

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 ¹[MARA] AUTONOMOUS DISTRICT
(VILLAGE COUNCILS) ACT, 1974**

[Received the assent of the Administrator of Mizoram and published under the notification No.LAD/32(A)/73/79 dt. 10.01.1977 in the Mizoram Gazette, Vol – VI, Issue No. 1 dt. 10.01.1977.]

An

Act

to provide for the establishment of Village Councils and for other matters relating to village administration.

Preamble:- Whereas it is expedient to provide for the establishment of Village Councils and their powers and for other matters relating to village administration including village police, public health and sanitation, etc.

And whereas by clause (e) and (f) 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 with respect to the establishment of Village or Town Committee or Councils and their power and any other matter relating to village or town administration including village or Town Police and Public Health and Sanitation.

Now, therefore, the ²[Mara] Autonomous District Council (herein after referred to as “The District Council”) in exercise of the powers conferred on it as aforesaid and of all other powers enabling it in that behalf is pleased to enact and it is hereby enacted in the 25th Year of the Republic of India as follows:-

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1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (i) (w.e.f. 05.04.2013).*
 2. *Ibid.*

CHAPTER – I

Preliminary

- Short title, extent and commencement.** 1. (1) This Act may be called the ¹[Mara] Autonomous District (Village Councils) Act, 1974.
- (2) It extends to the whole of the ²[Mara] District Council area.
- (3) It shall come into force on its publication in the Mizoram Gazette.
- Definition.** 2. In this Act, except where it is expressly otherwise provided on the context otherwise requires:–
- ³(a) “Community assets” means any property of income which by custom belongs to or has been administered for the benefit of the villagers in common, or has been created through contribution of voluntary labour by the villagers or has been created out of Government or District Council or Village Council funds and vested with the Village Council or which has been transferred to the Village Council by any agency whatsoever.
- (b) “Constitution” means the Constitution of India.
- (c) “Deputy Commissioner” means the Deputy Commissioner of the Saiha District.

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1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (i) (w.e.f. 05.04.2013).*
2. *Ibid.*
3. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 2 (w.e.f. 05.04.2013).*

- (d) "District" means the Mara Autonomous District as prescribed in Part-III of the Table appended to para 20 of the Sixth Schedule to the Constitution of India.
- (e) "District Council" means the Mara Autonomous District Council.
- (f) "Executive Committee" means the Executive Committee of the Mara Autonomous District Council.
- (g) "Governor" means the Governor of Mizoram.
- (h) "Ly" means a customary fine imposed by a Village Council for refusal to contribution in the Village Tlarai or Vatlarai.
- (i) "President" means the President of the Village Council.
- (j) "Schedule Tribe or Tribes" means such tribe or tribes as are specified by the President of India under Article 342 (1) of the Constitution of India as modified by Law made by Parliament from time to time in so far as the specification pertain to the State of Mizoram.
- (k) "Secretary" means the Secretary of the Village Council.
- (l) "State" means the State of Mizoram.
- (m) "State Election Commission" means the Mizoram State Election Commission as constituted under clause (1) of Article 243k of the Constitution.
- (n) "Tikhao" means any place where water supply is obtained.
- (o) "Tla-awpa" means a Village Crier.

- (p) "Tlarai or Vatlarai" means a work done collectively by the Villagers for the common good.
- (q) "Tohi or Atulyu" means subsidiary shifting or jhum cultivation.
- (r) "Vice President" means the Vice President of the Village Council.
- (s) "Village Assembly" means a body consisting of persons registered in the electoral roll or rolls relating to a village or villages comprised within the area of the Village Council, which shall also mean 'Gram Sabha' for the purpose of Part-IX of the Constitution.
- (t) "Village Council" means a Village Council constituted under the provisions of this Act.
- (u) "Voter" means a person who is entitled to vote at any election to the Mara Autonomous District Council.]

