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Comparative Study of the Lushai Hills District (Village Councils) Act Amended in 2014 and the Mizoram Village Councils Act, 2025

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Abstract

The administrative system of Mizoram, formerly known as Lushai Hills District, was placed under the Assam Government right after India's independence. It was administered as one district until it was elevated into an Autonomous District Council. On January 4, 1952, the first election of the Lushai Hills Autonomous District Council was successfully conducted, leading to the formation of the first District Council Government by the Mizo Union Party. Between 1952–1953, the District Council Government passed a number of Acts, Rules, and Regulations. Among them, the passage of the Lushai Hills District (Village Councils) Act, 1953, was a significant milestone for local administration in Mizoram. This Act created the Village Council system as a replacement for the traditional chieftainship, institutionalizing grassroots governance. The Act continued for more than 70 years with amendments, including the 2014 amendment, until its repeal in 2025. On March 5, 2025, the Mizoram Legislative Assembly passed The Mizoram Village Councils Bill, 2025, which received the Governor's assent on March 12, 2025, and was published in the Mizoram Gazette on March 20, 2025, thereby becoming law. The new Act applies to all non-Sixth Schedule areas of Mizoram and replaces the Lushai Hills District (Village Councils) Act. This paper analyses the historical background of Village Councils in Mizoram and undertakes a comparative study between the two Acts, highlighting similarities, differences, and their implications for grassroots governance.

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1. Introduction

The local governance of Mizoram has undergone a remarkable transformation from hereditary chieftainship to representative local democracy. The shift from traditional structures to elected institutions reflects both the political aspirations of the Mizo people and the evolving constitutional framework of post-independence India. The Lushai Hills District (Village Councils) Act, 1953, passed under the Lushai Hills Autonomous District Council, was a landmark in institutionalizing local self-governance. For over seven decades, this Act provided the legal framework for grassroots administration, shaping governance in rural Mizoram.

The Act, however, required adjustments over time to respond to societal changes. The 2014 amendment was particularly notable, as it introduced provisions for women's political representation, aligning Mizoram with broader national trends toward gender inclusivity in politics (Thanawna, 2022). Yet, even with amendments, the Act increasingly appeared

outdated in terms of scope, fiscal authority, and alignment with contemporary governance needs. Recognizing this, the Mizoram Legislative Assembly enacted the Mizoram Village Councils Act, 2025, which modernized and expanded the structure and role of Village Councils. This Act not only replaced the 1953 framework but also extended its application across all non-Sixth Schedule areas of Mizoram (Government of Mizoram, 2025). This paper provides a comprehensive analysis of the historical background, evolution, and comparative features of the 2014 amended Act and the 2025 Act. It aims to highlight the continuities, innovations, and implications for grassroots governance in Mizoram.

2. Historical Background of Village Councils in Mizoram

2.1 Chieftainship in Pre-Colonial and Colonial Era

Before British annexation, Mizoram (then known as the Lushai Hills) was governed by hereditary chiefs. The chief,

known as the Lal, exercised authority over land distribution, dispute resolution, and customary practices. The political system was patriarchal and centralized within clans (Lalthangliana, 2001). The British colonial administration retained the chieftainship system through indirect rule, formalizing it under the Assam Frontier Tracts Regulations.

2.2 Post-Independence Transition

Following India's independence, demands for democratization grew within Mizo society. In response, the Lushai Hills was constituted as an Autonomous District Council under the Sixth Schedule of the Indian Constitution in 1952 (Vanchhunga, 2007). The first election to the District Council was held on January 4, 1952, paving the way for modern governance (Lallawmzuala Khiantge, 2025).

2.3 The Lushai Hills District (Village Councils) Act, 1953

The passage of the Village Councils Act, 1953 marked the end of hereditary chieftainship and the beginning of elected grassroots governance. Village Councils became the primary administrative institutions, responsible for law and order, land management, and welfare activities. This was a significant milestone in decentralization, providing villagers a democratic voice for the first time (Ralte, 2019). Right from 16th August, 1954 the Village Councils begun functioned as local self-governance in Mizoram. This day is called foundation day of Village Councils in Mizoram (Lallawmzuala Khiantge, 2025)

2.4 The 2014 Amendment

The Act was amended several times, but the 2014 amendment was the most transformative. It introduced women's reservation in Village Councils, aligning with India's larger political discourse on gender equality. This amendment ensured that at least one seat in Village Councils was reserved for women, marking a historic breakthrough in Mizoram's political landscape (Thanzawna, 2022).

