CHAPTER – V

PROBLEMS FOR THE INTRODUCTION OF URBAN LOCAL SELF-GOVERNMENT STRUCTURE IN MIZORAM
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Urban Local Self-Government is not only necessary, but also an essential component of modern Urban Administration. One important intention of the 74th Constitution Amendment Act (CAA) is to induce the State Legislature to bring about such Laws as would lead to devolution of Powers and Responsibilities to the Municipalities in respect of preparation of Plans for Economic Development and Social Justice. This is what the Constitution expects the State legislatures to do and more specific and obligatory Provisions, in this regard, is embodied in Clause (1) of Article 243-ZD of the Constitution of India. It read thus, “There shall be constituted in every State at the District Level, a District Planning Committee to consolidate the Plans prepared by the Panchayats and the Municipalities in the District and to prepare a Draft Development Plan for the District as a whole.”

Before discussing the problems relating to the introduction of Urban Local Self-Government in Mizoram, it is appropriate to introduce the basic components of the 74th CAA, 1992. They are:

I. Addition of Part - IX A to the Constitution of India

The 74th CAA added a new part - Part-IX-A (Article 243-P to 243-ZG) to the Constitution of India. This Part deals with Urban Local Self Government. Hence, (i) Nagar Panchayat (by whatever name called) for a Transitional Area, that is to say, an Area in transition from a Rural Area to an Urban Area; (ii) Municipal Council for a smaller Urban Area; and (iii) Municipal Corporation for a larger Urban Area, can be established in accordance with the Provisions of Part-IX-A.

2 Ibid.
II. Composition

All the seats in a Municipality shall be filled by persons chosen by direct election from the Territorial Constituencies in the Municipal Area. Municipal Area is to be divided into different Territorial Constituencies, known by the name ‘Wards’. And one person shall be chosen through Adult Suffrage directly from such Ward and elected members shall be called Councillor or otherwise. Apart from the elected representative, the State Government may, by law, appoint to the ULBs, (i) Persons having special knowledge or experience in Municipal Administration; (ii) Member of the Parliament’s (MP) (Lok Sabha) and Member of the State Legislative Assembly’s (MLA) representing Constituencies which comprise wholly or partly of the Municipal Area; (iii) Member of the State Legislative Council’s (MLC) and MP’s (Rajya Sabha) registered as electors from the concerned Municipal Area; and (iv) the Chairpersons of the Committees constituted under Clause (5) of Article 243-S. However, all the appointed members have no right to vote in the meetings of the Municipality.  

III. Wards Committee

There shall be constituted Wards Committees, consisting of one or more Wards, within the Territorial Area of a Municipality having a population of 3 lakhs or more. The State Legislature is empowered to make Provisions regarding the composition and Territorial limits of the Wards Committee. The Ward Committee consists of one Ward, the Ward Member, or Councillor who shall be the Chairperson. However, the Committee can be formed for a single Ward or more. The Chairperson shall be elected from amongst the Ward Members. In the Wards Committee, all the Ward Members within the Territorial Area of the Ward shall be its Members.

IV. Reservation

Two types of reservation of seats was given, they are, (i) Scheduled Caste and Scheduled Tribe (SC/ST); and (ii) Women. The total number of seats so reserved for SC/ST shall be determined based on their proportional strength to the total population in the Municipality. Within the reservation for SC/ST, one-third of the total seats shall be

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3 Ibid., p-705
4 Ibid.
reserved for women belonging to SC/ST. Again, one-third of the total seats shall be reserved for women including the reservation of women belonging to SC/ST. This reservation of seat is, however, to be allotted on rotation to different Wards. The State Legislature is empowered, by law, to make Laws relating to either the reservation of seats to Other Backward Classes (OBC) or office of the Chairperson.5

V. Constitution of the State Finance Commission

Article 243-Y (1) States that the Finance Commission constituted under Article 243-I shall also review the financial position of the Municipalities and make recommendations to the Governor as to the principles which should govern-(i) The distribution of the net proceeds of the Taxes, Duties, Tolls and Fees between the State and the Municipalities; (ii) The Taxes, Duties, Tolls and Fees that may be assigned to the State; (iii) The grants-in-aid to the Municipalities and the measures needed to improve the financial position of the Municipalities; and (iv) Any other matter referred to them by the Governor in the interest of sound finance of the Municipalities. The Governor shall cause every recommendation made by the Commission to the State legislature, along with explanatory memorandum as to the action taken thereon. The State Legislature is responsible to legislate a provisions with respect to the maintenance of Accounts by the Municipalities and the Auditing of their Accounts.6