CHAPTER – II

Establishment of Village Council

- Constitution of Village Council.** 3. (1) [There shall be a Village Council in each Village within the Mara Autonomous District having a number of not less than 50 (fifty) houses:
- Provided that Village Councils in certain Villages if any, with less than 50 houses which have been in existence before the commencement of this Act shall continue to exist unless later abolished or amalgamated with any other Village Council or Councils as the case may be, by the Executive Committee.]
- (2) A Village Council shall be composed of members according to the number of houses it contains as specified below:–

1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 3 (1) (w.e.f. 24.07.2012).*

- ¹[(a) for villages with 50 (fifty) houses or more; but not more than 100 (one hundred) houses, there shall be 5 (five) members.
 - (b) for villages with more than 100 (one hundred) houses; but not more than 160 (one hundred and sixty) houses, there shall be 6 (six) members.
 - (c) for villages with more than 160 (one hundred and sixty) houses; but not more than 240 (two hundred and forty) houses, there shall be 7 (seven) members, and
 - (d) for villages with more than 240 (two hundred and forty) houses, there shall be 8 (eight) members.]
 - ²[(e) for villages with less than 50 (fifty) houses, which have been in existence before the commencement of this Act, there shall be 4 (four) members.]
- (3) ³[Members of the Village Council shall be elected by the residents of the Village concerned who are enlisted as voters in the latest electoral roll of the election to the Members of the District Council.]
- (4) Of the total number of members as determined under sub-section (2), ⁴[one member] shall be nominated by the Executive Committee and the rest elected by the adult members of the Village in accordance with the rules made by the District Council under this Act.

1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 3 (1) (w.e.f. 05.04.2013).*
2. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 3 (2) (w.e.f. 05.04.2013).*
3. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 3 (3) (w.e.f. 24.07.2012).*
4. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 3 (3) (w.e.f. 05.04.2013).*

¹[(5) Not less than 1 (one) of the total number of elected seats shall be reserved for women for the time being.]

Qualification of members.

4. A person shall be disqualified for being elected as and for being a member of the Village Council if:—

- (a) He is not a member of a Scheduled Tribe.
- (b) He has not attained the age of 25 years.
- (c) He is not a voter where he seeks election.
- (d) He is a member of any other Village Council.
- (e) He is of unsound mind and stand so declared by competent Court or authorities.
- (f) Whether before or after the commencement of this Act he has been convicted of an offence under the existing Law of the ²[Mara] Autonomous District or under any other Law for the time being in force in India, unless period of three years has elapsed since his conviction, and if imprisoned, since his release from prison.
- (g) He is not a citizen of India.

Removal of Members.

5. Any member of the Village Council who due to serious illness cannot attend the meetings of the Village Council and is not likely to recover from his illness for whole terms of that Village Council shall be declared disqualified, and his seat shall, on receipt of such report from the President of the Village Council, be declared vacant by the Executive Committee, provided that the Executive Committee may make due enquiry if it thinks proper and necessary.

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1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 3 (4) (w.e.f. 24.07.2012).*
 2. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (i) (w.e.f. 05.04.2013).*

Duration of Village Council.

6. ¹[(1) Duration of Village Council:—

Every Village Council, unless sooner dissolved, shall continue for five years from the date of its first meeting appointed by the Executive Committee provided that the existing Village Councils who have been elected before the commencement of this amendment shall continue for not more than three years.

(2) The process of election to a Village Council shall be completed before the term of the Village Council comes to an end.

(3) The Executive Committee shall have the power to shorten or extend the term by not more than six months at a time.]

Tenure of Membership.

7. A member nominated to a Village Council in accordance with the provision of sub-section (4) of section 3 shall hold office during the pleasure of the Executive Committee.

Executive.

8. (1) There shall be a President ²[and a Vice President] in each Village Council who shall be elected by the members of the Village Council from amongst themselves, by a majority of votes. ³[The President] shall, with the assistance of the Secretary of the Village Council, discharge all the functions of the Village Council.

(2) The Executive Committee shall, in consultation with the President, appoint or dismiss the Secretary of the Village Council. The Secretary shall not be a member of the Village Council.

