

Justice administration in Mizoram: A historical perspective & Development of Lok Adalat

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During the early period, the Lushai tribes was ruled by the head called the chief of village. The village chief plays a very important role because of incessant fighting and feuds among villages. The most onerous task of the chief is to protect his subject from any possible attack from other village. He was the sole law maker as well as executive authority in his village. In the year 1890, the British took over the administration of the Lushai hills, from the very beginning they realized that the village administration under the chief was very efficient, they allowed the chiefs to remain as head of the village with certain limitations. Justice administration was also carried out by the chief, only major cases were referred to the Superintendent of the District. In the year 1952, the Lushai district Autonomous District Council was formed under Sixth Schedule of the India constitution to administer the tribal areas of the then Lushai Hills District in Assam. Lushai hills autonomous District (Administration of Justice) Rules 1953 and Lushai hill District (Village Council) Act 1953 was passed for the creation of Village Court in Autonomous District of Mizoram. The Lushai hills autonomous District (Administration of Justice) Rules 1953 established three types of court in Mizoram, Namely Village Court, Sub-Ordinate District Council Court and District Council court with the district council as the highest court of appeal. Mizo/Lushai district Autonomous District Council was elevated to Union territory in 1972 and separated from Assam. Lushai hills autonomous District (Administration of Justice) Rules 1953 and Administration of Justice in the Lushai hills 1937 were still apply in the Union Territory of Mizoram. And then, Mizoram became the 23rd state of India on 20th February, 1987, but still there was no much change in the administration of justice. In the year 1990, the Gauhati High Court (Establishment of permanent Bench) Order was made, that came into effect from 5th July, 1990. The Mizoram Judicial Service Rules 1986 and the Mizoram Civil Court Act 2005 was passed, this created a hierarchy of civil court in Mizoram. On June, 2008, the Governor of Mizoram in consultation with the High court formed the Mizoram Judicial District of Criminal Court. Under the Legal Service Authority Act-1987, as a state, Mizoram was also under compulsion to establish Legal Services Authority in the state to carry out the various objectives of NALSA. With the initiative taken up by the then Hon'ble Minister Dr. H. Thansanga, Lok Adalat was first conducted under the guidance of the Hon'ble Chief Justice of Gauhati High Court on 10th September, 1991 at Sikulpui (Sikul Sen), Sikulpuikawn, Mission Veng, Aizawl, Mizoram. This programme can be called as the first Alternate Dispute Redressal practice in the state of Mizoram. The introduction

of Lok Adalat gave a new face for justice delivery for the Mizo's, the system and practice are very close with the earlier practice of the chiefs for settlement of disputes in the village.

Key Word: *Administration of Justice, Chiefs, Lushai Hill, Autonomous District, Lok Adalat.*

INTRODUCTION

Separation of Judiciary is still a new chapter in Mizoram as the face of full fledged separation was only from 1st July, 2008 with Notification No.A.48011/2/2008-LJE/61 vide Mizoram Gazette, Extra Ordinary Vol. XXXVIII, 16.7.2008 issue number 254. With the said notification, within the whole of Mizoram, Judiciary was separated from the executive. In compare to other state of India, the state is still climbing a ladder for development in the field of justice administration though many changes are witness along the way, some of the notable ones are the establishment of High Court, implementation of the judicial Service Rule, 2006, Mizoram Civil Court Act-2005 and the creation of criminal court as per CrPC. There are three primary eras that can be identified while tracing on Mizoram's justice administration at various points in time like the pre-British period, the British period, and the post-independence period. All the three eras have their own unique importance to give the face of the present judicial system. The other era can also be term as post-independence era, status of Union territory, the statehood and the separation of Judiciary from the executives.

