

**THE MIZORAM PUBLIC DEMANDS RECOVERY (AMENDMENT) BILL,
2018**

**A
BILL**

further to amend the Mizoram Public Demands Recovery Act, 2001(Act No. 11 of
2001)

*Be it enacted in the Legislative Assembly of Mizoram in the Sixty- Ninth Year of
the Republic of India as follows, namely:-*

1. Short title, extent and
commencement:-

1) This Act shall be called the Mizoram
Public Demands Recovery (Amendment)
Act, 2018.

2) It shall have the like extent as the
Principal Act.

3) It shall come into force on the date of
publication in the Official Gazette.

2. Amendment of section 14 :-

Section 14 of the Principal Act shall be
substituted by the following, namely :-

“14. MODE OF EXECUTION – Subject to
such conditions and limitations as may be
prescribed, a Certificate Officer may order
execution of a certificate-

(a) by an order directing recovery of debt in
instalments as indicated below:-

Sl. No.	AMOUNT OF DEBT UNDER CERTIFICATE	MODE OF RECOVERY
1	Rs. 1.00 to Rs. 50,000.00	In lumpsum or in not more than 2 monthly instalments
2	Rs. 50,001.00 to Rs. 1,00,000.00	In lumpsum or in not more than 3 monthly instalments
3	Rs. 1,00,001.00 to Rs. 5,00,000.00	In lumpsum or in not more than 6 monthly instalments
4	Rs. 5,00,001.00 to Rs. 10,00,000.00	In lumpsum or in not more than 10 monthly instalments
5	Rs. 10,00,001.00 to Rs. 20,00,000.00	In lumpsum or in not more than 15 monthly instalments
6	Rs. 20,00,001.00 to Rs. 50,00,000.00	In lumpsum or in not more than 20 monthly instalments
7	Rs. 50,00,001.00 to Rs. 1 crore	In lumpsum or in not more than 25 monthly instalments
8	More than 1 crore	In lumpsum or in not more than 30 monthly instalments

- (b) by attachment and sale, if necessary, of any property or in the case of immovable property including the property created in the name of relatives and friends where proof is there that the loan money used was for acquiring that property by sale without previous attachment, or
- (c) by arresting the certificate-debtor and detaining him in the civil prison, or
- (d) by way of the methods mentioned in sub-clauses (a), (b) and (c).

3. Amendment of section 48:-

Section 48 of the Principal Act shall be substituted by the following, namely:-

“48. Act to have overriding effect:

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any Act or any other law made by the State Legislature for the time being in force or in an instrument having effect by virtue of any such law other than this Act”.