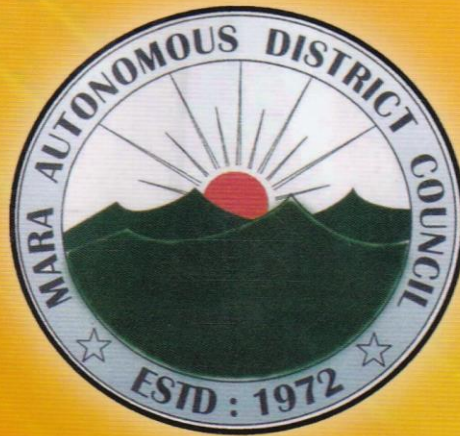


SPECTRUM

**A COMPILATION OF
ACTS, RULES AND
REGULATIONS UNDER
MARA AUTONOMOUS DISTRICT COUNCIL**

VOLUME 1



**DISTRICT COUNCIL SECRETARIAT
MARA AUTONOMOUS DISTRICT COUNCIL
SIAHA, MIZORAM**

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**THE MARA AUTONOMOUS DISTRICT COUNCIL
(TOWN COMMITTEES) ACT, 2011.**

[Received approval of the Governor of Mizoram on 04.03.2011 and published under the notification No.C.31017/2/2006-DCA (M) dt. 11.03.2011 in the Mizoram Gazette, Vol – XL, Issue No. 118 dt. 16.03.2011.]

An

Act

to provide for the establishment of Town Committees for the administration of Towns in the Mara Autonomous District.

Whereas under clause(e) of sub-paragraph (1) of Paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council for an Autonomous District is empowered to make Laws for administration of Towns in the District.

Preamble: Whereas it is expedient to provide for the establishment of Town Committees for the administration of Towns in the Mara Autonomous District.

It is hereby enacted in the Sixty-first year of Republic of India as follows:—

**Short title,
extent and
commence-
ment.**

1. (1) This Act shall be called the Mara Autonomous District Council (Town Committees) Act, 2011.
- (2) It extends to the whole of the Mara Autonomous District.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context:—
 - (a) “District” means the Mara Autonomous District as provided in Part III of the Table appended to Para 20 of the Sixth Schedule to the Constitution of India.
 - (b) “District Council” means the Mara Autonomous District Council.
 - (c) “Executive Committee” means the Executive Committee of the Mara Autonomous District Council.

(d) “Gazette” means the Mizoram Gazette.

(e) “Governor” means the Governor of Mizoram.

Constitution of Town Committees.

3. (1) The Executive Committee may, subject to the provisions of this Act, establish a Town Committee for any Town or part of a Town for the administration, maintenance and improvement of such Town or part of it, as the case may be.

(2) For the purposes of this Act, the Executive Committee shall determine the number of seats for a particular Town Committee and one third of the members shall be nominated by the Executive Committee and the rest of the members shall be elected by ¹[the members of the Village Councils within the area of the concerned Town Committee]:

²[Provided that at least half of the total number of nominated members shall be women.]

(3) The Executive Committee shall delimit the Electoral Constituency for a Town Committee and each of such Constituency shall be called “ward”.

(4) ³[A] Town Committee constituted under the provisions of this Act shall have a life of three years unless sooner dissolved or extended by the Executive Committee:

Provided that extension of the term shall be for a period of 6 months at a time which may be further extended or revoked by the Executive Committee as they deem fit and proper.

1. *Substituted by the Mara Autonomous District Council (Town Committees) (Amendment) Act, 2013, section 2 (1) (i) (w.e.f. 06.06.2014).*

2. *Substituted by the Mara Autonomous District Council (Town Committees) (Amendment) Act, 2013, section 2 (1) (ii) (w.e.f. 06.06.2014).*

3. *Substituted by the Mara Autonomous District Council (Town Committees) (Amendment) Act, 2013, section 2 (2) (w.e.f. 06.06.2014).*

- (5) ¹[A Town Committee shall have a Chairman who shall be appointed by the Chief Executive Member of the District Council from amongst members of the District Council.]
- (6) ²[The Executive Committee shall appoint a Secretary for a Town Committee from amongst officers of the District Council not below the rank of Junior Administrative Grade.]

