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MIZORAM

KAUSTAV CHOUDHOURY*

Introduction

The state of Mizoram was formerly a Union Territory which was carved out from erstwhile State of Assam. It attained its statehood on 20th February, 1987.¹ The sixth schedule² of the Indian Constitution lays the basis for its administrative framework and Article 371G outlines special provisions for the state. Mizoram is divided into 11 districts³ and 4 autonomous councils.⁴ The unicameral State Assembly comprises forty elected members.⁵ In 2023, the Mizoram State Assembly celebrated its golden jubilee.⁶

This review delves into the legislative proceedings of the eleventh and twelfth sessions, where 13 legislations were introduced and passed. These thirteen legislations are reviewed under three distinct themes: Community Centric Legislation, Protection of Natural Resource Legislation and Taxation Legislation. There were four Community Centric statutes and three statutes each dealing with protection of natural resources and taxation.

Quantitative Analysis

All the bills were passed on the same day of introduction. All the legislations were assented by the Governor immediately and notified in the gazette. In 2023, two ordinances were

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¹ Mizoram Legislative Assembly, *About Us*, available at <https://www.mizoramassembly.in/page/about-us> (Last visited on May 7, 2025).

² The Sixth Schedule of the Constitution provides for administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram to safeguard the rights of the tribal population in these states. This special provision is provided under Article 244(2) and Article 275(1) of the Constitution

³ Aizawl, Lunglei, Champhai, Lawngtlai, Mamit, Kolasib, Serchhip, Saiha, Khawzawl, Hnathial, Saitual

⁴ Lai Autonomous District Council (LADC), Mara Autonomous District Council (MADC), Chakma Autonomous District Council, and Sinlung Hills Council

⁵ Mizoram Legislative Assembly, *History*, available at <https://www.mizoramassembly.in/page/history> (Last visited on May 7, 2025).

⁶*Ibid.* The first legislative assembly was formed on 10th May, 1972.

promulgated. These 2 ordinances were later introduced as Acts in the State Legislative Assembly, and were passed on the same day itself.

Qualitative Analysis

Community Centric Legislation

The Mizoram Municipalities (Amendment) Act, 2023⁷ amends Section 2(16) of the Mizoram Municipalities Act, 2007. It incorporates the term 'Corporator' for the elected members of the Aizawl Municipal Corporation. The statement of objects and reasons cites the resolution of the Aizawl Municipal Corporation Board of Councillors (BOC) dated 25.11.2022 which sought this change in order to avoid any confusion with the nomenclature of Lunglei Municipal Council, as constituted in 2022 and set for its first election in April 2023. A Corporator means a person chosen by direct election from a ward of a municipality, and includes a person nominated by the State Government to be a Councillor / Corporator (as in Corporation).

The Mizoram Scheduled Tribes and Scheduled Castes (Regulation of Issuances and Verification of) Community Certificate (Amendment) Act, 2023⁸ amends the Mizoram Scheduled Tribes and Scheduled Castes (Regulation of Issuance and Verification of) Community Certificates Act, 2014.

Section 6 of the Act of 2014 deals with the constitution of the scrutiny committee and its powers. Section 6 (2) specified that the committee would consist of a chairman and three members. This Amendment Act of 2023, alters this statutory composition by providing that the composition of members and quorum of scrutiny committee shall be specified by the state government by notification from time to time. However, the chairman and members of the scrutiny committee have to be indigenous persons of Mizoram belonging to a Scheduled Tribe or a Scheduled Caste. The manner of verification of the community certificate and procedure to be followed by the scrutiny committee are also to be prescribed by the state government by notification from time to time.

This Amendment Act of 2023, also adds sub-section (6) to the Act of 2014 which provides that notwithstanding anything contained in clause (a) to (k) under sub-section (3)⁹ of section

⁷ Bill No. 70 of 2023.

⁸ Act No. 5 of 2023. Received the assent of the Governor of Mizoram on 27 February 2023.