1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 4 (w.e.f. 24.07.2012).*

2. *Inserted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (1) (i) (w.e.f. 05.04.2013).*

3. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (1) (ii) (w.e.f. 05.04.2013).*

- (3) ¹[The Vice President or any other] Village Council Member and Secretary may at any time, by writing under his hand, submit his resignation through the President to the Executive Committee. The Executive Committee shall arrange to elect or appoint as the case may be, substitute as soon as possible.
- (4) The President may, at any time by writing under his hand, submit his resignation to the Executive Committee and until the Executive Committee accepts the resignation he shall continue to discharge the duties of the President.
- (5) If at any time, for any reason, there is vacancy of a seat in the Village Council, it shall be reported forthwith to the Executive Committee by the President ²[and the Executive Committee shall intimate the matter to the State Election Commission.]
- (6) If, for any reason, the Office of the President becomes vacant the Executive Committee shall cause the vacancy to be filled as soon as possible. In the meantime the duties of the office shall be performed by ³[the Vice President.]

⁴[⁵(7) **Removal of the President and Vice President**]:—

- (a) The President of a Village Council may be removed from his office by simple

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1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (2) (w.e.f. 05.04.2013).*
 2. *Added by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 5 (1) (w.e.f. 24.07.2012).*
 3. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (3) (w.e.f. 05.04.2013).*
 4. *Inserted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 5 (2) (w.e.f. 24.07.2012).*
 5. *Renumbered and substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (4) (i) (w.e.f. 05.04.2013).*

majority of the total number of members if in their opinion the President is too inefficient to carry on the Village Administration or is indulging in corrupt practices or misbehavior or is habitually involving in intoxicating drinks or substances, and shall elect a new President:

Provided that removal motion shall initially be submitted in writing to the President in which at least half of the members shall put their signature or left thumb impression in support of the motion and the President shall, within five days of the receipt of such motion, lay it before the Village Council meeting for discussion and decision by means of secret ballot:

Provided further that if the President refuses to bring the motion for decision in the Village Council meeting or willfully absents himself from the Village Council meeting, then after expiry of ten days the ¹[Vice President] or any other member of the Village Council shall be able to preside over the Village Council meeting and conduct the deliberation and voting for removal of the President or election of a new President as the case may be.

(b) The Secretary shall forward the detailed proceedings with the result of the removal motion to the Executive Committee as soon as possible for formal approval and further notification to all concerned.]

²[(c) The Vice President may be removed from his office in the same manner as the President.]

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1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (4) (ii) (w.e.f. 05.04.2013).*
 2. *Added by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 4 (4) (iii) (w.e.f. 05.04.2013).*

Duties and functions of the Village Council.

9. Subject to such rules as may be prescribed in this behalf by the Executive Committee, the Village Councils may exercise all or any of the following functions:-
- (1) cleaning of Village roads and path;
 - (2) sanitation and conservancy in the village area and the prevention of public nuisance;
 - (3) constructions, maintenance and improvement of 'Tikhao' for the supply of water to the village for drinking, washing and bathing purpose;
 - (4) opening of, and regulating burial and cremation grounds for disposal of dead bodies of human being and allocation of the places for disposal of a dead animals and other offensive matters;
 - (5) taking of curative and prevention measures in respect of an epidemic;
 - (6) construction, maintenance and improvement of village communications, drains and waterways;
 - (7) control of village grazing grounds, location of grazier's "Khuties" within the village area, village common and other communal property;
 - (8) regulating the construction of new building or house, or the extension or alteration of any such existing ones;
 - (9) anti-malaria and anti-kala-azar measures and enforcement of vaccination;
 - (10) registration of births and deaths and maintenance of Registers for the purpose;
 - (11) supplying local information as and when required to the District Council or the State Government;
 - (12) measure necessary for the preservation of public health and for improving the sanitation, conservancy or draining of the village area;
 - (13) measures of public utility calculated to promote the moral and material well being of the villagers;

