnuai venhim hnathawktu (armed force), an awmna hmun (area) a pawngsualtu,

- iv. Jail-a hnathawktu te, Enkawlna In (Remand Home) leh chutiang chi-a thawk, an enkawlna hnuaia hmeichhe awm lo pawngsualtu,
- v. Damdawiina thawk, a enkawlna hnuaia awm hmeichhia lo pawngsualtu,
- vi. Zirtirtu emaw, hmeichhe enkawltu (guardian), an thuhnuaia awm hmeichhia lo pawngsualtu,
- vii. Tharum thawhna leh chi leh chi inbakkaihna a awm laia pawngsualtu,
- viii. Raipuar a ni tih hre reng chung a pawngsualtu,
- ix. Kum 16 tling lo pawngsualtu,
- x. A remtihna pawh pe thei lo tur pawngsualtu,
- xi. Hmeichhe chung a thuneitu, a thuneihna remchanga laa pawngsualtu,
- xii. Rilru leh taksa lama rualbanlo pawngsualtu,
- xiii. Hmeichhia hliampui tawrhira pawngsualtu,
- xiv. Hmeichhe pakhat pawngsual nawn (repeat) tu.

(14) Pawngsualtuin a hmeichhe pawngsual thihna hial thlentirin emaw, rilru buai hlenna emaw a thlentir chuan pawngsualtu chu kum 20 aia tlem lo tantir tur a ni a, dam chung tantir theih niin pawisa chawitir tur a ni bawk. Heta ‘dam chung’ tih hian pawngsualtu thih hma, a lei taksa dam chung tak tak hi a kaw k a ni. Tin, pawisa chawitir tur hi pawngsual tawktu inenkawlina senso phuhru zo ngei tur a ni ang a, an pawisa chawite hi pawngsual tawktu pek a ni ang [Substitution of Section 376A].

(15) Dan rorelna hmang emaw then hran an nih laia mahni nupui pawngsuatu chu kum hnih aia rei, kum 7 thleng tantir theih a ni a, pawisa chawitir tur a ni baw [Substitution of Section 376B].

(16) Sawrkar hnathawk emaw, thuneitu emaw, Jail leh Remand Home emawa thawkten pawngsual tih tling pha si lova hmeichhia an awmkhawlohpui (mipat hmeichhiatna, etc. hmanpui) chuan chutiang titu chu kum 5 atang kum 10 hrehawm taka tantir theih a ni a, pawisa chawitir tur a ni baw [Substitution of Section 376C].

(17) Hmeichhia pawngsual rawntute (gang rape) chu a tlem berah kum 20 tantir tur a ni a, dam chhung tantir theih an ni baw. Heta ‘dam chhung’ tih hian pawngsuatu thih hma, a lei taksa dam hun chhung a kaw a ni [Substitution of Section 376D].

(18) Section 376 emaw, Section 376A emaw, Section 376D emaw hnuai hremna pek tawhten heng section pathum zinga a engemaw ber hmanga hremna pek ngaia mi an pawngsual leh a nih chuan dam chhung lung in tantir tur a ni a, a aia hremna nep zawk pek theih a ni lo. Heta ‘dam chhung’ tih hian pawngsuatu thih hma, a lei taksa dam hun chhung a kaw a ni [Substitution of Section 376E].

(19) Tawngka leh chezia hmanga hmeichhe zahawmna tibawrhbangtu chu kum thum thleng tantir a, pawisa chawitir baw tur a ni [Amendment of Section 509]. Hmeichhe kawng kal lai lo chhah leh auh nawmna vel te hi phal loh a nih chu.

(ii) **Indian Evidence Act 1872:** Evidence Act pawh hi a then lai siam danglam a ni a, a pawimawh zual lo tarlang leh ila:-

(1) Pawngsual thubuaiah emaw, hmeichhe zahawmna tibawrhbang zawnga kutthawhna hrang hrangah te hian finfiahna lak laiin tawhsual tawktu nun hlui, mipat hmeichhiatna kawnga humsual a lo dai tawh ang chite reng reng chu tanhmun titha thei tur atana hman a remchang lo [Insertion of Section 53A].

(2) Pawngsual thubuai hi ngaihtuah a nih laiin, a bikin cross-examination (Cross-examination chu ukilin a khingpuite thuhretu thu a zawhfiah hi a ni -TL) ah hian pawngsual tawktu nungchang mawi lohna lai hailing thei tur te, hun kal tawha mipat hmeichhiatna lama a dai hriat tawh ang chi hawi zawng hian zawhna zawh loh tur a ni [Amendment of Section 146].