⁹ Section 6(3)- Subject to any general or special order of the State Government, provisions of this Act and rules made thereunder, the Committee shall have powers- (a) to verify social status of a person in whose favour a certificate is issued under section 4; (b) to make an inquiry in connection with the contravention of any provisions of this act; (c) to issue notice to any person or authority in such manner as may be prescribed;

6, if the chairman of the scrutiny committee is prima facie satisfied that no further verification is required, then the chairman could grant a validity certificate after recording reasons in writing. This validity certificate issued by the chairman, is subject to the approval of the scrutiny committee in its next meeting. The validity certificate issued under this sub-section shall be deemed to have the same validity as a validity certificate granted by the Scrutiny Committee under sub-section (3) of section 4.

The Sinlung Hills Council (Amendment) Act, 2023¹⁰ amends the Sinlung Hills Council Act, 2018. Section 5 of the Sinlung Hills Council Act, 2018 deals with the constitution and composition of the General Council. Sub-clause (1) provides that the General Council shall consist of 14 members of which 12 shall be directly elected and 2 shall be nominated by the government in consultation with the Council. The principal Act required the nomination to be undertaken in consultation with the Council, the Amendment Act has deleted this requirement. The Amendment Act of 2023 adds that the term elected means elected from the territorial constituency of Sinlung Hills Council. A proviso is added which states that the members to be nominated by the Government shall be as recommended by the Chief Executive Member from amongst the persons having requisite qualifications for being a member of the Council.

Section 9 deals with salaries, allowances and other emoluments. Sub-section (3) reads as salaries, allowances and condition of service of members and laid down that it shall be as may be prescribed by rules made there under and shall be paid out of General Council Fund. The Amendment Act of 2023 alters the earlier restrictive formulation and instead of limiting itself to members alone also covers the Chairman and Deputy Chairman of the council.

Section 16 deals with the Secretariat of Sinlung Hills Council and contains 9 sub-clauses under it. The Amendment Act of 2023, adds a new sub-clause (10) which authorises the Council to make rules regulating the conditions of service of officers and staff appointed to the Secretariat of the Council subject to the previous approval of the Government. Where such rules have not been made by the Council, the conditions of service of such officers and

(d) to call for information from any person or authority for the purpose of satisfying itself whether there has been any contravention of any provision of this Act or any rule or order made or direction issued thereunder; (e) to require any person or authority to produce or deliver any document or thing useful or relevant to the inquiry; (f) to examine any person acquainted with the facts and circumstances of the case; (g) to validate the Community Certificates issued by the Competent Authority after due verification of the genuineness of the Certificate. (h) to scrutinize complaints relating to availing of benefits on the basis of false Community Certificate and the matters connected therewith. (i) to summon and enforce attendance of any person from any part of the State and examining him/her on oath. (j) to issue commissions for the examination of witnesses or documents; and (k) to requisition any public record or copy thereof from any court or office.

¹⁰ Act No. 6 of 2023

staff of the Council shall be regulated by orders issued by the Government. In the absence of such orders, by the relevant rules applicable to officers and staff of the State Government shall apply, subject to such restrictions or modifications as the Government may direct in the case of a particular appointment or class or classes of appointment.

Section 34 deals with election of Members and provides that for the purpose of constituting general election shall be held on such dates as may be notified by the commission in consultation with the government. The Amendment Act of 2023 substitutes it by providing that the superintendence, direction and control of the preparation of the electoral rolls and, for the conduct of election to the Sinlung Hills Council shall vest in the State Election Commission.

Section 35 deals with qualification for membership of General Council and provided that a person shall be qualified to be elected to the general council if he is an elector as defined in clause 2(g)¹¹ of section 2 of the Act of 2018. By the amendment just a person's name being on the electoral roll is no longer sufficient and for a person to be qualified to be elected to the General Council the following additional conditions have to be fulfilled. That is he/she has to be (a) a citizen of India; (b) not less than 25 years of age on the date of filing of nomination papers; (c) a member of any of the Scheduled Tribe for the State of Mizoram and is a permanent resident of the Sinlung Hills Council; and (d) is entitled to vote at the election of the Members of the Sinlung Hills Council.