- (14) planting of trees at the sites of public places, on village roads and paths taking care of them;
- (15) working and maintenance of public radio sets for the benefit of the villagers;
- (16) establishment and maintenance of libraries, reading-rooms, social and cultural clubs or other places for recreation and games;
- (17) popularization of indigenous sports, folk-dance, folk-songs and organisation and celebration of national and other local festivals;
- (18) any other functions and powers as may be delegated by ¹[the Governor or the Executive Committee] from time to time;
- (19) regulation and order of 'Tlarai or Vatlarai';
- (20) The Village Council shall allot a particular region or area within the boundaries of each village for Jhum, Tohi or Atulyu each particular year, and the distribution of the Jhum and Tohi plots shall be done in accordance with the laws framed by the District Council under paragraph 3 (1) (d) of the Sixth Schedule to the Constitution of India;
- ²[(21) Selection of individual beneficiaries under various welfare and development schemes as may be delegated to them from time to time;
- (22) The Village Council shall be accountable to the Village Assembly for all its functions, expenditure, approval of plans and approval of utilization certificates;

1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 6 (i) (w.e.f. 24.07.2012).*

2. *Inserted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 6 (ii) (w.e.f. 24.07.2012).*

- (23) The accounts of the Village Council shall be kept properly and shall be liable to audit by the Executive Committee or any officer appointed on its behalf by the Executive Committee.]

For each of any of the above duties and functions, the Village Council may appoint separate committee which shall be responsible for implementing its decisions.

**Regulation
of Tlarai or
Vatlarai.**

10. (1) Each Village Council shall have powers to exempt any person or persons from Tlarai or Vatlarai on the ground of illness and other reasonable causes at its own discretion. The reason for the exemption shall be recorded in writing. No person who is sixty years of age or above shall be compelled to do any Tlarai or Vatlarai.
- (2) Any person below 15 years of age shall not be allowed to represent in the Tlarai or Vatlarai.
- (3) The President or the Secretary of a Village Council shall have a list of persons performing Tlarai or Vatlarai, and shall see that each household represented.
- (4) One representative from the Village Council shall supervise Vatlarai in every Tlarai.
- (5) The President of the Village shall cause to be announced in the Village proposal of holding Tlarai or Vatlarai appointing the date and time.
- (6) Any person who does not comply with the order of Tlarai or Vatlarai shall be liable to "Ly" either in kind or in cash [not exceeding Rs. 100/- per Tlarai or Vatlarai day] unless he has been exempted from Tlarai or Vatlarai or has obtained communication under sub-section (1).
- (7) If a Village Council fails to carry out its order to realise "Ly" imposed on any person, the matter shall be referred to the Executive Committee for the realisation of the "Ly".

1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 7 (i) (w.e.f. 24.07.2012).*

- (8) Every person shall have the option commuting his obligation to render service under Tlarai or Vatlarai to payment of cash compensation in lieu of it at a rate to be fixed by the Village Council ¹[not exceeding Rs. 50/- per Tlarai or Vatlarai day.]
- (9) **Utilisation of “Ly”.**
- ²[(i)] The amount of “Ly” mentioned in sub-section (6) and cash compensation mentioned in sub-section (8) may be spent by the persons performing Tlarai or Vatlarai in any manner they think fit and proper.
- ³[(ii)] The Secretary of the Village Council shall keep the account of receipts and expenditure of the “Ly” and compensation and any persons shall be at liberty to inspect the accounts.

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| Final decision of the Executive Committee to settle dispute. | 11. | Any dispute arising out of the performance of Tlarai or Vatlarai shall be settled by the Executive Committee and such decision shall be final and binding on all concerned. All matters connected with Tlarai or Vatlarai and which are not provided for in this Act shall be regulated by the District Council, and all the decisions shall be notified by the Executive Committee in a manner it considers appropriate. |
| Sanitation. | 12. | Each Village Council shall be responsible for the sanitation of the Village. A Sanitation Committee shall be appointed by the Village Council if necessary. |
| Collection of Taxes. | 13. | (1) The Executive Committee or any officer authorised by it in this behalf, shall either appoint tax collectors or allot the work of collection of taxes, to suitable persons, specifying their duties and any other matter connected with the collection of taxes. |

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1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 7 (ii) (w.e.f. 24.07.2012).*
 2. *Renumbered by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 5 (w.e.f. 05.04.2013).*
 3. *Ibid.*

- (2) Collection of taxes shall be done strictly in accordance with rules or under the instructions and the directions given by the Executive Committee or any Officer of the District Council authorised by the Executive Committee in that behalf.