VI. State Election Commission

The Governor of the State appoints the State Election Commission.7 The superintendence, direction, and control of the preparation of Electoral Rolls for, and the conduct of all elections to, the Municipalities shall be vested in the Commission. The Governor shall determine the service conditions and tenure of office of the Members. After appointment, the Commissioner shall not be removed from his office except in like manner and on the like grounds as a judge of High Court. The Constitution shall not allow calling in questions to Court, relating to delimitation of Constituencies and the allotment of seats. No election shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law

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5 Ibid., p-706.
6 Ibid., p-708.
7 Ibid., p-701.
made by the Legislature of a State. It was unanimously stated that the life of a Municipality has been fixed for 5 years and elections for the constitution of new Municipality must be conducted before the expiry of that period. The Supreme Court held that both the conditions are mandatory and must be strictly observed.

VII. Powers and Authority

Article 243-W stated that the Legislature of a State may, by law, endow the Municipalities with such powers and authority as may be necessary to enable them to function as institutions of Self-Government. This includes preparation of Plans for economic development and social justice. The powers, functions, and responsibilities of the Municipalities are briefed as follows:

1. Urban planning including Town planning;
2. Regulation of land-use and construction of buildings;
3. Planning for economic and social development;
4. Roads and bridges;
5. Water supply for domestic, industrial, and commercial purposes;
6. Public health, sanitation, conservancy, and solid waste management;
7. Fire services;
8. Urban forestry, protection of the environment, and promotion of ecological aspects;
9. Safeguarding the interests of weaker sections of society, including the handicapped, and mentally retarded;
10. Slum improvement, and upgradation;

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8 Ibid., p-706
11 Ibid., p-1098
11. Urban poverty alleviation;

12. Provision of Urban amenities, and facilities such as parks, gardens, playgrounds;

13. Promotion of cultural, educational, and aesthetic aspects;

14. Burials and burial grounds; cremations, cremation grounds, and electric crematoriums;

15. Cattle pounds; prevention of cruelty to animals;

16. Vital statistics including registration of births, and deaths;

17. Public amenities including street lighting, parking lots, bus stops, and public conveniences;

18. Regulation of slaughter houses, and tanneries.

VIII. Committee for Planning

This is another essential feature of the Urban Local Self-Government. Provision was given in the Constitution’s that there shall be constituted in every State (i) The District Planning Committee in the District; and (ii) Metropolitan Planning Committee in every Metropolitan Area, to prepare Draft Development Plan for their respective Centres. This committee shall be elected by, and from among, the elected members of the Municipalities, while the elective should be four-fifths in Municipalities and two-thirds in the Metropolitan Areas.

IX. Part not to apply to certain areas

Part – IX(A) shall not be applied to Scheduled Areas referred to in Clause (1), and the Tribal Areas referred to in Clause (2) of Article 244. Moreover, nothing in this part shall be construed to affect the functions and powers of the Darjeeling Gorkha Hill Council. As provided by Clause (1) of Article 244, the Fifth Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State

12 Ibid., p-712.
other than Assam, Meghalaya, Tripura, and Mizoram. These 4(four) States are incorporated in Clause (2) of the same Article.13 As the whole State of Mizoram has not been under the Sixth Scheduled, other than the Areas under the Lai District Council, Mara District Council, and Chakma District Council, it shall not be outside the ambit of the Constitution Part – IX-A. Thus, the provision of the 74th CAA is valid for Mizoram, and it is mandatory to constitute Urban Local Bodies in all the Urban Centres and Urban Towns, except for Saiha, which falls under the provision of Sixth Schedule of the Constitution.

**Various problems for the introduction of Urban Local Self-Government in Mizoram**

All the above points clarifies that the 74th Constitution Amendment is an important instrument for the successful implementation of democracy through decentralisation. Particularly, it is a development oriented system to which National initiatives can be commenced from the local levels. This provision negates all the other traditional local administrative system and non-development administration of the imperialist legacy. In spite of that, there are many problems restrains the introduction of Urban Local Self-Government in Mizoram. They are as follows:

1. **Lacks of political will**

Politicians are not conversant with the essence of Urban Local Self-Government. The Union Parliament has legislated, through an Amendment, for the constitution of Urban Local Bodies in 1992. However, the implementation of such amendments in the States remains the State subject. Entry 5 of List-II (State List) enshrined that “Local Government, that is to say, the constitution and powers of Municipal Corporations, Improvement Trusts, District Boards, Mining Settlement Authorities and other local authorities for the purpose of Local Self-Government or village Administration.”14 As the Municipal Government or Urban Local Self-Government is under the State subject, the State Assembly can legislate for the constitution of Municipal Government. The Mizoram State Assembly, however, did not do this for quite many years.