Pre- British Era and the system of judiciary by the Mizo's

During the early period, that is, before the advent of the British rulers, a Mizo village was ruled by a head called a chief. The need for having a village head arose because of the incessant fighting and feuds among the villages. The most onerous task of the village chief was to protect his subjects from any possible attack from other villages. He was a law-making as well as an executive authority. He had the power of life and death over his subjects. Each village with a chief as the head was sovereign and independent of all outside authorities and control. The chieftainship was hereditary among the Mizo's. However, the chief managed the village affairs with the help of a small council of the village elders called 'Upa'. The Upas were appointed by the chief and can also be dismissed by him.¹In dealing with cases the chief and Upas are guided entirely by Lushai custom.² Among different stories told, many legends believe that, Mizos came from Shinlung or Chhinlungsan located on the banks of the river Yalung in China. They first settled in the Shan State and moved on to Kabaw Valley to Khampat and then to the Chin Hills in the middle of the 16th century.³Since, there are different ethnic group in the mizo, the administration of justice among the different tribe or village may varied from one another. In simple way, each village were running independently of each other under the

¹ H. Thansang, "Landmark study in the state Public Administration in Mizoram", RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995.

² N.E Perry, "A monograph of Lushai custom and ceremonies", *Tribal Research Centre, Mizoram, 1976.*

³ <https://mizoram.nic.in/about/history.htm>

autocratic hereditary chiefs, who had immense local standing. The chief's court was more or less a bench system of what we have today and the court-room was the chief's house where cases were tried. The chief was, thus, the only court of justice in the village. His decisions were final. Against his decision, there was no appeal. But unsuccessful litigant found a way of getting his case reheard.⁴

Justice Administration – British Era

The British annexed the Lushai Hills (now Mizoram) in 1890 and divided the territory into two administrative wings, viz., the North Lushai Hills District a part of Assam and the South Lushai Hills-a part of Bengal. Before 1891, there was no regular administrative set-up. A few posts and forts were established here and there to safeguard the interests of the British regime. The 1891 status lasted for only seven years. The British decided in 1898 to merge the two districts into a single district-the Lushai Hills District/Mizo Hill District, a part of Assam-under a superintendent.⁵ The British rulers reduced the supremacy of the chief after they annexed the Lushai Hills in 1890, they recognised the chiefs and the village courts but made certain changes in the existing system of administration of justice. Since, the British annexed the Lushai hill, a new rule called "*the administration of justice rules 1906*" was passed, as mentioned above, it limited the power of the chiefs in the village.⁶ On the same year, as per section 6 of the Schedule District Act 1874, "*the rules for the regulation of the procedure of officers appointed to administer justice in the Lushai Hills 1906*" was passed, with this rule, the chief were no longer the sole adjudication of law but the British officer, Superintendent. Any person who are unsatisfied with the order of the chief can make an appeal to the Superintendent.⁷ A separate rule, namely, '*Rules regarding Sentences of Death in the Lushai Hills*' was promulgated in 1915 by a notification vide/No- 5803-P dt. 27.7.1915. By virtue of Administration of Justice Rules, 1906, the administration of the then Lushai Hills District vested in the Lt. Governor of Eastern Bengal and Assam, Commissioner of Surma Valley and Hill Districts, Superintendent of Lushai Hills with his Assistants and in the Chiefs and headmen of villages. The civil & criminal justice used to be administered ordinarily by the then Superintendent and his Assistants. A sentence of death or transportation required confirmation by the then Lt Governor under separate Rules of 1915, while a sentence of imprisonment for seven years and above required confirmation by the Commissioner under rule 9 of the Rules of 1906.⁸ When the Rules of 1906 came into force, H.W.G Cole was the Superintendent of the Lushai Hill District. With the introduction of administrative reform by the Govt. of India Act-1935, the *Rules for the Regulation of the procedure of officers appointed to administer justice in the Lushai Hills-1937* was pass which came into effect from 25th March, 1937 and the rules

⁴ R.N Prasad, "Administration of Justice in Mizoram", RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995.

⁵ R.N Prasad, "Administration of Justice in Mizoram", RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995.

⁶ K. Remruatfela, "Mizoram Judiciary than chhoh dan", *Lois Bet Publication*, Aizawl, First Edition, 2018.

⁷ Jagadish.K.Patnaik, Lalthakima," Mizoram-A Profile", *Mizoram: Dimension & Perspective*, Concept Publishing Company Pvt, 2008.