CHAPTER – III

Conduct of Business

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| President and meeting of the Village Council. | 14. | The President ¹ [or in his absence, the Vice President] of the Village Council shall preside over all the meetings of the said Council. He shall summon the meetings of the Village Council whenever necessity arises and if and when two-thirds of the members in writing request him to do so. |
| Quorum. | 15. | The quorum to constitute a meeting of the village council shall be two-thirds of the members. |
| Voting in the meeting of the Village Council. | 16. | <p>(1) All proposals and question shall be decided in meeting by a majority of votes.</p> <p>(2) The President of Village Council or any person acting in this behalf shall not vote at first instance but shall have and shall exercise a casting vote in case of an equality of vote.</p> <p>(3) No person other than a member of the Village Council shall vote nor shall speak or take part in its deliberation and any person contravening this provision shall be punishable with a fine not exceeding Rs. 50/- by the Village Council.</p> |
| Preservation of order in a village meeting. | 17. | <p>The President shall preserve order and have all powers necessary for the purpose of enforcing his decision during the meeting as follows:-</p> <p>(1) he may direct any member whose conduct is, in his opinion, disorderly to withdraw immediately from the day's meeting. The member shall comply with the order at once.</p> |

1. *Inserted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 6 (w.e.f. 05.04.2013).*

- (2) if any member is ordered to withdraw for a second time from a meeting of the same session of the Council, the President may suspend the member for the remaining period of the same session.
- (3) if any member fails to carry out the direction given to him under sub-section (1) or sub-section (2) the President shall report, in writing, the conduct of the member to the Executive Committee. On receipt of such report, the Executive Committee may, if it deems necessary, suspend the member for any period considered reasonably by the Executive Committee.

Village Council Fund.

- 18.** There shall be formed for every Village Council a fund to be called "Village Council Fund". Any collection authorised by Law other than District Council Revenue and Taxes make in a Village for the good of the people shall be paid into the said Fund. The President shall be the treasurer of the Fund and the list of collection shall be kept by the Secretary. This account shall be opened for inspection by any subscriber to the collection.

Responsibility of the President for compliance of orders etc.

- 19.**
- (1) The President shall cause notices and instructions for prevention of danger such as outbreak of fire, epidemic, etc. in the Village to be proclaimed by engaging "Tla-awpa" and whenever notices, orders, circulars or letters are received for redistribution from the District Council to pass on to other Villages, he shall forthwith cause it to be sent through the Secretary.
 - (2) The President shall be responsible for the compliance of all orders and notifications issued either by the District Council or the Deputy Commissioner of ¹[Saiha] District through the office of the District Council.
 - (3) The President shall cause all such orders and notifications to be read out by the Secretary in the meeting of the Village Council and if it is necessary to be brought to the knowledge of the public, it shall be given over to the Secretary for publication by the Tla-awpa.

1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (iii) (w.e.f. 05.04.2013).*

- (4) The President shall be responsible for the proper and upto date maintenance of all books, records kept by the Secretary.

The Secretary.

20. The Secretary shall be the Village Writer and shall be responsible for all the duties as enumerated below:—

- (a) He shall record all the proceedings of the Village Council as well as the Village Council Court and such record shall be signed by the President. He shall publish all orders, notifications and records as may be necessary and such orders, notifications and records shall be signed by the President.
- (b) On receipt orders, notices, circulars or letters from the District Council or from the Deputy Commissioner, ¹[Saiha] District or his Assistant for services or for onward transmission to other Villages, the Secretary shall cause to be served on transmitted to any other Village Council as may be directed and he shall be responsible to carry out such directions.
- (c) He shall keep all the Books and records of the Council and of the Village Court. He shall send all such books and records to the Executive Committee as may be required by it, with his own signature and of the President.
- (d) All Books and records shall be kept ready to be examined at any time by the Officers of the District Council or any person so appointed in this behalf.

