

**THE MIZORAM HOUSE-HOLDER (CONSTRUCTION OF SEPTIC TANK
AND WATER TANK) LOAN RULES, 1980
NOTIFICATION**

Dated Aizawl, the 29th July, 1980.

No. LAD./B-17/78/137 : In exercise of the powers conferred by rule 20 of the Delegation of Financial Powers Rules, 1978 and within the prior approval of the Government of India, Ministry of works & Housing vide their Letter No. Q.11015/4/80-PHE dated the 13th June, 1980, the Lt. Governor (Administrator) of the Union Territory of Mizoram is pleased to make the following rules, namely :-

1. Short title -

These rules may be called the Mizoram House holder (Construction of Septic Tank and Water Tank) Loan Rules, 1980.

2. Definitions -

In these rules, unless the context otherwise requires :

- (a) "Form" means a Form in the Appendices to these Rule;
- (b) "Government" means the Government of the Union Territory of Mizoram;

3. Constitution of Loan Board -

There shall be one Loan Board for each District with headquarters at Aizawl, Lunglei and Saiha called the House-holder (Construction of Septic Tank and Water Tank) Loan Board (Here-in-after referred to as the "Loan Board") with the following members :

A Aizawl District

- 1. Deputy Commissioner, Aizawl Chairman
- 2. Director, LATP & H Member
- 3. Executive Engineer, PHE, Aizawl Member
- 4. Three MLAs nominated by the Govt. Member
- 5. Circle Officer, LATP & H, Aizawl Member/Secy.

B Lunglei District

- 1. Deputy Commissioner, Lunglei Chairman
- 2. Two MLAs nominated by the Govt. Member
- 3. Executive Engineer, PHE, Lunglei Member
- 4. Circle Officer, LATP & H, Lunglei Member/Secy.

C Chhimtuipui District

- 1. Deputy Commissioner, Saiha Chairman
- 2. Chief Executive Member, Pawi District Council, Lakher District Council and Chakma District Member

3. One MLA nominated by the Govt. Member
4. Executive Engineer, PWD, Saiha Member
5. Sub-Divisional Officer (Sadar), Saiha Member

4. Eligibility -

Any House-holder who-

- (1) is living in any District or Civil Sub-divisional headquarter Town within Mizoram, and
- (2) Has no Water Pipe connection in his house, or
- (3) Has no Septic Tank for his house-hold, is eligible for the loan under these rules.

5. Amount of Loan -

The amount of loan to be granted shall be for-

- (1) a septic tank, the actual cost of construction of a standard Septic Tank as per specifications approved by the Ministry of Works & Housing, Govt. of India, subject to a maximum of Rs. 2,000/- (Rupees two thousand) only.
- (2) a Water Tank, the actual cost of construction of a standard water Tank as per specifications approved by the Ministry of works & Housing, Govt. of India, subject to a maximum of Rs. 3,000/- (Rupees three thousand) only.

6. Mode of application -

- (1) Any person who is eligible to receive loan under these rules may submit his application in the Form in Appendix-I, to the Member Secretary of the Loan Board concerned.
- (2) The application shall be accompanied with particulars of immoveable property proposed to be offered as security. The worth of such property, less any outstanding loan taken from Government on the mortgage of such property, shall not be less than the amount of loan applied for, (3) separate application shall be made for water Tank Loan and Septic Tank Loan.

7. Security -

The applicant may offer, as a security for the loan applied for, immoveable property such as Land, House, etc. A Non-encumbrances Certificate issued by the Revenue Department or by the Executive Secretary of the District Council concerned, as the case may be, shall be enclosed with the application.

8. Verification -

The Officer receiving the application for loan shall cause the application verified, In the verification report, the verifying Officer shall state the actual need of the applicant for construction of the Water/ Septic Tank for which loan is applied for and also verify the actual possession of the property offered as security by the applicant and enclose a certificate to that effect with his verification report.

9. Grant of Loan -

- (1) The Officer receiving the application shall call a meeting of the Loan Board for selection of recipients. He shall place all the applications with the verification reports before the Loan Board for selection.
- (2) After selection is made by the Loan Board, the selected list shall be submitted to the Government for approval. On receipt of approval of the Government, the Member Secretary of the Loan Board concerned shall issue orders sanctioning the Loan.
- (3) On receipt of the order sanctioning the loan, the house-holder concerned shall execute a mortgage deed in the Form in Appendix-II.
- (4) After the mortgage deed is executed, the Member Secretary of the Loan Board concerned shall make payment of the Loan in one installment on production of mortgage deed.

10. Completion report -

- (1) The Loan shall construct the water Tank/Septic Tank in accordance with the Plan and specifications in Appendix-III or Appendix-IV, as the case may be, and shall complete the construction within 6 (six) months from the date of receipt of the Loan.
- (2) The construction shall be supervised, by the technical personnel of the Directorate of Local Administration, Town Planning & Housing in Aizawl and Lunglei District and by the Technical personnel of the Public Works Department in Chhimituipui District.
- (3) On completion, the loan shall submit his completion report with vouchers of his expenditure to the Member/Secretary of the Loan Board concerned. On receipt of completion report, the Member Secretary shall cause verification on the completion and the verifying officer shall submit completion report if found satisfactory.