⁸ P. Chakraborty, "Casual Doses of Justice Administered in Mizoram" RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995.

for the regulation of the procedure of officers appointed to administer justice in the Lushai Hills 1906 and 'Rules regarding Sentences of Death in the Lushai Hills 1915 was repealed as a new set of almost similar rules was introduced in the said Act.

As per Rule 8 and 9 of the *Rules for the Regulation of the procedure of officers appointed to administer justice in the Lushai Hills-1937*, in criminal case, the Deputy Commissioner and his Assistant have the power to adjudicate the case., they were invested with the power of the session court, and they tried the session cases without the help of jury.⁹ The Deputy Commissioner have the power to punish the convict up to 7 year and expulsion with the prior approval of the Governor of Assam. However, the power of the Deputy Commissioner is limited by the Code of Criminal Procedure, no sentence can be passed in excess of the code. As per Rule 5 of *Rules for the Regulation of the procedure of officers appointed to administer justice in the Lushai Hills-1937* the Deputy Commissioner and his subordinate officer have the power to hear cases of civil nature, who shall take cognizance of well-established Mizo Customs.¹⁰ An appeal shall lie to the Deputy Commissioner against any decision of his Assistants, and to the Assam High Court against the decision of the Deputy Commissioner, original or appellate, if the suits involve a question of tribal rights or customs or of right to, or possession of, immovable property or if the value of the suit be rupees five hundred and over. As in the case of criminal justice, the Assam High Court and the courts of the Deputy Commissioner and his Assistants shall be guided by the spirit of the Code of Civil Procedure so far as it is applicable to the circumstances of the Lushai Hills and consistent with these rules.¹¹

Post Independence Era

A new scheme of administration for the hills districts of Assam based on the recommendations of the North-East Frontier Tribal and Excluded Areas Sub-committee of the Constituent Assembly, known as the Bordoloi Committee was incorporated in the part 'A' of the Sixth Schedule to the Constitution of India. Accordingly, the Government of Assam enacted the *Assam Autonomous District (Constitution of the District Councils) Rules in 1951* to constitute the District Councils and the Regional Council in the hill's districts. As a result, the Mizo District Council for the Mizos and the Pawi-Lakher Regional Council for Pawi, Lakher and Chakma Tribes were set up in 1952 and 1953 respectively.¹² As a consequence, the Mizo District Council and the Pawi-Lakher Regional Council framed their own rules known as "*The Mizo Hills Autonomous District (Administration of Justice) Rules, 1953*" and "*The Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954*" for administration of Justice within the limits of the rules formulated by the governor of Assam. After framing of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953 which read with paragraph 4 of the Sixth Schedule, provided for a three-tier judiciary in this autonomous district ie Lushai Hills District Council Court (later renamed as the Mizo District Council Court), Sub-ordinate District Council Courts at Aizawl and Lunglei and Village Council Courts. For Pawi-

⁹ Michael Lalrinsanga Sailo, "The Legal System in Mizoram- Before and After the Advent of the British", R.N Prasad, P. Chakraborty, *Administration of Justice in Mizoram*, A Mittal Publication, First Edition, 2006.

¹⁰ Mr. N.E. Perry ICS, Superintendent of Lushai Hills Published a collection of Mizo customs and ceremonies in the year 1928

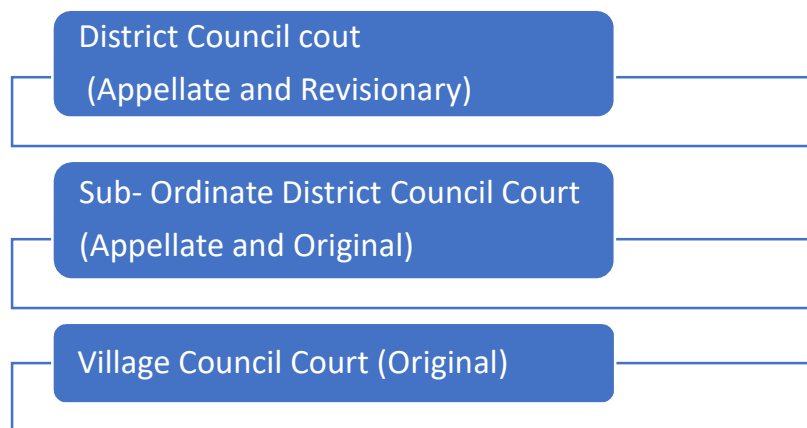
¹¹ Michael Lalrinsanga Sailo, "The Legal System in Mizoram- Before and After the Advent of the British", R.N Prasad, P. Chakraborty, *Administration of Justice in Mizoram*, A Mittal Publication, First Edition, 2006.