²[20–A. The Governor on the recommendation of the Executive Committee from time to time may allocate all or any of the functions listed in the Eleventh Schedule of the Constitution of India to the Village Council or Councils as a supplement to the powers of the District Council as provided under sub-paragraph (1) of Paragraph 6 of the Sixth Schedule to the Constitution and demarcate the roles of the Village Council and the District Council in these areas.

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1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (iii) (w.e.f. 05.04.2013).*
 2. *Inserted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 8 (w.e.f. 24.07.2012).*

20-B. (1) Village Assembly:-

- (i) Every Village Assembly shall, subject to approval of the Executive Committee, approve the plans, programmes and projects for social and economic development in respect of the village concerned before such plans, programmes and projects are taken up for implementation.
 - (ii) Village Assembly shall be responsible for the identification and or selection of persons as beneficiaries under the poverty alleviation and other programmes.
- (2) Ordinary a Village Assembly will be convened and presided over by the President of the Village Council. However, in the absence of the President or due to his incapacity to convene such meeting the Vice President or the Secretary may convene the meeting.
 - (3) Quorum of a Village Assembly shall be half of the total number of registered house holders.
 - (4) Every Village Assembly shall be responsible to safeguard and preserve the traditions and customs of the people, their cultural identity, and management of community assets.
 - (5) The Village Assembly shall be consulted (a) before making any acquisition of land; and (b) before re-settlement and rehabilitation of persons affected by such projects. However, the final decision shall rest with the Executive Committee.
 - (6) There shall be at least three Village Assembly meetings in a year.
 - (7) The minutes of the meeting of each Village Assembly shall be recorded in a Register and shall be maintained by the Secretary of the Village Council.]

Village Rules.

- 21. (1) Each Village Council may frame its Village Rules for the administration of the Village in accordance with the need of the Village.

- (2) No rules shall be enforced in a village by the Village Council without the prior approval of the Executive Committee.
- Village Council's** **22.** (1) A Village Council shall not shift the ²[site] of a Village to a new site without the previous approval of the Executive Committee.
- ¹[Site.]**
- (2) Without the written permission of the Executive Committee no sub-village or temporary village for more than a year shall be made or set up at any site within the ³[Mara] District Council area.
- (3) The Executive Committee or any Officer of the District Council authorised in that behalf by the Executive Committee, may evict any person or persons having in occupation of unauthorised sub-village or temporary village, after service on such person or persons individually of a notice to vacate the area within a period of not less than three months.
- (4) On failure to vacate the area within the time fixed in the notice, the Executive Committee or any Officer of the District Council authorised in that behalf may impose a fine not exceeding Rs. 50/- per month to each family for the unauthorised occupation after the service of the notice.
- (5) The order of Executive Committee or of the Officer passed under sub-sections (3) and (4) above shall be deemed to be a clause of a competent civil court for the purpose of evicting unauthorised occupant from the area to which this section applies.
- Tla-awpa.** **23.** (1) Normally there shall be only one Tla-awpa for each Village Council. If for any reason more than one Tla-awpa is found necessary, prior approval of the Executive Committee for such appointment shall be obtained.

1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 7 (w.e.f. 05.04.2013).*

2. *Ibid.*

3. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (i) (w.e.f. 05.04.2013).*

(2) To appoint Tla-awpa for a Village Council, advertisement to this effect shall be made by the President fixing a date for selection. The Village Council in its full sitting shall make the appointment of Tla-awpa from amongst the applicants. The Village Council may dismiss the Tla-awpa, but such cases shall be reported to the Executive Committee.

¹[(3)] The duties of Tla-awpa shall be as follows:-

- (a) he shall bring to the notice of the public all orders and notifications the Village Council may direct to be notified.
- (b) he shall summon all parties and other persons required by the Village Council or Village Court to attend its meeting.
- (c) the Secretary may also direct the Tla-awpa to bring to the notice of the public any other matter not necessary connected with the affairs of the Village Council.
- (d) if any emergency occurs requiring the gathering of the public in the interest of the Village, any member of the Village Council may without the previous approval of the President, direct the Tla-awpa to summon all the Villagers.
- (e) the Tla-awpa shall carry notice to all members of the Village Council for all meetings of the Council summoned by the President.

