

GOVERNMENT OF MIZORAM
URBAN DEVELOPMENT & POVERTY ALLEVIATION
DEPARTMENT

NOTIFICATION

Dated Aizawl, the 2nd November, 2010.

No. B. 13017/21/2008-UD&PA(M) : In exercise of the powers conferred by section 369 read with section 23 of the Mizoram Municipalities Act, 2007. (Act No. 6 of 2007) as amended from time to time, the Governor of Mizoram hereby makes the following Rules, namely :

**THE MIZORAM MUNICIPALITIES
(WARD COMMITTEE AND LOCAL COUNCIL) RULES, 2010**

CHAPTER - I

Preliminary

1. **Short title, extent and commencement** - (1) These rules may be called the Mizoram Municipalities (Ward Committee and Local Council) Rules, 2010.
 - (2) They shall extend to all Municipalities in Mizoram.
 - (3) They shall come into force from the date of their publication in the official Gazette.

 2. **Definitions** - (1) In these rules, unless the context otherwise requires -
 - (a) **"Act"** means the Mizoram Municipalities Act, 2007 (Act No. 6 of 2007) as amended from time to time ;
 - (b) **"Chairman"** means the Chairman of the Ward Committee or the Local Council;
 - (c) **"Committee"** means the Ward Committee formed under these Rules;
 - (d) **"Council"** means the Local Council formed under these Rules;
 - (e) **"Executive Committee"** means the Executive Committee of the Municipality;
 - (f) **"Locality"** means such area or areas which had been normally under the jurisdiction of one village council before the constitution of Municipality or a geographically compact area or areas which had formed a part or parts of a village council area before constitution of Municipality;
 - (g) **"Member"** means a member of the Ward Committee or the Local Council as the case may be.
- (2) The words and expressions used in these Rules which are not defined otherwise shall have the same meanings as have been respectively assigned to them in the Act.

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CHAPTER - II
Ward Committee

3. **Constitution of Ward Committee** - There shall be a Ward Committee for every ward of Municipality as the Municipality may form under sub-section (1) of section 23 of the Act.

4. **Composition of Ward Committee** - (1) The Ward Committee shall consist of the elected Councillor, two members each from the Local Councils within the Ward and three other members who shall be appointed by the Municipality on the recommendation of the Councillor from amongst the prominent citizens residing in the ward of which one shall be a woman;

Provided that not more than one person shall be appointed from one locality.

(2) The elected Councillor of the ward shall be the Chairman of the Committee, and shall preside over the meeting of the Committee. In his absence, the members present shall elect a Chairman from amongst themselves to preside over the meeting.

5. **Tenure of Ward Committee** - (1) Tenure of the Ward Committee shall be co-terminus with that of the Councillor. All members of the Ward Committee shall hold office during the life of the Committee :

Provided that in the case of fresh appointment due to dissolution of the Committee, the member so appointed shall hold office during the remaining term of the Committee.

(2) If a member fails to attend five consecutive meetings of the Committee without permission, the Committee may declare his seat vacant after giving him an opportunity of hearing.

(3) In case of any casual vacancy in the membership of the Ward Committee caused by the death of a member or shifting of residence by a member from the ward to another ward or otherwise, the Municipality on the recommendation of the Councillor, may appoint prominent person residing in the ward to fill the vacancy.

6. **First Meeting of the Ward Committee** - The first meeting of the Committee shall be convened by the Chairman of the Committee within fifteen days from the date of constitution of the Committee. Apart from normal business, the Committee shall, at its first meeting, elect a Member-Secretary for the Committee from amongst the members.

7. **Meeting** - (1) The Committee shall meet at least once in every three months.

(2) The Chairman shall fix the date, place and time of the meeting, and the Secretary shall issue notice of the meeting specifying the date, place and time of the meeting and the business to be transacted there three days ahead of the meeting.

(3) Quorum for a meeting shall be one-third of the total number of members including Chairman.

8. **Special Meeting** - For the purpose of transacting a business of urgent and immediate nature, the Chairman may convene a special meeting.

9. **Minutes** - The Member-Secretary shall record the minutes of every meeting in a minute book which shall be signed by the Chairman and the Member-Secretary.

10. **Functions** - It shall be the function of the Ward Committee, as per provisions of the Act, to make local and internal arrangements and activities within the ward for the common civic services and common benefits of the community and other matters including social harmony.

11. **Other Functions** - (1) The Ward Committee, subject to general supervision of the Municipality, shall, within the ward, supervise and monitor -

- (a) detection of violation of various provisions of the Act such as illegal construction, encroachments on municipal and public properties, public nuisance, evasion of taxes, unlicensed activities, and the like;
- (b) arresting wasteful uses of various municipal services like tap water, street hydrant, street light, parks and playgrounds, community centre, and the like;
- (c) detection of unclean premises and accumulated garbages, with powers to require the owner or the occupier of such premises to clean and to dispose of such garbages;
- (d) helping health immunization services;
- (e) maintaining essential statistics, and
- (f) numbering of streets and premises.

(2) The Committee shall, subject to the control of the Municipality, supervise implementation of decisions of the Municipality in respect of any matter relating to the ward.

(3) The Committee shall also perform such other functions as may be entrusted to it by the Municipality from time to time.

12. **Role of Ward Committee in Planning** - (1) The Ward Committee may -

- (a) identify problems of the ward;
- (b) fix priority of problems so identified, and
- (c) prepare a list of developmental schemes consisting of such identified problems and submit the same to the Municipality ;

Provided that the Municipality shall not be bound to accept all or any such proposals as a matter of course.