¹² Supra 1

Lukher Autonomous Region comprising the Chhimtuipui district, similar type of Regional Council Court, Sub-ordinate Regional Council Court/Intermediate Court and Village Council Courts were constituted under the Pawi-Lakher Autonomous Region (Administration of Justice) Rules, 1954.¹³

One important legislation of the District Council was Act No. 1 of 1956 known as the *Mizo District (Inheritance of Property) Act, 1956*. Under this Act, a person may dispose of by will his or her property. But where there is no will, such property shall devolve in accordance with the customary law.¹⁴

Hierarchy of court under Mizo District Council



Since, there was no repealed order of the *Rules for the Regulation of the procedure of officers appointed to administer justice in the Lushai Hills-1937*, side by side, the system of non-separated judiciary comprised of the court of Deputy Commissioner and his Assistant still continue even after the birth of *The Mizo Hills Autonomous District (Administration of Justice) Rules, 1953*". Controversies arise among the people, as there exist a dual type of court. Since, there was no clear provision in either Rules paving the way for transfer of pending cases to the District Council's courts, in which the courts of Deputy Commissioner and his Assistants ceased to have the powers to try, and as the then existing courts declined to transfer any such case in the absence of clear statutory provisions to the effect, the Governor of Assam had to ultimately enact the *Assam Autonomous Districts Administration of Justice (Miscellaneous Provision) Act, 1957* to facilitate transfer of such cases to the newly constituted courts of the District Council and the Regional Council.¹⁵

Mizoram UT and the justice system

In the year 1972, the Mizo District was elevated to the status of Union Territory by North Eastern Area (Re- Organisation) Act-1971 and the Mizo District Council was dissolved with effect from 29th April, 1972 by an order known as the *Dissolution of the Mizo District*

¹³ P. Chakraborty, "Casual Doses of Justice Administered in Mizoram" RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995

¹⁴ Supra 10

¹⁵ P. Chakraborty, "Casual Doses of Justice Administered in Mizoram" RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995

Council (Miscellaneous Provision) 1972. The Union Territory administration adapted the *Lushai Hills District (Village Council) Act, 1953* to manage the village affairs and also the *Lushai Hills Autonomous District (Administration of Justice) Rules, 1953* to administer Justice in its areas, which are still in operation. Accordingly, the government of Mizoram manages village justice through a village council court. The government has also retained the Mizo District council courts in Aizawl and Lunglei set up by the defunct Mizo district council under the provisions of paragraphs 4 and 5 of the Sixth Schedule to administer justice according to the customary laws of the Mizos in both Aizawl and Lunglei districts, though these two districts are not the Sixth Scheduled areas. When Mizoram became Union Territory, special provision was made in Section 54 of the government of Union Territories Act, 1963 as amended by the North-Eastern Areas (Re-organisation) Act, 1971 to the effect that until other provisions in this behalf are made by the competent legislature or other competent authority, the administration of justice in those areas of Union Territory of Mizoram which do not comprise any autonomous district (i.e., Pawi, Lakher and Chakma districts) constituted under the Sixth Schedule to the Constitution shall be carried on in accordance with the provisions of paragraphs 4 and 5 of the Sixth Schedule as if those areas comprised an autonomous district under that schedule.¹⁶ So, it is true said that, the status of all the law that are prevail in District Council are carried on to the Union Territory.¹⁷ Thus, even after the formation of the Union Territory of Mizoram, the existing legal system is allowed to continue. Even the District Council Courts and the Village Courts are allowed to function and they retain their names. There is, therefore, no change in the legal system. Mizoram was under the Union Territory government for 14 years; then on 20th February, 1987, it was elevated to the status of a full-fledged state as envisaged in the Peace Accord signed on 30th June, 1986.¹⁸