Remuneration of Council Members, etc.

24. Members of the Village Council including the President ²[the Vice President] and also the Secretary and the Tla-awpa shall be entitled to receive such remunerations and privileges as may, from time to time, be determined by the District Council.

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1. *Renumbered by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 8 (w.e.f. 05.04.2013).*
 2. *Inserted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 9 (w.e.f. 05.04.2013).*

Secretary and Tla-awpa. 25. The Secretary and Tla-awpa shall also attend the Village Council meetings but shall have no votes.

Dissolution of the Village Council. 26. (1) **Dissolution of Village Council:-** The Executive Committee may, by public notification, order the dissolution of any of the Village Councils for the following reasons or on the following grounds:-

- (a) If in its opinion, the Village Council is too inefficient or is not able to carry on the Village administration, or is involved in financial mismanagement or misappropriation of public money, or is acting in a manner prejudicial to the interest of the District Council or of the State, or for any other reason considered sufficient for such dissolution:

Provided that in such cases there shall be constituted an inquiry commission who shall enquire into the Village Council concerned on the spot and submit his/her finding to the Executive Committee and the dissolution shall be done on the basis of the recommendation of such inquiry commission:

Provided further that no such dissolution shall be done unless the Village Council has been given a reasonable opportunity to explain as to why it should not be dissolved.

- (b) If at least half of the members resigned from membership due to difference in policy matters or for any other reason:

1. *Substituted by the Mara Autonomous District Council (Village Councils) (Amendment) Act, 2012, section 9 (w.e.f. 24.07.2012).*

Provided that a member shall submit his resignation or members shall collectively submit their resignation in writing, under his hand or their hands to the President of the Village Council and the President shall forward the resignation or resignations as the case may be, to the Executive Committee within ten days:

Provided further that if for any reason, the President fails to forward the resignation or resignations to the Executive Committee within ten days, then after expiry of fifteen days the Executive Committee shall be competent to take necessary action as it may deem appropriate or necessary.

- (c) In case of dissolution of a Village Council the Executive Committee shall forward the matter to the State Election Commission for holding fresh election within six months.]
- (2) The Executive Committee may appoint any person or persons to assume charge of the Village Administration and also to act as the Village Court during the period intervening between the dissolution of the Village Council and the completion of the election under the provision of sub-section (1).
- (3) When any Village Council has been dissolved under the provision of sub-section (1) the Executive Committee shall lay before the District Council in session at its first meeting after such dissolution, all papers connected therewith and the matter shall be opened for discussion by the members of the District Council.
- (4) So long as the Village Council acts as the Village Court under the law, the Village Council so dissolved shall cease forthwith to function as the Village Court.

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| Allotment of House sites in the Village. | 27. | No person shall be allowed to construct a house for any purpose without the written permission of the Village Council. |
| Boundaries and jurisdiction of Village. | 28. | <p>(1) In fixing the boundaries of the Village, the Executive Committee may appoint a boundary Commission and the reports and finding of the Commission thus appointed shall be laid before the Council in session.</p> <p>(2) No person shall be allowed to make jhum outside the jurisdiction of that Village in which he resides without the written permission of the Executive Committee.</p> |
| Power to make Rules. | 29. | Subject to the previous approval of the ¹ [Governor], the Executive Committee may make rules for carrying out any of the provisions of this Act. |
| Repeal and Saving. | 30. | <p>(1) The Pawi–Lakher Autonomous Region (Village Council) Act, 1954 and the Pawi–Lakher Autonomous Region (Village Councils) (Amendment) Act, 1961, as applicable to the Lakher Autonomous District Council are hereby repealed.</p> <p>(2) Notwithstanding such repeal, any actions taken or proceedings made under any provisions of the Acts repealed therein shall be deemed to be the actions taken or proceedings made under this Act.</p> |

1. *Substituted by the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013, section 10 (ii) (w.e.f. 05.04.2013).*