Tlangkawmna:

Mipate pawhin kan hriat reng tur chu- hmeichhiate hi min ‘hringtute’ an ni a, ‘naktuk khawvela’ kan ram hruaitu tur leh rorel tur hringtu tur pawh hmeichhiate tho an ni a, anni hian fapa tha an hrin a, fanu tha an hrin chuan kan chungkua, khawtlang leh ramah remna leh muanna duhawm tak a awm dawn tihna a lo ni. Chu vang chuan thangthar fing leh fel tak tak he kan ram leh hnam hian a neih theih nan mipat hmeichhiatna lamah kan hmeichhiate hian khawih chhiat leh hleilen an tawh loh a tul ta hle a ni. Hmeichhiate chung a mipat hmeichhiatna lam hawi zawnga hleilenna leh tharum thawhna thleng thin ‘ven’ a nih theihna atana dan khauh zawk kan han nei pawh hi hmeichhiate chauh venna tur

ni lovin kan khawtlang leh ramah thianghlim tak leh intluktlanga taka kan chenko dial dial theihna tur a ni zawk a, kan Pathian pawh hian mipat hmeichhiatna hawi zawnga nun thlahdah hi a haw hle a, hetiang dan tha leh khauh tak mai kan han nei ta pawh hi keini Ringtute tan chuan kan rinna min sawh nghehpui tura hmanraw tha tak a ni zawk a ni. Amaherawhchu, thil eng pawh mai hi hman sual theih a ni a, tuna dan thar pawh hi a hmang sual tum hmeichhiate tan chuan kan mipa huat zawngte tihchhiatna atana hman sual theih tak a ni thung. Nimahsela, hetiang dan tha leh zahawm tak hmang sual a, a ni lo lam zawnga hman tum phet kan nih chuan hmeichhiate ropuina leh zahawmna tibawrhbangtu mai kan ni dawn tihna a ni ang a, ransa rilru pu mai kan ni tihna a ni ang. Engpawhnise, Chak tak leh Huai takin ke i pen phawt mai teh ang u...!

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Court –a thubuai neih aiin inremna kawng zawngin Lok Adalat i pan ang u.

Mizoram State Legal Services Authority - ah Ukil ruai thei lote tan tanpuina dil theih a ni a, thubuai nei te tan Court thleng lovin Lok Adalat – ah inrem theih a ni bawk.

ENGAH NGE I LUNGNIAH ANG?

I duh vang reng ni lo pawhin thubuai-hlabuai i nei thei a; a nih loh vek pawhin i dikna leh chanvo chu rahbehsakin i awm pawh a ni mai thei. Chutiang hunah chuan Court i kal a ngai dawn ani. i khingpui khan ama sum sengin Ukil a ruai ang a, nang chuan Ukil i ruai ve thei lo pawh a ni mai thei asin.

Chutiang mi mangang leh miharsa, mahni sum senga Ukil ruai thei lo tanpui tur chuan Legal Services Authority hi sawrkar in a din tih i hre reng ang u. Ukil rawhsak tur chein sawrkarah i dil ang a; i aiawha lal hmaa ding tur Dan hremi (Ukil) chu i sum sen ngai loin sawrkarin a rawhsak mai dawn che ani.

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Adalat (Mipuite Court) a la buatsaih ta cheu mai. Hetah hian Conciliator fel tak tak te nen in thubuai chungchang sawihoin Inremna kawng an lo zawnpui ang che u.

Chu mai chu a tawpna a ni lo. Mipuite, Dan leh Hrai min hrilha min zirtir hi Legal Services Authority thiltum a ni bawk. Seminar leh Workshop te dan inzirtirna turin neih thin a ni a. Tin, Booklet leh Pamphlets te sem thin a ni bawk.

I hrechiang duh a nih chuan- Member Secretary, Mizoram State Legal Services Authority, Juniors Judges Bilding, New Secretariat Complex, Khatla, Aizawl - 796001, enaw Phone: 0389-2336621 emaw Fax: 0389-2336619 - ah emaw zawh chian theih a ni e.

Miharsa leh harsatna tawkte tanpuitu Legal Services Authority a awm tih i hria ang u.

Issued by:
 Member Secretary
 Mizoram State Legal Services Authority
 Junior Judge's Quarter
 New Secretariat Complex, Khatla- Aizawl
 Phone: 0389-2336621/2317811, Fax: 0389-2336619