State of Mizoram and Development of the Judicial system

When the Insurgency movement was settled between the MNF and the Government of India, Memorandum of settlement was signed by the two parties. Following this settlement, the Government of India with a view to elevate the Union Territory to the Statehood of Mizoram, introduced the Mizoram Statehood Bill 1986, with special safeguards and provisions for Forty elective seats in the Mizoram Legislative Assembly and the 53rd Constitution (Amendment) Bill, 1986 was passed on 14th August, 1986. The state Bill thus became an Act but was not made in force with immediate effect. On 20th February, 1987. Mizoram was inaugurated as the 23rd state of the Indian.¹⁹

With the status of Statehood, Mizoram steps into the new phase in different dimension, but separation of judiciary from the executive was not practical during the time as the law and rule itself permits the non-separation. Mr. Lalramzauva wrote, *during all those days, the idea of separation of judiciary was never in the minds either of the Government or of the governed. This idea of separation of Judiciary from the Executive was mooted out first in the Mizoram*

¹⁶ R.N Prasad, "Administration of Justice in Mizoram", RN Prasad and Ak Agarwal, *Landmark: A study of Public Administration in Mizoram*, Indian Institute of Public Administration, Aizawl Local Branch Mizoram, first edition 1995.

¹⁷ North Eastern Areas (Re-Organisation) (Mizoram) Adoption of Laws Order 1972 under Notification No. F.19(2)72L-1 Dated 25.3.1972

¹⁸ Michael Lalrinsanga Sailo, "The Legal System in Mizoram- Before and After the Advent of the British", R.N Prasad, P. Chakraborty, *Administration of Justice in Mizoram*, A Mittal Publication, First Edition, 2006.

¹⁹ L.H. Chhuanawma, Lalthakima, Lal Lawmzuali, "Government and Politics of Mizoram", *South Eastern Book Agencies*, 4th Edition, (2018).

*Legislative Assembly Session held in the month of January, 1978 in which Ngurchhina, MLA (may his soul rest in peace) had proposed the following Resolution:*²⁰

"This Assembly resolve that with immediate effect, separate Judicial Department be created and established in Mizoram as has been practised in other States of India, "Though the expression, "Separate Judicial Department" is a little vague, the idea behind the said resolution was that a separate judicial set up as in other States in India should be introduced immediately in Mizoram"

Though the private Member's resolution as moved by Ngurchhina was not instantly successful, however, it had created or evoked some interest in the minds of the general public as well as in the minds of the State functionaries, with the result that in the meeting of the '*State Level Committee on Pendency of Criminal Cases*' held on 1st August, 1978 and 17th Dec, 1979 presided over by the then Chief Minister, Separation of Judiciary was one of the items discussed with a note that a paper should be prepared by the Law Department examining the various legal and practical aspects relating to the separation of Judiciary from the Executive.²¹

Subsequently, in the meeting of the Council of Ministers on 11th April, 1983, the Agenda Item No.1 was 'Separation of Judiciary from the Executive in Mizoram' in connection of which it was felt by the said meeting that implementation of separation of Judiciary was not practicable by then. However, detailed proposal in this regard was directed to be prepared in due course for consideration of the Cabinet. Accordingly, a Cabinet Memorandum on Separation of Judiciary from the Executive in Mizoram was prepared by the then Law Secretary, wherein it was proposed to have Separation of Judiciary in a phased manner as follows:²²

"(1) Phase No. 1: The administration of Justice will continue to be imparted by Deputy Commissioner and his Assistants. However, separate and proper Court building can be constructed and if necessary, separate Deputy Commissioner (Judicial) may be appointed. At this stage, the existing rules and procedures will continue to operate.

(2) Phase No.2: In this phase, executive control over Judicial Officers may be slowly removed and they may be brought under the administrative control of the High Court or a Judicial Commissioner. But the simple procedure will continue except some amendments to the extent of removing the executive control over Judicial Officers.