11. Rate of Interest -

The Loan will carry interest from the date on which it is paid to the loanee. The rate of interest on the loan disbursed under these rules will be at same rate in force in respect of housing loans granted by the Government at the time of the disbursement of the loans under these rules, In case of default, the rate of interest shall be double the rate of normal interest.

12. Repayment and mode of realization -

- (1) The repayment of the loan with interest shall be made in half-yearly adequate installments within a period of 10 (ten) years.
- (2) It will, however, be open to the loanee to repay the loan in a shorter period, if he/she desires.
- (3) Repayment of loan and interest will commence after six months from the date of payment of the Loan.

13. Penalty on defaulter -

In the event of the Septic/water Tank not being completed within the prescribed time limit, unless extension is granted by the Member-Secretary of the Loan Board concerned, and in any event of default of payment of any of the installments on the due date, the whole of the balance of the principal then remaining unpaid shall, together with accrued interest, become due and payable at once to the Government:

Provided that the Member-Secretary of the Loan Board will not be competent to grant an extension for a period of more than six months and in doing so will record his orders in writing giving full reasons justifying such an extension.

14. Loan not to be used for any other purpose -

The applicant shall utilize the amount advanced under these rules, for the purpose for which it is advanced and for no other purpose.

15. Release of Mortgage -

When the loan taken by an applicant together with the interest due thereon has been fully repaid to the Government, immediate action shall be taken by the Government to release the mortgage to the loanees or to his successor (s) in interest as the case may be.

Sd/-

V. THANGZAMA

*Secretary to the Govt. of Mizoram
Local Administration Department
Town Planning & Housing.*

Memo NO. LAD./B-17/78/137 (A) :

Dated Aizawl, the 29th July, 1980

Copy to -

- (1) Secretary to the Lt. Governor, Mizoram.
- (2) P.S. to Chief Minister, Mizoram.
- (3) P.As to Ministers/ Speaker.
- (4) P.S. to Chief Secretary.
- (5) All Administrative Department.
- (6) Officer on Special Duty, LATP&H.
- (7) All Heads of Departments.
- (8) Deputy Commissioner, Aizawl/Lunglei/Saiha.
- (9) DIPR&T, Aizawl with spare copies for publication in the Mizoram Gazette. It is also requested that 100 (one hundred) spare copies in which the above notification is published may be supplied to this Deptt.

(10) Deputy Secretary to the Govt. of India, Ministry of Works & Housing,
New Delhi with reference to his letter No. Q. 11015/4/80-PHE dated
13.6.80

(11) Guard File.

Sd/-
V. THANGZAMA
Secretary to the Govt. of Mizoram
Local Administration, Town Planning
& Housing Deptt.

APPENDIX - I
(See Rule 6 (1))
APPLICATION FOR LOAN FOR CONSTRUCTION OF
SEPTIC TANK/WATER TANK LOAN

1. Name of the applicant (in Block Letters)
2. Profession
3. Age
4. Father's/Husband's Name (Block Letter)
5. Present Address (in full)
6. Home Address (in full)
7. Amount of Loan
8. Object for which the Loan is required.
9. Security offered.

I do hereby declare that the property offered as Security for the Loan is free from encumbrances except for a Loan for Rs. _____ /- taken from the Govt. of mortgage of such property for the purpose of _____

The statement made above are true to the best of my knowledge and belief. I agree to the terms and conditions of the Loan as laid down in the Mizoram Householder (construction of Septic and Water Tank) Loan Rules, 1980.

Date

Signature of applicant

Here state the purpose of the Loan.

APPENDIX-II

(See Rule 9(3))

MORTGAGE DEED TO BE EXECUTED BY THE BORROWER

1. This instrument made this the _____ day of _____ 19____ between _____ son/daughter/wife of _____ of Village _____ Police Station _____ in the District of _____ (hereinafter called the Mortgager/Mortgagors) of the one part and the President of India acting through the Lt. Governor (Administrator) of the Union Territory of Mizoram (hereinafter called the Mortgages) of the other part.

2. Whereas the Mortgagor/Mortgagors has/have received and order sanctioning the grant of a loan of Rs. _____ (Rupees _____) only under the rules in force for the grant of Septic/Water Tank Loans in Mizoram for the purpose of _____ under the Police Station _____.

3. Whereas security for the amount of the said loan and for the punctual repayment of the same according to the terms of the said order is demanded by or on behalf of the mortgagee and in order to furnish such security the Mortgagor/Mortgagors has/have agree to sign these presents.

4. Now, these presents witness that in consideration of the land said loan/in pursuance of the said agreement for the properties of the Mortgagor/Mortgagors as described in the schedule to this Deed shall be deemed to be, and is hereby mortgage to the Mortgagee or his successors and assigns subject to redemption as hereinafter mentioned.