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2. Absence of proper understanding of Urban Local Self-Government by the people

According to the Questionnaire Survey result of seven Urban Centres in 2007-2008, 70.38 percent of the people have not heard about Urban Local Self-Government. Not only this, 98.60 percent of the people in District Headquarters of seven Urban Centres are oblivious to the core meaning of Municipality, which included the sitting Village Council Members. It is alarming to note that the meaning of either Municipality, Municipal Corporation or Urban Local Bodies has not reached the Urban Towns of Saiha and Mamit as the Survey Result revealed that more than 92 percent of the Village Council Members do not know its meaning. They have not heard even the terminologies of Urban Local Bodies viz., Municipality and Municipal Corporation.

**Table-5.1a**

**Questionnaire Result of Seven Urban District Capitals (2007-2008)**

(In Percentage)

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Urban Town/ Notified Town/ Urban Centres</th>
<th>No. of respondents</th>
<th>Have you heard about Urban Local Bodies?</th>
<th>Was either Municipality or Municipal Corporation known to you?</th>
<th>Do you want to retain Village Council in your Town?</th>
<th>Do the V.C. require higher power for their functions?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>1.</td>
<td>Aizawl</td>
<td>100</td>
<td>45</td>
<td>55</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>2.</td>
<td>Champhai</td>
<td>34</td>
<td>17.65</td>
<td>82.35</td>
<td>0</td>
<td>34</td>
</tr>
<tr>
<td>3.</td>
<td>Kolasib</td>
<td>26</td>
<td>42.31</td>
<td>57.69</td>
<td>3.85</td>
<td>96.15</td>
</tr>
<tr>
<td>4.</td>
<td>Lunglei</td>
<td>47</td>
<td>25.53</td>
<td>74.47</td>
<td>4.26</td>
<td>95.74</td>
</tr>
<tr>
<td>5.</td>
<td>Mamit</td>
<td>15</td>
<td>6.7</td>
<td>93.33</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>6.</td>
<td>Saiha</td>
<td>42</td>
<td>4.77</td>
<td>95.23</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>7.</td>
<td>Serchhip</td>
<td>23</td>
<td>34.78</td>
<td>65.22</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>287</td>
<td>29.62</td>
<td>70.38</td>
<td>1.40</td>
<td>98.60</td>
</tr>
</tbody>
</table>

Table (5.1a) shows that though 91.64 percent still wanted to retain the Village Council in the Urban Areas, 64.11 percent disclosed that the Village Council needed higher powers for better functioning. Only 8.36 percent stated that the time had come to replace the Village Council Institutions in the Urban Towns.
All these Data shows that since only 29.62 percent have heard of Urban Local Bodies and only 1.40 percent knows their meaning, the people are indeed ignorant of the concept of Urban Local Bodies to a very great extent.

### Table-5.1(b)

**Questionnaire Result of Seven Urban District Capitals (2007-2008)**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Urban Town/Notified Town/Urban Centres</th>
<th>No. of respondents</th>
<th>Have you heard about Urban Local Bodies?</th>
<th>Was either Municipality or Municipal Corporation been known to you?</th>
<th>Do you want to retain Village Council in your Town?</th>
<th>Do the V.C. require higher power for their functions?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Aizawl</td>
<td>100</td>
<td>Yes (45) No (55)</td>
<td>Yes (1) No (99)</td>
<td>Yes (98) No (2)</td>
<td>Yes (62) No (38)</td>
</tr>
<tr>
<td>2.</td>
<td>Champhai</td>
<td>34</td>
<td>Yes (6) No (28)</td>
<td>No (0)</td>
<td>Yes (34) No (2)</td>
<td>Yes (21) No (13)</td>
</tr>
<tr>
<td>4.</td>
<td>Lunglei</td>
<td>47</td>
<td>Yes (12) No (35)</td>
<td>Yes (2) No (45)</td>
<td>Yes (30) No (17)</td>
<td>Yes (33) No (14)</td>
</tr>
<tr>
<td>5.</td>
<td>Mamit</td>
<td>15</td>
<td>Yes (1) No (14)</td>
<td>No (0)</td>
<td>Yes (15) No (0)</td>
<td>Yes (9) No (6)</td>
</tr>
<tr>
<td>6.</td>
<td>Saiha</td>
<td>42</td>
<td>Yes (2) No (40)</td>
<td>No (0)</td>
<td>Yes (42) No (1)</td>
<td>Yes (20) No (22)</td>
</tr>
<tr>
<td>7.</td>
<td>Serchhip</td>
<td>23</td>
<td>Yes (8) No (15)</td>
<td>No (0)</td>
<td>Yes (23) No (1)</td>
<td>Yes (19) No (4)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>287</strong></td>
<td><strong>85</strong> No (202)</td>
<td><strong>4</strong> Yes (283) No (263)</td>
<td><strong>24</strong> Yes (184) No (103)</td>
<td></td>
</tr>
</tbody>
</table>

