

ADMINISTRATION OF TOWN COMMITTEES ACT

The 18th January, 1955

No. TAD/LF/2/54 - In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Mizo District Council, which received the assent of the Governor of Assam, is hereby published for general information :-

MIZO DISTRICT ACT NO. II OF 1955

The Mizo District (Administration of Town Committees) Act 1955
(Passed by the Mizo District Council)

Received the assent of the Governor of Assam on the
10th January, 1955).

(Published in the Assam Gazette, dated the 26th January, 1955).

An
Act

to provide for the establishment and administration of Town Committees in the Mizo District.

Preamble - whereas it is expedient to provide for the establishment and administration of Town Committee in the Mizo District :-

It is hereby enacted as follows :-

1. Short title, extent and commencement - 1) (a) This Act shall be called the Mizo District (Administration of Town Committees) Act, 1955.

(b) It extends to the whole of the Mizo District except the areas under the authority of the Pawi-Lakher Autonomous Regional Council.

(c) It shall come into force at once.

2. Definition - In this Act, unless there is anything repugnant in the subject or context -

(a) "District" means the Mizo Autonomous District;?

(b) "District Council" means the Mizo District Council ;

(c) "Executive Committee" means the Executive Committee of the Mizo District Council.

3. **Constitution of notified areas** - 1) The Executive Committee of the District Council may by notification published in the Assam Gazette, signify its intention to constitute a Town Committee for any specified area wherein it consider improved arrangement are necessary to deal with all or any of the matter referred to in the Schedule appended to this Act.

2) A copy of the notification under sub-section (1) shall be published in such places as the Executive Committee may by general or special order direct.

(3) Should any inhabitant of the specified area aforesaid desire to object to the notification issued under sub-section (1) he may, within six weeks from the date of its publication submit his objection in writing to the Executive Committee and the Executive Committee shall take this objection into consideration.

(4) When six weeks from the date of publication have expired and the Executive Committee has considered and passed orders on such objections as may have been submitted to it, the Executive Committee may by notification in the Assam Gazette declare the specified area aforesaid or any portion thereof to be a notified area.

(5) The Executive Committee may by notification declare that any area previously notified under sub-section (4) shall cease to be a notified area.

4. Constitution of Town Committee : (1) There shall be established for each notified area a Committee, for the purposes of sub-section (2) of section 5, consisting of such number to be appointed or elected on the basis of suffrage as the Executive Committee may, by notification, direct.

(2) Subject to the approval of the Governor of Assam, the Executive Committee may make rules for the appointment and election of member to such a Committee, and the conduct of such elections.

(3) A Committee established under sub-section (1) of this section shall be called a Town Committee, and every such Town Committee have a Chairman and a Vice Chairman who shall be elected by the members of Committee.

(4) Notwithstanding anything contained in the section till such time as Town Committee is established, the Executive Committee or any officer appointed by it on its behalf function as a Town Committee.

5. Powers of the District Council to impose taxation and regulate expenditure of proceeds thereof -

(1) The District Council may, subject to the provisions of this Act and the rules thereunder, impose in any notified area the following taxes fees and tolls or any of them -

- (a) A general tax, payable by the owner, on holdings 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 the annual value of holdings ;
- (e) a drainage tax, payable by the owner, where a system of drainage has been introduced ;
- (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 fee on the registration of carts and bicycles;
- (i) a fee on boats including stean 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 ;

(2) The Executive Committee may, by rules, prescribe the arrangement-

- (i) for the assessment and recovery of any tax imposed under sub-section (1) ;
- (ii) for the due expenditure of the proceeds of taxes imposed under sub-section (1) and of any other funds which may be placed at the disposal of the Town Committee for any general or special purposes of the notified area and for the preparation and maintenance of proper accounts thereof.

6. Application of funds of areas ceasing to be notified - If an area previously notified ceases to be a notified area, the unexpended proceeds of any taxes levied therein under section 5, shall be utilised for the benefit of the inhabitants of such area in such manner as the Executive Committee deem fit.

7. **Power to make rules** - Subject to the approval of the Governor, Executive Committee may make rules for carrying out the purposes of this.

SCHEDULE (para 3)

1. Payment of the expenses of paupers, lunatics, and lepers who are inhabitants of the Town Committee and are sent to public asylums from the Town Committee.
2. Construction, maintenance, repair, improvement and cleansing of a bridges, squares, gardens tanks, ghats, well, channels, drains, latrines and urinals.
3. Planting, reservation and felling of trees and bamboos.
4. Supply of water and the lighting and watering of roads.
5. Erection and maintenance of Town Halls, offices and other building required for the purposes of the Town Committee.
6. Establishment and maintenance of a Town Committee market or the taking of a market on a lease.
7. Establishment and maintenance of Primary Schools and of hostels to be used in connection with such schools.
8. Establishment and maintenance of hospitals and dispensaries.
9. Promotion of free vaccination.
10. Acquiring and keeping of open spaces for the promotion of physical exercise and recreation.
11. Establishment and maintenance of vaterinary dispensaries for the reception and treatment of horses, cattle and other animals.
12. Establishment and maintenance of free public libraries and reading rooms.
13. Maintenance of fire brigade.

14. Provision of burial and burning grounds.
15. Taking of a census other than a Union census.
16. Holding of fairs and Industrial exhibitions.
17. Destruction of noxious animals or diseased or inlaimed dogs.
18. Establishment and maintenance of grazing grounds for cattle.
19. Taking of such measure as may appear to the Town Committee to be necessary during the prevalence of disease.
20. Other works of public utility calculated to promote the health, comfort or convenience of the inhabitants.
21. Generally the carrying out of the purposes of this Act.