(3) Phase No.3: In this phase, separation may be affected in full by applying provisions of Cr.P.C., C.P.C. etc."

After many considerations on the topic of separation of judiciary, when the Memorandum of settlement was signed, the Peace Accord of 1986 contain a number points while the most important for judiciary is point 12(iii) which can be claimed that, it is the direct influence of many efforts of the state functionaries of the state who have taken steps for the separation. Point 12(iii) is, *In the light of the Prime Minister's statement at the joint conference*

²⁰ C. Lalramzauva, "Separation of Judiciary in Mizoram- Problems and Prospects", R. N Prasad. P. Chakraborty, *Administration of Justice in Mizoram*, A Mittal Publication, First Edition, 2006.

²¹ Minutes of the meeting of the State Level Committee on Pendency of criminal Cases held on 1/8/1978 & 17/12/1979.

²² Supra 16

of the Chief Justices, Chief Ministers and Law Ministers held at New Delhi on the 31st August, 1985, Mizoram will be entitled to have a High Court of its own, if it so wishes.

The first order of the Gauhati High Court directing Mizoram to move toward separation of judiciary was passed on 5th August, 1985, where the order was as follows,

"Call for a report from the Secretary (Law), Govt. of Mizoram as to why the Judiciary should not be separated from the Executive and what prevents the Government to separate Judiciary. It is the constitutional obligation of the Union Territory of Mizoram to implement the Directive Principles of State Policy..."²³

Another important judgement on separation of judiciary in Mizoram are *PUCL, Mizoram vs State of Mizoram* case, under Civil Rule No. 4/91 (MB), and *All India Judges Association & Others Vs Union of India in Writ Petition (Civil) No. 1022/1989* judgment dated 17th January, 2005 that, gave direction to the state of Mizoram and Nagaland for separation of Judiciary.

When the State of Mizoram Act 1986 was passed, the constitutional amendment was made by adding special provision under Article 371G of the constitution, where the Peace Accord Point 12(iii) was not pointed out clearly, but based on Section 15(1)(a) of State of Mizoram Act-1986 (34 of 1986) the Aizawl Bench of the Gauhati High Court was established on 5th July, 1990 as a permanent Bench of the Gauhati High Court with the Principal Seat at Guwahati.²⁴ It was inaugurated by the then Chief Justice of India, Hon'ble Mr. Justice S. B. Mukherjee, in the presence of His Excellency the then Governor of Mizoram.²⁵

On February 21, 2005, the Mizoram Council of Ministers finalized a decision to separate the judiciary from the executive in the state. This decision aimed to ensure judicial independence; however, it did not apply to autonomous District Council areas. While the decision was made, the official notification for its implementation was yet to be issued. The Council of Ministers also resolved on the insulation of judiciary on that date.²⁶ It is also mention in the case of *All India Judges Association. and others Vs Union of India and others* "It is stated on behalf of the Government of Mizoram that the Council of Minister's in its meeting held on 21-2-2005 has taken a final decision to separate judiciary from the executive in the State of Mizoram excluding the autonomous District Council areas. However, a notification in that regard is yet to be issued." ²⁷The Mizoram Civil Court Act-2005 was passed which came into force from 26th April, 2006, a number of changes were added to administer the civil court in the state. With the introduction of this Act, *Rules for the Regulation of the procedure of officers appointed to administer justice in the Lushai Hills-1937* was repealed and the power of the Deputy Commissioner and Assistants to litigate a case was also ceased at the same time,²⁸ Criminal Court under section 12 of CrPC was also constituted along with the creation of the Civil Court. Thereafter, according to Notification No. A. 48011/2/2008- LJE/61: Dt. the 1st July,

²³ Dinglian Vs Mizoram & Others C.R No (HC)30/85

²⁴ The Gauhati High Court (Establishment of a Permanent Bench Aizawl) Order, 1990

²⁵ <https://ghcazlbenc.nic.in/About.html>

²⁶ https://www.google.com/search?q=Council+of+Minister%27s+in+its+meeting+held+on+212005+mizoram&oq=Council+of+Minister%27s+in+its+meeting+held+on+21-2-2005+mizoram&gs_lcrp=EgZjaHJvbWUyBggA

²⁷ All India Judges Association. and others Vs Union of India and others

²⁸ C. Lalfakzuala, "Dan thul khlung Sawm 40 (40 Legal Brief)", C. Lalfakzuala, G02 Hobby Centre, Durtlang, First Edition, 2022.