Section 36 (1) of the Act provides the grounds on which a person was disqualified from being elected to the General Council. The Amendment Act alters some of the grounds of disqualification. Thus the principal Act disqualifies a person if they were less than 18 years of age. The Amendment Act has raised the age of eligibility and now a person is disqualified if they are less than 25 years. The principal Act disqualifies a person if they are not registered as electors in the village council. This disqualification now operates if the person is not registered as an elector in Sinlung Hills Council. The proviso to Section 36(1) had saved a person from being disqualified by reasons only of their being a member of village council or chief executive member or executive member of general council. By this Amendment Act of 2023, this exemption from disqualification has also been extended to the chairman, deputy chairman or member of the General Council.

The Mizoram Compulsory Registration of Marriages (Amendment) Act, 2023 amends the Mizoram Compulsory Registration of Marriages Act, 2007. Section 13 of the Principal Act punishes a Registrar who fails to register a marriage with simple imprisonment or fine or

¹¹ Elector in relation to a constituency means a person whose name is entered in the electoral roll of the constituency.

both. The Amendment Act of 2023 has altered the penalty by dropping the sanction of imprisonment and only restricting the penalty to a fine whose ceiling has been enhanced from rupees 500 to rupees 5000. This Bill was enacted “due to the decriminalisation policy introduced by the central government especially in the area of minor civil cases.”¹²

Section 14 deals with the registrar’s duty to send periodical returns to the registrar general for compilation. The Amendment Act, 2023 imposes a penalty on the registrar for their failure to comply with the provision of section 3,¹³ 5¹⁴ and 6.¹⁵ The Amendment Act also imposes a penalty up to five thousand rupees on persons who wilfully omit or neglect to get their marriage registered or omit or neglect to deliver or send the memorandum as required by sections 5¹⁶ or 6¹⁷ of the Act.

The Protection of Natural Resource Legislation

The Mizoram Ground Water (Control and Regulation) Ordinance, 2023¹⁸ later passed as The Mizoram Ground Water (Control and Regulation) Act, 2023.¹⁹ The statement of object and reason of the Act speak of the need to regulate and manage the development of groundwater in Mizoram prompting the introduction of the legislation. Chapter 2 of the Act of 2023 constitutes Mizoram Ground Water Authority, State Level Working Group and District Committee to regulate and control the development and management of ground water in the state²⁰. It lays down the powers and functions of the authority, including provisions for delegation of its power and duties to any officer or official of the authority. Chapter 3 provides for groundwater protection measures and Chapter 5 deals with rain water harvesting and recharge for ground water. The state government is further empowered to make rules to carry out the purpose of this Act of 2023. The executive power of these bodies includes the power to inspect and investigate land with water on the surface or below it and to enter and search any premises where any offence under the Act of 2023 may have been committed. Inspection and investigative power discretionally can be

¹² PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY OF MIZORAM, Twelfth Session, August 22, 2023, *statement* by Pu TJ. Lalnuntluanga at the time of the introduction of the Bill, available at <https://mizoramassembly.in/storage/proceedings/November2024/A6q1NEtHi8QA08knVBKT.pdf> (Last visited on May 22, 2025).

¹³ Every marriage in the state to be registered

¹⁴ Appointment of Registrar of marriage

¹⁵ Memorandum of marriage submitted after 30 days

¹⁶ Appointment of Registrar of marriage

¹⁷ Memorandum of marriage submitted after 30 days

¹⁸ No.2 of 2023, 13 June 2023.

¹⁹ Act No. 11 of 2023.