5. These presents also witness that the Mortgagor/Mortgagors doth/do hereby solemnly declare that the property described in the schedule to this deed is free from all encumbrances except for a loan for Rs. _____ /- taken from the Govt. on mortgage of such property for the purpose of _____ here state the purpose of Loan.

6. And it is hereby agreed that if the Mortgagor/Mortgagors or his/her/their legal representatives and assigns shall duly comply with the terms on which the said loan has been granted and shall apply the same in the manner provided in the said order and shall duly repay the amount of the said loan together with interest which may have become repayable thereon, the mortgage shall release the mortgage to the mortgagor or to his/her successor in interest.

In witness whereof, Shri _____ the mortgagor
and Shri _____ Secretary to the Govt. or Mizoram
_____ Department for and on behalf of and by the order and
direction of the President of India have respectively signed this deed of mortgage.

Signed by the said

Signed by the said

Shri _____

Shri _____

Mortgagor in the presence of Secretary to the Govt. of Mizoram

Witness.

Department to the Govt. of Mizoram

1. _____

Son of _____

_____ Address _____

Department in the presence of the Government

2. _____

Son of _____

Witness :

Address _____

1. _____

Son of _____

Address _____

2. _____

Son of _____

Address _____

The Schedule
Description of property

GOVERNMENT OF MIZORAM
LOCAL ADMINISTRATION DEPARTMENT
NOTIFICATION

No. LAD. 64/89/14-16 :

Dated Aizawl, the 8th March, 1990

In exercise of the powers conferred by rule 20 of the Delegation of Financial Power Rules, 1978 as adapted, the Governor of Mizoram is pleased to make the following rules further to amend the Mizoram House-holder (Construction of Septic Tank and Water Tank) Loan Rules, 1980, as follows, namely -

1. Short title and Commencement

- (1) These Rules may be called the Mizoram House-holder (Construction of Septic Tank and Water Tank) Loan (Amendment) Rules, 1990.
- (2) It shall come into force at once.

2. Amendment of rule 3-

In the Mizoram House-holder (Construction of Septic Tank and Water Tank) Loan Rules, 1989, (hereinafter referred to as the principal Rules), for the members of the Loan Board in A,B and C of Rule, 3 the following members of the Loan Board shall be substituted, namely-

A Aizawl District

1. Director, LAD Chairman
2. Dist. Local Admn. Officer Member
3. 4 prominent citizen nominated by the Govt. Member
4. Sanitation Officer Member/Secy.

B Lunglei District

1. Dist. Local Admn. Officer Chairman
2. 3 prominent citizens nominated by the Govt. Member
3. Circle Officer, LAD, Lunglei Member/Secy.

C Chhimtuipui District

1. Deputy Commissioner, Saiha Chairman
2. Chief Executive Member, Lai District Council, Mara District Council & Chakma District Council Member
3. 3 prominent citizens nominated by the Govt. Member
4. SDO (Sadar) Saiha Member/Secy.

3. Amendment of rule 4 -

For clause (1) of rule 4 of the Principal rules, the following rule shall be substituted, namely-

(i) "Is living in any district Hqrs. and any other towns declared as station area by the Govt. of Mizoram".

4. Amendment of rule 5 -

For clause (i) & (ii) of rule 5 of the principal rules, the following clause shall be substituted, namely-

(i) A Septic Tank, the actual cost of construction of a standard Septic Tank as per specifications approved by the Local Administration Deptt. of the Govt. of Mizoram subject to a maximum of Rs. 10,000/- (Rupees Ten thousand) only.

(ii) A Water Tank, an actual cost of construction of a standard Septic Tank as per specifications approved by the Local Administration Deptt. of the Govt. of Mizoram subject to a maximum of Rs. 5,000/- (Rupees Five thousand) only.

5. Amendment of rule 10 -

For sub-rule (2) of Rule 10 of the Principal rules, the following sub-rules shall be substituted, namely-

(2) The construction under-sub-rule (1) within the Aizawl and Lunglei Districts and the Chhimtuipui District shall be supervised by the Technical Personnel of Local Administration Department in the District of Aizawl and Lunglei and by Technical personnel of the Deputy Commissioner in Chhimtuipui District, respectively.

Sd/-

H. RALTAWNA

Secretary to the Govt. of Mizoram

Local Administration Department

Memo No. LAD. 64/89/14-16-A:

Dated Aizawl, the 8th March, 1990

Copy to -

- (1) Secretary to the Governor, Mizoram.
- (2) P.S. to Chief Minister, Mizoram.
- (3) P.S. to Speaker/Dy. Speaker, Mizoram Legislative Assembly.
- (4) P.S. to all Minister, Mizoram.
- (5) P.S. to Chief Secretary, Mizoram.
- (6) All Administrative Departments,
- (7) Director L.A.D., Mizoram.
- (8) All Head of Departments.
- (9) Controller, Printing & Stationeries, Mizoram for favour of publication in the Mizoram Gazette.

- (10) Chief Executive Members of Lai District Council, Mara District Council and Chakma District Council.
- (11) Guard File.

Sd/-
LALCHHANDAMA
Under Secretary to the Govt. of Mizoram