The Questionnaire is answered by 287 persons, who belong to the Capitals of 7 Districts. While 85 persons have heard about Urban Local Bodies 202 respondents were not. It was also portrayed by the above Table (5.1b)’s that 103 respondents deny empowerment of the Village institution. Besides, 184 persons said that the Village Council require higher powers in the present situation.

### 3. Effects of the Imperialists

The British annexed Mizoram in 1890. This imperial Government had imparted different changes over the administrations of the State for about half a Century. Mention should be made here that Mizoram is called ‘Lushai Hills’ by the British, and this was changed to ‘Mizo District’ after Independence in 1954, and to ‘Mizoram’ since 1972. At the beginning of imperial administration, the whole Area was divided into two viz., (1) North Lushai Hills, and (2) South Lushai Hills. Both the hills are amalgamated into one

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Lushai Hills on 6th September 1895, and Captain Shakespeare was appointed as the first Superintendent. Indigenous Mizo people are administered under the local hereditary Chiefs at this time. Chiefs reigned within a certain portion of land, assigned by the British, and were responsible to the British Superintendent.\textsuperscript{17}

Imperial rulers under the British came to realise that the traditional Chiefs should be retained for the Village Administration as it is efficient, effective and economical. In order to gain the support of the Chiefs, the British administration devolved different powers to them. These includes the right to- (i) collect Paddy taxes, (ii) summon Community works, (iii) Wild taxes \textit{etc}. No one should act against the Chief even if he snatched the property of his Villagers, and he could possess Slaves too. As such, autocratic Chief institution was in place in all the Villages in Mizoram.

The institution of Village Council was officially inaugurated by Shri Hrangaia, Executive Member of the District Council \textit{i/c} Village Councils on 29th July 1954 at Baktawng Village,\textsuperscript{18} about 80 km South-East of Aizawl.\textsuperscript{19} As democratic representatives, VC members are elected in the Villages, thereby quashing the Chiefs’ Rights and replacing them, through a legislation of Assam Assembly,\textsuperscript{20} since Mizoram was under the Assam Government at that time. At the dawn of 1st April 1955, the power of 255 Chiefs ended from Aizawl Circle while on the other hand, 50 Chiefs’ Rights from Regional Areas was made void on 15th April 1956.\textsuperscript{21} Ever since, the traditional institutions of Chieftainship have been replaced by democratically elected institutions called the Village Council. This new institution, which replaced autocratic Chieftainship, led to the prohibition of forced labour, imposition of different kinds of taxes, and cancellation of even the wild taxes.

The Mizo society, which had, as long as can be remembered, been under autocratic Rule was strongly drawn to the Village Council institution as the institution was the first democratic element the Mizo people had ever seen or experienced and which had adequate powers to solve many of the problems of the people of that time. They were also satisfied with the system because of the fact that they could protect their Customs

\textsuperscript{17} \textit{Op.cit.}, Prasad, R.N., p-50.
\textsuperscript{19} Lalrinzuala, K., MCS, District Local Administration Officer, Aizawl - \textit{Mizoram a village council tobul, Anih phuang leh mawpharhna tlangpui te}.
\textsuperscript{21} \textit{Ibid.}, p-90.
and Traditions through this institution. Therefore, how good it may be, a majority of the people did not welcome any other type of local administration system, including the Local Self-Government enshrined by the 74th CAA.