²⁰ Section 3 of The Mizoram Ground Water (Control and Regulation) Act, 2023

delegated to lower-level district authority. The civil court jurisdictions are barred and cannot grant injunctions. The Act of 2023 further mandates licence and permits for usage of ground water, of which the terms themselves could be varied unilaterally and permit themselves can be cancelled. There is no financial memorandum or delegated legislation memorandum appended with the Act.

The Mizoram (Protection of Rivers) Ordinance, 2023,²¹ later passed as The Mizoram (Protection of Rivers) Act, 2023²²

The object of the Act is to provide for the protection, conservation, rejuvenation and improvement of rivers and the catchment areas in the state of Mizoram. Chapter 2 of the Act provides for creation of Mizoram River Protection Authority (MRPA) at the State level chaired by Chief Secretary, with members including departmental heads, experts, and representation of NGOs and local bodies. MRPA recommends formation of a working group. In the same lines, district authority is to be formed in consultation with state authority and that district can form their own working group. The Act of 2023 is silent on the composition of the working groups.²³ Chapter 3 provides for declaration of protected river and river conservation zones with a highly centralised and hierarchical procedure. Thus the Local authorities identify rivers and adjoining catchment areas requiring protection and submit proposals to the District Authority, which forwards them to the State Authority for approval, who then makes its recommendations to the State government who then has been authorised to notify protected rivers or river conservation zones. Appeals on this decision are to be filed before the state authority. Chapter 4 deals with protection, rejuvenation and improvement of protected rivers and the catchment areas. Sections 15 and 16 impose among others restrictions on construction and mining in protected river and conservation zones, and their catchment areas. Section 19 deals with power to search and seize anything on suspicion. Chapter 5 deals with offences, procedures and penalties. Section 21 indemnifies officers of the authority or their delegates from suits, prosecution or proceedings for action under the Act of 2023. Section 24 allows for rewards to be paid to whistle-blowers from the fines collected under the Act.

²¹ Ordinance No. 1 of 2023. No. H. 12017/151/2021-LJD(PHE), 26 May 2023.

²² Act No. 10 of 2023. No. H. 12017/151/2021-LJD(PHE), Received the assent of the Governor of Mizoram on 8 September 2023.

²³ The Mizoram (Protection of Rivers) Act, 2023, §3.

The Mizoram (Restriction on use of Transferred Lands) (Amendment) Act, 2023²⁴ amends the Mizoram (Restriction on Use of Transferred Lands) Act, 2002.

Section 4 of the principal Act placed an obligation on the prompt transfer of lands vested in the government and section 5 obligated that the lands vested in the government were to be only used for public purpose. Whilst the Act of 2002 punished the contravention of these provisions with simple imprisonment and a fine or both and also provided for prosecution of the wrongdoers under the Code of Criminal Procedure, 1973. The Amendment Act of 2023 alters the penalty provisions by dropping the imprisonment part of the sanctions and by increasing the monetary fine to up to rupees 5000 and in the case of a continuing contravention, with an additional fine which may extend to five hundred rupees for everyday during which such contravention continues. The object and reasons of the Act state that the imprisonment provisions were seen as redundant considering the Act has provisions for eviction of trespassers on the transferred lands. And in order to protect the land from the menace of squatters, a monetary fine of 5,000/- (Rupees Five thousand only) has been introduced which would contribute to the revenue collection of the Government. The object and reasons do not explain how the government is ensuring that the transferred land will be utilised for public purpose only.

Taxation Laws

The Central Goods and Services Tax Act, 2017 was amended by the Finance Act, 2023, and received the Presidential assent on 31 March 2023. The GST Council subsequently advised States to make matching amendments in their State GST laws to maintain uniformity. Accordingly, the Mizoram Goods and Services Tax (Amendment) Bill, 2023²⁵ was introduced, with the proviso that the amended provisions will come into force on a date notified in the official Gazette.

