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NOTIFICATION

No.H.12018/99/2010-LJD the 10th July, 2018. The following Act is hereby published for general information.

The Mizoram Public Demands Recovery (Amendment) Act, 2018
(Act No. 7 of 2018)

(Received the assent of the Governor of Mizoram on the 29th June, 2018)

THE MIZORAM PUBLIC DEMANDS RECOVERY (AMENDMENT) ACT, 2018

AN ACT

further to amend to 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 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 instalment
2	Rs. 50,001.00 to Rs. 1,00,000.00	In lumpsum or in not more than 3 monthly instalment
3	Rs. 1,00,001.00 to Rs. 5,00,000.00	In lumpsum or in not more than 6 monthly instalment
4	Rs. 5,00,001.00 to Rs. 10,00,000.00	In lumpsum or in not more than 10 monthly instalment
5	Rs. 10,00,001.00 to Rs. 20,00,000.00	In lumpsum or in not more than 15 monthly instalment
6	Rs. 20,00,001.00 to Rs. 50,00,000.00	In lumpsum or in not more than 20 monthly instalment
7	Rs. 50,00,001.00 to Rs. 1 crore	In lumpsum or in not more than 25 monthly instalment
8	More than 1 crore	In lumpsum or in not more than 30 monthly instalment

(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”.

Secretary,
Law & Judicial Department,
Govt. of Mizoram.