Provided that in case the election of members to constitute a Town Committee under the Act cannot be held due to any reason considered unavoidable by the Executive Committee, but the circumstances demand for the immediate constitution of such Town Committee or Committees, the Executive Committee may fill the seats by nomination and the members of the Town Committee so nominated shall hold office for a period not exceeding one year from the date of the first sitting of the Committee which may be dissolved or shortened in certain exceptional cases by the Executive Committee:

Provided further that the Executive Committee shall, before constituting any Town Committee:—

- (a) by notification published in the Official Gazette, signify its intention to constitute a Town Committee for any Town or for any specified area of a Town wherein it considers improved arrangements are necessary to deal with all or any of the matters specified in the Schedule appended to this Act;
- (b) published such notification in such places as are considered most likely to reach the residents concerned;

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1. *Substituted by the Mara Autonomous District Council (Town Committees) (Amendment) Act, 2013, section 2 (3) (w.e.f. 06.06.2014).*
2. *Substituted by the Mara Autonomous District Council (Town Committees) (Amendment) Act, 2013, section 2 (4) (w.e.f. 06.06.2014).*

(c) invite objection from the residents concerned;

(d) fix the date, time and place for hearing of such objections, after all objections are heard and carefully considered, publish in the Gazette, its final decision to constitute or otherwise, the Town Committee.

Function of Executive Committee in certain circumstances.

4.

Notwithstanding anything contained in the foregoing sections of this Act, the Executive Committee or an Officer appointed by it on its behalf shall function as the Town Committee for any particular Town till such time a Committee is established therein under this Act:

Provided that the maximum period for which the Executive Committee or any Officer appointed in its behalf shall function as the Town Committee shall not in any case, exceed a period of one year.

Powers of Executive Committee to dissolve Town Committee.

5.

When circumstances exist in which the normal functioning of a Town Committee is rendered difficult and the situation is such as may threaten the safeguarding of public welfare, the Executive Committee may dissolve such Town Committee and the provisions of section 4 of this Act shall come into operation in that town.

Powers of the District Council to impose taxes and regulate expenditure of proceeds thereof.

6.

(1) The District Council may, subject to the provisions of this Act and the Rules made thereunder, impose the following taxes, fees, and tolls or any of them in Towns where a Town Committee exists:—

(a) a general tax, payable by the owner, on holding situated within the area;

(b) a water tax, payable by the occupier on the annual value of holdings;

(c) a lighting tax payable by the occupier on the annual value of holdings;

(d) a latrine tax, payable by the occupier, on flat rate basis;

- (e) a drainage and sanitation tax payable by the beneficiaries, (owner) where such system has been introduced depending on value of installation;
- (f) a tax on private markets payable by the owner;
- (g) license fees on carriages and animals used for riding, driving or burden;
- (h) a fees on the registration of carts and bicycles;
- (i) a fees on the boats including steam boats and other vessels mooring within the area;
- (j) tolls on bridges and metalled roads constructed and maintained by the Town Committee within the area;
- (k) a fees on sheds or lounges in Bazaars within the area;
- (l) a fees for the maintenance of free public parks or places and recreation centres.

**Power to
make
Rules.**

7. Subject to the approval of the Governor the District Council may make rules for carrying out the purposes of this Act.

SCHEDULE

[Section 3 (6) (a)]

- (1) Payment of the expenses for maintenance and treatment of paupers, lunatics and lepers who are residents of the Town are sent to Public Asylums from the Town Committee.
- (2) Construction, maintenance, repair, improvement and cleaning of roads, bridges, squares, gardens, tanks, ghats, wells, channels, drains, latrines and urinal.
- (3) Planting, preservation and felling of trees and bamboos.
- (4) Supply of water and the lighting and watering of roads.

- (5) Construction and maintenance of Town Halls, offices and other buildings required for the purpose of the Town Committee.
- (6) Establishment and maintenance of Town Committee Markets or the taking of markets on a lease.
- (7) Establishment and maintenance of Hospitals and dispensaries.
- (8) Provision of free vaccination.
- (9) Acquisition and keeping of open spaces for the promotion of physical exercise and recreation.
- (10) Establishment and maintenance of cattle pounds for the treatment of horses, cattle and other animals.
- (11) Establishment and maintenance of free public Libraries and reading rooms.
- (12) Maintenance of Fire Brigades.
- (13) Provision of burial and cremation grounds.
- (14) Taking of a census other than a Union Census.
- (15) Holding of fairs and industrial exhibitions.
- (16) Destruction and disposal of rabid and unclaimed and dangerous dogs and other animals.
- (17) Establishment and maintenance of grazing grounds and pasture.
- (18) Taking of such measures which appear to the Town Committee to be necessary for the prevention and control of epidemics.
- (19) Other works of public utility calculated to promote the health, comfort and conveniences of the inhabitant.
- (20) Generally the carrying out of the purposes of this Act.