The Bill brings the Mizoram GST Act in line with the central legislation. Broadly, the amendments relate to: the framework for composition levy; rules and eligibility conditions for claiming input tax credit; procedures for registration and revocation of registration; forms and timelines for filing returns; the process for assessment and refund (including interest on delays); and the structure, composition and appellate jurisdiction of the GST Appellate Tribunal. The amendments also revise provisions concerning penalties, compounding of offences, and disclosure of information by public authorities.

²⁴Act No. 1 of 2023. No. H. 12018/116/2002-LJD(Rev), Received the assent of the Governor of Mizoram on 14 February 2023.

²⁵ Text of the bill available at: <https://mizoramassembly.in/storage/government-bills/August2023/Yu7KkOmvhd27iFlvh3Ek.pdf> (last accessed 29 December 2025).

In addition to these GST-specific changes, the Bill empowers the government to classify land parcels based on size, location and access to infrastructure, and to prescribe differential rates accordingly. It also introduces a system of property cards, drawing upon the earlier “house pass” mechanism used in village areas to regulate construction and to prevent commercial misuse. However, while the house pass was valid for ten years, the Amendment Act does not specify whether a similar validity period will apply to the property card.

The Indian Stamp Mizoram (Amendment) Act, 2023²⁶ amends Indian Stamp Act, 1899 (Act 2 of 1899).

The Amendment Act of 2023, amends Indian Stamp Act, 1899 (Act 2 of 1899) to levy stamp duty at one percent on conveyances which were exempted under the principal Act.

The Mizoram Shops & Establishments (Regulation of Employment and Conditions of Service) (Amendment) Act, 2023²⁷ amends the Mizoram Shops & Establishments (Regulation of Employment and Conditions of Service) Act, 2010.

The principal Act deals with regulation of employment and conditions of service in shops and establishments. Section 1(2) of the principal Act made the statute applicable to the whole of Mizoram. The Amendment Act of 2023 alters the universal application of the Act by providing that the Act shall only apply to the Shops and Establishments employing 10 (ten) or more workers. Section 3 of the Act of 2010 specifies establishments to which the Act of 2010 is not applicable. Whilst the principal Act had exempted any office of the Reserve Bank of India. The Amendment Act extends the exemption to any establishments under the Reserve Bank of India or any other Bank, and any Railway Administration and cantonment authorities.

Miscellaneous

In a vein similar to the Mizoram Compulsory Registration of Marriages (Amendment) Act, 2023, the Assembly also passed the Mizoram Ancient Monuments and Archeological Sites and Remains (Amendment) Bill, 2023. In the principal Act, the punishment for destroying, stealing or tampering with state protected monuments was liable to a fine of five thousand rupees and three months imprisonment. The amendment drops the sanction of imprisonment for first time offences, but retains it for second-time offences.²⁸

²⁶ Act No. 4 of 2023.

²⁷ Text of the Bill available at: <https://mizoramassembly.in/storage/government-bills/August2023/ONcTPxVCOld4czdThM9E.pdf> (last accessed 29 December 2025).

²⁸ The Bill with the amended text is available at: <https://mizoramassembly.in/storage/government-bills/August2023/H1h2uLrIHfyo2fAWIUp.pdf>. However, the statement of objects and reasons appended to the Bill is of a different Bill. The Bill also did not receive gubernatorial assent in 2023. The Assembly

Conclusion

In 2023, the Ninth Mizoram State Legislative Assembly in its eleventh and twelfth session displayed a proactive stance in addressing the futuristic aspiration of its people by focusing on preserving indigenous identity and pioneering environmental conservation initiatives along with revenue enhancement efforts. It is noticeable that a financial memorandum or a note on delegated legislation did not accompany any legislation.

proceedings provide some context on the passing of the Bill. See, pp. 66-69 of the proceedings available at: <https://mizoramassembly.in/storage/proceedings/November2024/bfWGKtT3lkH08R0lrVc8.pdf>