4. **Negative sentiment of the bureaucrats**

Many of the bureaucrats are always inclined towards a system that is Non-Democratic. Instead of decentralisation, they tend to promote centralisation so that they could exercise optimum powers under their hand. Bureaucrats want to hold on to their financial powers as long as they can, so also is the case with the administrative officers in Mizoram. As the Ministers come and go, the bureaucrats are more responsible for the introduction of Municipality in the Urban Areas of Mizoram. It will be almost impossible to change the system if bureaucrats are not supportive of the introduction of new development mechanisms like Municipality. At the same time, it is the fact that the State Legislators are not too concerned towards decentralisation. Even the Constitutional mandate does not help in the encouragement towards better change.\(^{22}\) This negative sentiment towards decentralisation by the bureaucrats and non-support of decentralisation by Politicians has created many hurdles in Mizoram.

5. **Isolation and discrimination**

These problems are the common features of all North Eastern States. Everybody accepts that the North East States of India are isolated geographically from the rest of the Country. Mizoram, being located in the Southern-most part of the North East India, could be the worst sufferer since all transportation connectivity with other States is especially poor. Notwithstanding that the State has road connectivity from its neighbours \(viz.,\) (i) NH 54 (Dabaka-Lumding-Silchar-Aizawl-Tuipang), (ii) NH 44A (Aizawl - Manu), (iii) NH 150 (Aizawl-Churachandpur-Imphal-Ukhrul-Jessami-Kohima) and (iv) NH 154 (Khaleswar-Bairabi-Kawnpui).\(^{23}\) The arterial road networks of Mizoram are classified as National Highway, State Highway, Major District Roads, Other District Roads, Village Roads, Town Roads and Satellite Town & Village Roads,\(^{24}\) but unfortunately, all the roads are poorly maintained. The State is also connected through air from Kolkata to

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\(^{23}\) Government of India, Ministry of Road Transport and Highway, *(National Highway Authority of India)*, From: www.nhai.org.

\(^{24}\) Government of Mizoram, Socio - Economic Review Mizoram 2000-‘0, p-71.
Aizawl via Imphal and from Guwahati to Aizawl. At present, railway connectivity is available at Bairabi, Kolasib District (about 124 km. North of Aizawl). Extension for railway connectivity is underway from Bairabi to Sairang, the latter an important river port situated only 26 km West of Aizawl. However, these developments that seek to bring the people of Mizoram closer to so-called ‘Mainstream India’ has not succeeded in erasing dreams relating to regionalism and parochialism that is still retained by the people of this State.

An isolated State like Mizoram has many other administrative problems from the mainstream, which is further aggravated by difficulties faced in dissemination of information to the Area. Many economic goods, political initiatives, administrative ideas, and new development programmes could reach the area only belatedly as compared to the rest of the Country. All these and many other composite sentiments and political history of the past adversely affects development programmes. To make matters worse, the people are too conservative, finding it difficult to adapt to new administrative systems. It is also true that, as per the content of Mizo Peace Accord, many of the Acts passed by the Parliament is not to be readily accepted by the Mizo Society. Mizo Nationalism, so to say, also causes some barrier. It may be recalled that the State had fought for independence for more than 20 years. All the problems of isolation, assimilation and conviction of being discriminated on have been cemented by regionalism and parochialism. These have been the cause for the delay pertaining to the introduction of Urban Local Self-Government in Mizoram.

6. **Peace Accord between the Government of India and MNF**

Peace Accord or Memorandum of Settlement (MoU) signed between the erstwhile underground outfit Mizo National Front (MNF) and the Government of India was another significant hindrance for the introduction of Urban Local Self-Government in the Urban Areas of Mizoram. This is because Paragraph 4.3 of this Accord stated that, “Acts of Parliament shall not apply to the new State of Mizoram unless so decided by the Mizoram Legislature with regard to-

(i) Religious or social practices of Mizos;

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(ii) Mizo customary law and procedure;

(iii) Administration of civil and criminal justice involving decisions according to Mizo Customary law…”

This Memorandum of Settlement is legitimised by the entry of Article 371G to the Constitution through the 53rd Amendment Act, 1986. Through this Amendment, special provisions were inserted in Article 37-G that no Act of the Parliament shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram, by a resolution, so decides. Though Urban Local Self-Government provisions neither contradicts nor clashes with the Accord, political leaders misinterpreted this Clause by quoting the provisions of the Accord.

7. Absence of sensitisation

Sensitisation of Urban Local Self-Government is very weak since the meaning of either Municipality or Municipal Corporation has not been properly known by 98.61 percent of the urban population as seen at Table (5.1). This Table clearly portrays that the people of Mizoram are acquainted with neither the meanings nor the institution of Urban Local Self-Government. There is no reason why people would like to have Urban Local Bodies introduced and bring pressure for decentralisation in the urban centres under these circumstances.