2008²⁹, separation of judiciary from the Executive in Mizoram covers the whole state of Mizoram including the Autonomous District Councils area which in the previous notification excludes the three Autonomous District Council areas.³⁰

Lok Adalat: The First ADR In Mizoram

Towards fulfilling the Preamble promise of securing to all the citizens, Justice – social, economic and political, Article 39 A of the Constitution of India provides for free legal aid to the poor and weaker sections of the society, to promote justice on the basis of equal opportunity. Articles 14 and 22(1) of the Constitution also make it obligatory for the State to ensure equality before law. In 1987, the Legal Services Authorities Act was enacted by the Parliament, which came into force on 9th November, 1995 to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society. The National Legal Services Authority (NALSA) has been constituted under the Legal Services Authorities Act, 1987.³¹ with the aim of reaching out to the diverse millions of people belonging to different socio-economic, cultural and political backgrounds, NALSA identifies specific categories of the marginalized and excluded groups from the diverse populace of the country and formulates various schemes for the implementation of preventive and strategic legal service programmes to be undertaken and implemented by the Legal Services Authorities at the various levels. With the introduction of Legal Services Authorities Act 1987, Mizoram also establish state legal Services Authority with the first member Secretary, Mr. T. Saikunga from 1997 before the Mizoram State Legal Services Authority was established, with the initiative taken up by the then Hon'ble Minister Dr. H. Thansanga, Lok Adalat was first conducted under the guidance of the Hon'ble Chief Justice of Gauhati High Court on 10th September, 1991. Till today, Lok Adalat became one of the most efficient protectors of the destitute and poor disputant who could not effort the ordinary adversarial system.

Conclusion

In conclusion, it may be said that, in spite of administrative and political changes, there has been no notable change in the legal system or administration of justice till the establishment of High Court and the Mizoram Civil Cout Act, the existing laws are adopted with little or no modification in every era of Mizoram. May be, there was no real intention on the part of administrator and key person to have a separate function of judiciary. It can also be due to the ignorance of the leaders as well as the people itself.

It is often said that, by nature, a Mizo is not a litigious man and he tries to avoid litigation at all costs. Not to speak of an ordinary person, even an educated Mizo hardly ponders whether or not the legal system prevailing in Mizoram needs reform. Among the elite, separation of the judiciary from the executive has been discussed casually and very lightly.³² May be the nature of the Mizo's and attitudes towards judiciary hinder the development of the justice system.

Justice G.B. Patnaik of the Supreme Court, while delivering the Brajkishore Prasad Memorial Lecture at Patna on 8th December, 2001, suggested that "it is the community that has to stand up to face the crisis and save society." Citing some research works, he mentioned that unchecked migrations, inequal distribution of resources, lavish use of wealth, corruption at different levels, financial frauds using modern gadgets, loss of moral on the part of a section

²⁹ Vide, the Mizoram Gazette, Extra Ordinary: Vol. XXXVIII, 16.7.2008, Asadha 25, S.E. 1930, Issue No. 253

³⁰ <https://djaizawl.nic.in/history.html>

³¹ <https://nalsa.gov.in/about-us/introduction>

³² Michael Lalrinsanga Sailo, "The Legal System in Mizoram- Before and After the Advent of the British", R.N Prasad, P. Chakraborty, *Administration of Justice in Mizoram*, A Mittal Publication, First Edition, 2006.

of people and other social maladies have pushed the entire nation to the brink of collapse. Only with the active support of the community, a change in the environment is possible, he concluded. And there lies the remedy. A more vigilant people, a morally strong society and conscientious judiciary and police can change the environment to security, health and sanity of a nation.