2.5 The Mizoram Village Councils Act, 2025.

On March 5, 2025, the Mizoram Legislative Assembly passed the Mizoram Village Councils Bill, 2025, which was later enacted into law after it got the signature of the Governor on 12th March, 2025 (The Mizoram Gazette- March, 2025). Published in the Mizoram Gazette on March 20, 2025, this Act repealed the 1953 Act. Like its predecessor, it applies to all non-Sixth Schedule areas of Mizoram, thereby unifying the Village Council system under a single legal framework (Government of Mizoram, 2025). After 72 years of existence, the Lushai Hills District (Village Councils) Act created by The Lushai Hills District Council has been revoked and superseded by The Mizoram Village Councils Act 2025.

3. The Lushai Hills District (Village Councils) Act, 1953 (Amended 2014)

The 1953 Act institutionalized Village Councils as the nucleus of grassroots democracy in Mizoram. Its main features included:

- **Composition and Election:** Village Councils consisted of 3–11 members depending on population, elected through universal adult franchise. (Section 2 of the Lushai Hills District (Village Councils) Act 1953 amended in 2014).
- **Powers:** Village Councils exercised control over law and order in the village, distribution of community land, and village welfare projects (Lallawmzuala Khiantge, 2025). Furthermore, It has the power and responsibilities

concerning- formulation of village development schemes, and supervise various development works received from the State Government through various agencies, to assist various agencies in carrying out socio-economic development works in the village, to take up various development works on its own initiatives or on request by the government, to convene social audit on regular basis for successful implementation of development works in the village, to collect property tax as prescribed by the State Government, to assist the State Government in Public Distribution System, to administer relief and rehabilitation to the people during calamities etc. (Section 8.A of the same Act).

- **Judicial Authority:** The Village Councils also functions as Village Court. It had powers to adjudicate minor disputes, blending customary law with formal governance. It also has the power to adjudicate cases involving petty theft, affray and trespasses etc. which falls within the Mizo customary Law (Lallawmzuala Khiantge 2025).
- **Women's Reservation (2014 Amendment):** It Mandated representation for women, breaking traditional barriers to women's participation (Thanzawna, 2022). It fixed the number of women reservation in every Village Council at 1-3 depending on the number of Households in the village. (Section.3(2) of the Act).
- **Gramsabha:** It also introduced a new Section 11A concerning 'Gram Sabha' which means a 'Village Assembly' including all registered voters residing in the village. It approves village level plans, programmes and projects for socio-economic development of the concern village (Lallawmzuala Khiantge 2025).
- **Sanitation:** It also introduced a new Section ie, Section 11 concerning establishment of Village Level Sanitation Committee under the command of the concerned Village Council.
- **Election Oversight:** Supervised by the State Election Commission to ensure free and fair processes. The superintendence, direction and control of the preparation of electoral rolls for and the conduct of elections to the Village Council shall be conducted by the SEC. Despite these progressive steps, the Act was limited in terms of fiscal autonomy and integration with state-level development policies. It needs to improve as per the demand of time.

4. The Mizoram Village Councils Act, 2025

The 2025 Act sought to modernize local governance by addressing structural and functional limitations of the 1953 Act. Its major provisions include:

- **Applicability:** Covers all non-Sixth Schedule areas of Mizoram (Government of Mizoram, 2025).
- **Composition:** Membership based on village population size, ensuring proportional representation. (previously based on number of Households was substituted)
- **Women's Reservation:** At least one-third of seats reserved for women, significantly expanding inclusivity.
- **Transparency Measures:** Mandates digital record-keeping, online publication of council decisions, and citizen to access information. It is mandatory for every Village Council to prepare and submit a reports in respect of administration in a prescribed form provided by the Government on quarterly basis. Failing to do so may lead to withholding of funds from the Government. (Section 14(19).)