The anti-municipalisation groups stated that, though Central Grants could be availed during the pre-maturing period, such financial grants would be terminated after a certain period. Thereby, the Urban Local Body would be compelled to collect more taxes unavoidably, like Income Taxes etc., which is not taxes subject for tribal people including the Mizos.27 The supporters of traditional system also exclaim that the Bengal Eastern Frontier Regulation 1873, commonly known as Inner Line Regulation (ILR) would become annulled or ineffective under Municipality.28 Presently, non-indigenous persons are allowed to enter Mizoram with Inner Line Pass (ILP) issued by the State Government and other the authorities authorised by the former. Thereafter, the Pass holders are allowed to apply for an extension of their stay permit before the expiry of original Inner

28 Ibid..
Line Pass. As both the general people and the Government want to preserve the ILR 1873 with at all costs, any exogenous model of urban administration, which includes Municipality, could not make much impact in Mizoram.

Assimilation is always another important administrative and political precaution of the people that affects the Government. Since the assimilation of the Cachari Society in Cachar District of Assam by the immigrant Bengalese, taking precautionary measures against facing the same situation in Mizoram has been a several decade exhortation of concerned NGOs. It is a popular belief among the Mizos that, by receiving financial advantages of urban administration, chances would be there for non-indigenous peoples to permanently reside in different Towns of Mizoram, which was thought highly unhealthy for a conservative society like the Mizo society. Pro-status quo groups also preached that hydro-electricity projects, oil and gas exploration, rail connectivity and exploration of forest wealth would also mean an intrusion of Mizoram by non-Mizos in general and of the Mizo society in particular.

As mentioned before, even politicians do not welcome the process of decentralisation. Unlike many other States in India, it is the routine practice of journalists, both print and media in Mizoram, to call upon Ministers for public interview at their residence. People could directly promulgate their cause to the Government through these interviews and if the politicians choose to take advantage of the situation such as promoting anti-decentralisation, it is very convenient for them to do so during the interview. Even the most influential NGO’s in Mizoram, i.e., YMA, had held a discussion at their annual General Conference at Kawnpu village in 1999 regarding the introduction of Local Government Bodies in Mizoram but failed. This Agenda came from the Southern Sub-Headquarters Lunglei and it was for introduction of the 73rd and the 74th Amendment Acts. Unfortunately, no concrete resolution was passed. The time for the introduction of Urban Local Self-Government in the Urban Centres and Urban Towns of Mizoram cannot be foretold as the move for it faces so many hurdles and obstacles.

**Trend of Urban Administration in Mizoram**

Though the Census of India, 1991 had identified 22 Notified Towns in Mizoram, the Government of Mizoram has not given different treatment to the Urban Towns. Before 1997, the State Government had especially faced many ‘Audit Objections’ from
the Government of India, regarding its implementation of Centrally Sponsored Schemes (CSS) and other Development Programmes in the State. On 4th August 1997, the state Government declared Aizawl, Lunglei, Saiha and all other centres having 30,000 and above population as Urban Areas, adopting 1991 Census as base year. Simultaneously, after the inauguration of four new Districts in 1998, the Government of Mizoram, which was issued by the Rural Development Department on 24th September 2000, notified all the new District Headquarters viz., Champhai, Kolasib, Serchhip, Mamit, and Lawngtlai as Urban Areas/centres. This notification prohibits the implementation of rural development programmes in the urban centres since 1st April 2004. Since then, Rural Development programmes are not allowed to be implemented in these Urban Areas.

It is important to be mentions that beside the District Headquarters, there are 14 other Notified Towns in Mizoram. One unhappy fact is that though the Headquarters of Lai Autonomous District and Lawngtlai District i.e., Lawngtlai had been declared as ‘Urban Area’ by the State Government in 2000, the Census of India 2001 still recognised this Town as a village and status for this District Headquarters is still to be decided by the administration. Hitherto, as identified by the Government of India, the total urban centre in Mizoram remains at 22 (Table - 3.1). Although, Rural Development Programmes are not allowed to be implemented in each of the District Headquarters, this is not so in 14(fourteen) urban centres. In these Towns, the State Government consistently implements development programmes for the rural areas.

