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NOTIFICATION

No. C. 18011/1/91-DCA/pt. 1, the 30th November, 1991. WHEREAS the present administration of the Lai Autonomous District Council was installed through election held on 27th January, 1988 with the total strength of 23 seats in the House, out of the total strength of 19 members were elected and 4 members nominated. In the election, Cong (I) captured 11 seats while MNF captured 8 seats;

AND WHEREAS immediately after the election, the defeated candidates of 5 MNF and 1 Cong (I) submitted election petitions to the Government. A Commissioner was appointed as per rule 185 of Mizoram Autonomous District Council Rules, 1974 to enquire into the petition made in the election petitions. The Commissioner commended disqualification of 5 returned Cong (I) and 1 MNF candidates. The disqualification notice was issued accordingly. One disqualified MNF candidate accepted the recommendation of the Commissioner but the disqualified 5 Cong (I) candidates submitted writ Petition to Gauhati High Court. The Court passed an interim order to the effect that the petitioners may participate in the Council without having voting right;

AND WHEREAS the MNF members of the Council determined to take advantage of the suspension of the voting right of the 5 Cong (I) members, exchange of blows took place every now and then in the Council. Both sides ran down to Gauhati High Court filing writ Positions after Writ Petitions;

AND WHEREAS in every subsequent District Council session, critical problems cropped up due to rampant horsetrading, luring of members with position and money amongst the Council Leaders. The situation grew worse more and more and finally 9 members of the Lai Autonomous District Council submitted their resignation written in their own hands to the Government in October, 1990. After the resignation, the number of Council members was reduced in that out of the total strength of 23 seats only 13 members are now remaining in the District Council. Out of the 13 members, 3 of them are nominated and the elected ones comes to 10 only; and out of the 10 members, 1 has no voting right. Thus only 9 elected members Voting right in the House.

AND WHEREAS complaints were received all along about rampant corruption practised by the leaders whoever holding powers over the Council administration. Written allegations and Counter-allegations regarding Financial mismanagement and irregularities were received from the Lai community themselves. The Chief Controller of Account of the Government of Mizoram was therefore deputed to examine their accounts and his reports, prima facie, established the existence of corruption in the Council;

AND WHEREAS the Governor of Mizoram, considering the circumstances stated above, satisfied that the Lai Autonomous District Council could not run the administration in accordance with the provisions of the Sixth Schedule to the Constitution of India, in exercise of the powers vested under sub-para (2) of para 16 of the Sixth Schedule to the Constitution of India, assumed to himself all the powers and functions exercisable by the Lai Autonomous District Council for a period of 6 months with effect from 7th November, 1990 and extended 2 times because there has not been any improvement from their financial mismanagement as well as their political instability;

AND WHEREAS the Gauhati High Court decided that the Executive Committee of the Lai Autonomous District Council will continue to function;

AND WHEREAS the Chief Executive Member of the Council informed in writing dated 28.11.91 the Hon'ble Chief Minister of Mizoram about the problems faced by the Council that the said Council was unable to run the administration smoothly since the last 4 years due to political instability resulting in frequent changes of leadership with financial irregularities including mismanagements of the District Council fund and suggested for holding fresh election to solve the problems of the existing political crises.

NOW THEREFORE, in exercise of the powers conferred under paragraph 16 read with para 20BB of the Sixth Schedule to the Constitution of India, read with rule 4 of the Mizoram Autonomous District Council (Constitution and Conduct of Business of the District Councils) Rules, 1974, the Governor of Mizoram dissolved the Lai Autonomous District Council with effect from 30th November, 1991 to enable to hold fresh General Election for the re-constitution of the District Council.

F. Pahnuna,
Chief Secretary,
Government of Mizoram.