- **Enhanced Fiscal Powers:** Councils now receive a share of state development funds, unlike the earlier taxation-based model. It has now the power to collect property tax within their jurisdiction as per the rates fixed by the State Government from time to time. (Section 13(4).)
- **Expanded Powers:** It empowers the VCs able to earn more money for smooth functioning. It includes the power to collect user charge on public assets and services as per the rates proposed by Vantlang Inkhawm and approved by the Government. (Section 13 (5). The new act also confers power to regulate building construction to the VCs within their own jurisdiction (Section 13(6)).
- **Power to Settle Disputes:** The Village Council has the power to settle disputes concerning petty civil and criminal nature. It will act as CONCILIATOR in dealing with such cases. (Section 13(8). It has also the power to impose fines upon those person/persons who act in contravention or insubordination to any public notification made in discharging their duties, functions and responsibilities as prescribed in this Act. The ceiling amount of such fine may not cross RS.2000 (two thousand)-Notification No.B.13016/5/2019-LAD/VC: Dated Aizawl the 19th May,2025 vide Notification Dated 19th May,2025 by RD&A Deptt.
- **Expanded Functions:** Includes environmental conservation, disaster preparedness, and implementation of central/state welfare schemes. Most importantly, Section 13(7) of the Act confers to the VC the power to constitute Biodiversity Management Committee (BMC) at the village level as per Section 41 of the Biological Diversity Act, 2022.
- **Deemed to Be Public Authority:** Section 13(21) of the Act declares the VC as deemed to be Public Authority under Section 2(h) of the Right to Information Act,2005.
- **Duties and Responsibility:** New Section, Section 15 has been introduced in the Act. These are the new duties and responsibilities of the Village Councils as per Section 15(1) of the Act:
 - a) Development of agriculture and allied sectors, animal husbandry, dairying, forestry, etc., including propagation of scientific methods of farming;
 - b) Land improvement and soil conservation;
 - c) Minor irrigation, water management and watershed development;
 - d) Khadi, village and cottage industries;
 - e) Drinking water supply;
 - f) Rural housing;
 - g) Fuel and fodder;
 - h) Roads, culverts, bridges, ferries, waterways and other means of communication;
 - i) Education including primary and adult education;
 - ii) Vocational education and skill development;
 - i) Public distribution system;
 - j) Social welfare, including the welfare of disabled persons;
 - k) Markets and fairs;
 - l) Cultural activities and libraries;
 - m) Poverty alleviation programmes;
 - n) Rural dispensaries, health centres and anganwadis;
 - o) Sanitation and drainages;
 - p) Rural Animal Health centres and animal pounds;
 - q) Community forestry and afforestation, including roadside plantations;

- r) Construction, maintenance and regulation of public places such as village parks, playground, artificial water bodies/lakes etc;
- s) Control of movement of animals and animal tax;
- t) Such other functions as the Government may assign from time to time.

As per Section 15(2) If the State Government is of the opinion that a Village Council has without reasonable cause defaulted in the performance of any of the duties and responsibilities assigned to it under sub-section (1), or the village Council has been acting in a manner prejudicial to the interest of the public, the State Government may, for reason to be recorded in writing, withdraw such duties and responsibilities from such defaulting Village Council Provided that where the State Government assigns any function to a Village Council under sub-section (1) it shall endeavor to place such funds, functionaries and other assistance at the disposal of the Village Council as may be determined for due performance of such duties and responsibilities.

- **Collection of Taxes:** The Act also introduce new Section, ie, Section 17 dealing about the VC powers to collect additional taxes not mentioned under Subsections(4)&(5) of Section 13 of the Act. But, depending on the decision of the government.
- **Vantlang Inkhawm:** The act uses the term VANTLANG INKHAWM instead of 'Gram Sabha' mentioned in the previous Act. It entrusted an important responsibilities of some important aspect- approval of annual Village Development Plan, projects and programs for socio-economic development of the village, review and discuss annual audit report etc. It should be presided by the VCP.(Section 18).
- **32. Establishment Support:** As per Chapter-VI Section 32 of the Act, For maintenance of records and continuity of Village Council, the Secretary of Village Council may be provided with such clerical, technical and accounting support and personnel as deemed necessary by the State Government.
- **Insertion of New Section.33. Audit of Village Council Accounts:** The accounts of all the funds of a Village Council shall be examined and audited by an auditor appointed by the State Government in such manner as may be prescribed by the State Government:
 1. The President, Secretary and Treasurer are responsible for audit. They shall produce or cause to be produced to the auditor all such accounts of the fund of the Village Council as may be required by the auditor.
 2. For the Purpose of audit under this Act, the auditor shall have the power to requisition any document or information available with the Village Council, connected with receipt and expenditure of funds of the Village Council for scrutiny.
 3. Social Audit shall be conducted in every Village Council in such a manner as may be prescribed by the State Government.