Since 2005, as encouraged by the Government of India (GOI), the Government of Mizoram undertook a number of initiatives for the implementation of many urban reforms, by and large, as a mandatory step to access funding from the Central Government through Centrally Sponsored Schemes and urban reform programmes, like JNNURM etc. Among the 63 selected Urban Cities/Towns in India, Aizawl is the only urban Town selected by the Mission in Mizoram. The State Government lost no time towards taking the implementation of JNNURM. Some immediate steps taken by the State Government are as follows:

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30 Ibid.
32 Op.cit., HNEHTU.
Firstly, a new Department of Urban Development & Poverty Alleviation (UD & PA) was created by the Government on 24th August 2006. And the legitimate functions of this new department were issued, through Notification, by the Government on 26th September 2006. Some of them are related to JNNURM and allied matters, Urban Infrastructure Development Schemes (UIDS), Urban Local Bodies, Solid Waste Management and Sanitation, and Aizawl Development Authority (ADA) etc.

Secondly, as required by the Mission statement, the Government of Mizoram and the Ministry of Urban Development, GOI signed a Memorandum of Agreement (MoA) on 12th June 2007. This Agreement was followed by the preparation of City Development Plan (CDP) by WAPCOS, a Government of India undertaking. Perspective frameworks Plan for a period of 25 years indicating policies, programmes and strategies was submitted to the Central Ministry which did not withhold its approval.

Thirdly, the first ever Urban Administration Bill called The Mizoram Municipality Bill, 2007 was passed by the State Assembly on 29th March 2007 and assented by the Governor on 16th April 2007, and Gazetted on 24.4.2007. The Bill became an ‘Act’ and has been amended twice, in 2009 and 2010 respectively, by the State Assembly. This new Act was followed by the Mizoram Municipalities (Election of Councillors) Rules, 2007; The Mizoram Municipalities (Procedures & Conduct of Business) Rules, 2007; the Mizoram Municipalities (Delimitation of Wards) Rules, 2007; and The Mizoram Municipalities (Ward Committees & Local Committee) Rules, 2008 etc.

Fourthly, Aizawl Municipal Council Office was inaugurated by the then Minister Shri H. Vanlalauva on 1st July 2008 at Central YMA Building, Tuikhuahtlang, Aizawl. This new office has a single member namely the Chief Executive Officer, one Secretary and other office staff.

Fifth, as authorised by the Rules dated 26th August 2008, Mizoram State Election Commission (SEC) was constituted on 3rd October 2008. This Commission was constituted on 3rd October 2008.

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37 Op.cit., HNEHTU.
38 Gazette, Mizoram, Dated 24.4.2007.
40 Constitution of Mizoram State Election Commission, From: www.secmizoram.in
constituted for superintendence, direction, and control of the preparation of electoral rolls and for the conduct of election of various local bodies in Mizoram. For the first time after its formation, the State Election Commission conducted the Village Council election in 2009 in Aizawl, Lunglei, Champhai, Mamit, Serchhip and Kolasib Districts respectively. The Commission also conducted mid-term elections/by-elections for seven newly created and two dissolved Village Councils in early 2010.  

_Sixth_, the only Municipal Council in the State is to be set up in Aizawl, the State Capital. As for the first step, Aizawl Town/City has been divided into 19(nineteen) Wards and the details of the wards are shown in **ANNEXURE-I**.

From among the 19(nineteen) Municipal Wards, the State Election Commission selected Ward No. II, IV, VI, XI, XII, and XVII as reserved wards for women and this reservation of Wards would be rotated in every election. On the other hand, Ward No. IX was declared ‘General Ward’, which means that the ward is open for contest for everybody, even those persons classified General categories. In other words, 18 out of 19 Municipal Wards are reserved for the SC/ST from which 6(six) are again reserved for women.

_Seventh_, the SEC through a Notification issued by the Commissioner Shri C. Ropianga IAS held the first Municipal Election in the history of Mizoram on 3rd November 2010. Accordingly, Election Notification and Schedule was issued on 4th October 2010. Following the elections, counting of votes was conducted and completed on 4th November and all the process for the first Municipal election was completed before 16th November 2010. The SEC appointed 3 Returning Officers (RO) for 174 Polling Stations in the first Municipal election. There were 174 Presiding Officers, the same number of First Polling, Second Polling and Station Officers and a few reserved officers. Besides them, the Commission appointed 24 Counting Supervisors and 44 Assistant Counting Supervisors. 237 Electronic Voting Machines (EVM) were utilised in the election and 348 Security personnel were deployed.

There were 45 candidates contesting the first AMC election with a majority of the candidates coming from political parties. 13 candidates belonged to Indian National 

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41 Ibid.
43 Ibid.; Dated 4th November 2010.
Congress (INC), 12 to Mizo National Front (MNF), six to Zoram Nationalist Party (ZNP), seven to Mizoram People’s Conference (MPC) and four to Bharatya Janata Party (BJP). There were 2(two) independent candidates. Though there were independent and other party candidates, this election was fought from two corners comprising of the major political parties and their allies. While INC allied with ZNP were at the one hand, and the biggest State party MNF signed up with MPC on the other, were to contest the election.

In AMC election, there were 1, 68,649 registered voters of which 80,390 are males and 88,259 females(ANNEXURE-II). The total of male voters is 8.92 percent or 7,869 less than female voters. From amongst 1, 68,649 voters, 1, 07,261 persons or 63.60 percent cast their votes at the first AMC Election. While Ward No. 1 recorded the highest percentage of 71.82 voter turnout record, Ward No. II has the lowest turnout record at 49.43 percent only. 44

List of elected Councillors in the first AMC election is shown in (ANNEXURE-III). INC, MNF and ZNP won 5 (five) Wards each while MPC was victorious in 4(four) Wards. Thus, the alliance of INC and ZNP formed the first AMC Government by taking 10 seats. The average age of the first councilllors is 46.69 years.45 While CT Zakhuma of Ward No XV at 61 was the oldest, Lalchhuanmawii of Ward No XI was the youngest at 30 years of age. Among the Councillors, there are 5(five) Post Graduates, 12(twelve) Graduates, 6(six) Matriculates and 1(one) Under-matriculate.

To conduct the election, the SEC required Rs. 109 lakhs; however, the Nodal Department sanctioned only Rs. 74.71 lakhs, which was Rs. 34.29 lakhs short of the demand. All the election expenditure was exclusively borne by the State exchequer.46 One week before the commencement of election, the SEC issued a Notification for the candidates where more than 3 vehicles are not allowed to be utilised by a candidate at a time for campaign purposes. It was stipulated that one vehicle is for the candidate while the other two were for the candidate’s agent and party workers each. The Municipal Returning Officer should certify all deployed vehicles; otherwise, owners of non-certified vehicles are liable to be punished under either the Representation of the People Act, 1951 or Chapter IX of IPC. 200(two hundred) local taxis, 33(thirty-three) buses, 1(one) Pik-Up,

1(one) Tata 407 mini-truck and 4(four) Gypsy vehicles were deployed in the first AMC election through requisition.47

Oath taking ceremonies were conducted by Shri C. Thanchhuma, IAS, Deputy Commissioner, Aizawl District on 16th November 2010 at AMC Session Hall, Thuampui, Aizawl.48 This Ceremony was chaired by Shri R. Sangliankhuma, CEO, Aizawl Municipal Council. All the newly elected Councillors formed the first Executive Council on the same day where Shri C.T. Zakhuma was elected as the first Chairman of AMC and Shri Zarzoliana for the Vice Chairman. Besides them, 3(three) Executive Members (EMs) were also constituted on the recommendation of the newly elected Chairman. They are, Shri Lalzirliana, Smt. F. Lalluthangi and Smt. Hmingthanzami. State Legislators, Members of the Parliament and a number of top Government officials attend the ceremony.49

Despite Mizoram State facing so many problems for the introduction of Urban Local Bodies in the State, the political and non-political opposition to it had to finally succumb. Of course, most of the people have realised that unplanned and traditional type of administration like the Village Council institution has no place in the civilised urban society. It is embodied in the policy documents of the JNNURM that implementation of Urban administration, in consistent with the 74th Constitution Amendment or ‘Part - IX-A’ of the Constitution, is compulsory or otherwise, no financial assistance could be sanctioned to States. As the state faced so many urban problems caused by rapid population growth and ill-managed urban settlements, the State Government had to seek all available financial resources from the Central Government. It lost no time towards Municipalisation process consistent with the 74th CAA by signing a Memorandum of Agreement (MoA) on 12th June 2007, committing itself to implement a number of reforms.

Despite composite hurdles and difficulties, the State Government has smoothly undertaken the process of introduction of Urban Local Bodies and as embodied by Municipal Act, all the other District Headquarters are to have Municipal Boards, the responsibility for which now rests with the Government.

47 Ibid...
48 Ibid.; Dated 16th November 2010.
49 Ibid...