Insertion of New Section 34, Protection of action taken in good faith No order made or deemed to have been made under this Act shall be called in question in any Court, and no suit, prosecution or other legal proceeding shall lie against any person for acting in good faith, done or intended to be done under this Act or any order made or deemed to have been made there under.

Power to Make Rules and Regulations: As Per Section 36 of the Act:

1. The State Government may make rules for carrying out any of the provisions of this Act.
2. In particular and without prejudice to the foregoing powers such rules may provide for all or any of the following matters, namely: -
 - a) Composition and manner of constitution of Block and District Development Committees;
 - b) Procedure of Election to Village Council;
 - c) Manner of conducting first meeting of Village Council;
 - d) Manner of appointment of Secretary of the Village Council;
 - e) Allotment of Lo, Leipui and house sites;
 - f) Building and other constructions within rural areas;
 - g) Control and regulation of collection of minor forest produce;
 - h) Conservation, maintenance, and improvement of water supply;
 - i) Control and taxation of animals;
 - j) Property tax, fines and user charge collection;
 - k) Prevention and control of fire within the jurisdiction of the Village Council;
 - l) Rural waste management;
 - m) Sanitation and cleanliness of the village;
 - n) water shed management and soil conservation;
 - o) Management and control of Village Council Funds and Accounts;
 - p) Manner of maintaining cash books and registers of the Village Council

The Act reflects a progressive approach to governance, aligning with India's digital and decentralized development vision. It aims to make Village Council more powerful and able to do more works. Most importantly, it aims to build a strong and vibrant Local Self-Government in Mizoram.

5. Comparative Analysis

Feature	2014 Amended Act	2025 Act
Applicability	Limited to Lushai Hills	Entire non-Sixth Schedule Mizoram
Women's Representation	Minimum one seat reserved	One-third of seats reserved
Fiscal Powers	Limited taxation powers	Access to state development funds, by providing wider taxation power-user charges, litigation, property tax.
Transparency	Traditional reporting	Digital record-keeping & e-governance
Functions	Law, land, welfare, disputes	Law, land, welfare + environment, disaster, government schemes
Election Oversight	State Election Commission	State Election Commission

The 2025 Act not only broadens the scope of functioning and Powers of Village Councils but also modernizes Local level governance by integrating technology and enhancing inclusivity.

6. Implications of the 2025 Act

6.1 Political Implications

The new VC Act strengthens democracy by widening representation and inclusivity at the grassroots level decision making process. Women's greater participation shows a positive step toward dismantling patriarchal structures. (Thanawna, 2022).

6.2 Administrative Implications

Digital record-keeping improves accountability and transparency. However, limited administrative capacity in rural areas may challenge implementation (Ralte, 2019).

6.3 Economic Implications

Access to state funds enables Village Councils to implement development schemes effectively. This fiscal empowerment could reduce dependency on higher authorities (Government of Mizoram, 2025).

6.4 Social Implications

By institutionalizing inclusivity and decentralization, the Act fosters community participation and strengthens democratic culture at the grassroots.

7. Challenges and Criticisms

- **Capacity Deficit:** Village Councils may lack trained personnel to handle digital governance.
- **Political Interference:** Risks of elite capture and undue influence in council functioning remain.
- **Resource Constraints:** Adequate funding and administrative support will be crucial for implementation.
- **Cultural Resistance:** Shifting from traditional structures to modernized governance may face resistance in certain villages.

Conclusion

The comparative study of the Lushai Hills District (Village Councils) Act (amended 2014) and the Mizoram Village Councils Act, 2025, demonstrates Mizoram's evolving democratic journey. While the 1953 Act institutionalized grassroots governance, the 2014 amendment introduced inclusivity through women's reservation. The 2025 Act marks a decisive shift, modernizing governance through broader representation, fiscal devolution, and transparency.

However, its success will depend on effective implementation, administrative capacity-building, and sustained political commitment. The Act represents not only a legal reform but also a significant step toward deepening democracy and participatory governance in Mizoram.

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