(2) The Committee may, and is expected to, identify any uncompleted work or works of poor quality or materials of inferior quality used for any work within the ward and report such matter to the authority concerned for action.

13. Duties of Municipality to Ward Committee - (1) The Municipality shall make available to the Ward Committee the following information :-

- (a) decisions or resolutions of the Municipality concerning the ward;
- (b) decisions or resolutions of the Executive Committee concerning the ward;
- (c) general decisions or resolutions of the Municipality or the Executive Committee requiring public attention;
- (d) work of public importance to be executed in the ward with the name and address of the executing agency;
- (e) demand figures of tax and non-tax revenue of the ward including collection figures thereof, and
- (f) such other information as may be required by the Committee in the discharge of its functions.

14. Removal of Members - The Municipality may, on the recommendation of the Chairman of the Ward Committee, remove any member of the concerned Ward Committee :

Provided that in the event of such removal, a new member shall be appointed by the Municipality within sixty days.

CHAPTER - III

Local Council

15. Constitution of Local Council - (1) The Municipality may constitute Local Council for every locality in the ward by holding election to be conducted by State Election Commission ;

Provided that any person residing in the concerned locality whose name is included in the electoral roll of that locality for Election of Councillors shall have the right to vote in such election ;

Provided further that only such person who is eligible to vote in the election for Local Council may be elected in such election, except an employee under the Central Government or State Government or Public Sector Undertakings

(2) The Municipality, if finds so necessary, may constitute more than one Local Council in the area covered by an erstwhile village council.

16. Composition of Local Council - (1) The number of members in the Local Council shall be as indicated below :-

- (a) Five members in a locality comprising 1500 voters or less.
- (b) Seven members in a locality comprising more than 1500 voters.

(2) The first meeting of the elected members shall be held within ten days to elect the Chairman and the two members who will represent the Local Council in the Ward Committee.

(3) The Chairman shall appoint one of the members to be the Member-Secretary before the next meeting of the Council.

17. Tenure of Local Council - (1) The tenure of Local Council shall be three years from the date of first meeting of the Committee referred to under sub-rule (2) of Rule 16 of these Rules.

(2) In the case of casual vacancy in the membership for any reason, the Council may nominate any prominent person residing in the locality to fill the vacancy for the remaining period of the tenure.

18. Meeting of Local Council - (1) The Chairman may convene a meeting of Local Council whenever the occasion demands.

(2) Quorum for a meeting shall be one-third of the total number of members including Chairman.

19. Minutes - The Member-Secretary shall record the minutes of the meeting of the Local Council in the minute book which shall be signed by the Chairman and the Member-Secretary.

20. General Functions - The general functions of Local Council shall be such as may be entrusted to it by the Municipality for the common civic services and common benefit of the community and other matters in accordance with the Mizo traditions, customs and practices as provided under sub-section (3) of section 23 of the Mizoram Municipalities Act, 2007.

21. Other Functions - 1) The State Government or the Municipality or the Ward Committee, as the case may be, may entrust the Local Council with one or more functions of the Ward Committee under Rule 11 of these Rules within the area of the locality.

2) The Local Council, subject to general supervision of the Ward Committee or the Municipality, as the case may be, shall, within the ward, supervise and monitor -

- (a) detection of violation of various provisions of the Act such as illegal construction, encroachments on municipal and public properties, public nuisance, evasion of taxes, unlicensed activities, and the like;
- (b) arresting wasteful uses of various municipal services like tap water, street hydrant, street light, parks and playgrounds, community centre, and the like;
- (c) detection of unclean premises and accumulated garbages, with powers to require the owner or the occupier of such premises to clean and to dispose of such garbages;

22. Role of Local Council in Planning - (1) The Local Council shall render all possible assistance to the Ward Committee in the discharge of its role under sub-rule (1) of Rule 12 of these Rules.

(2) If and when the Ward Committee entrusts particular role or function within the locality to the Local Council, it shall be the duty of the Local Council to discharge such role or functions satisfactorily.

(3) The Local Council may, and is expected to, identify any uncompleted work or works of poor quality or materials of inferior quality used for any work within the ward and report such matter to the authority concerned for action.

23. Duties of Ward Committee to Local Council - The Ward Committee may make available to the Local Council all or any information mentioned under rule 13 of these Rules concerning the locality.

24. Dissolution of Local Council - (1) The Municipality, for good and sufficient reasons, to be recorded in writing and after discreet inquiry by a duly authorised and responsible officer, may order dissolution of any Local Council.

(2) In the event of such dissolution, the Municipality may appoint a prominent person of the locality to be designated as Administrator to take over the charge of the Local Council till such time fresh election is held :

Provided that in the event of such dissolution, a fresh election shall be held within sixty days from the date of dissolution of the Local Council.

25. Mass Resignation of Members - The provision sub-rule (2) of rule 24 shall apply *mutatis mutandis* in the case of mass resignation of members of the Local Council.

CHAPTER - IV

Hnatlâng

26. Meaning of Hnatlâng - The word 'Hnatlâng' according to the customary practices of the Mizo people, means a common service for the common good of the people which all the households shall render, either together at one time or one after another, as and when called for.

27. Power of Local Council to enforce Hnatlâng - (1) The Local Councils shall have power to enforce Hnatlâng in their respective areas in the interest of public whenever occasion so demands.

(2) It shall be the duty of every household to render Hnatlâng service, and there shall be no discrimination on grounds of religion, caste or class.

28. Regulation of Hnatlâng - (1) The Local Councils in their respective areas shall have power to impose a fine (rúnna) on any household which does not comply with Hnatlâng order at a rate fixed under rule 29 of these Rules.

(2) A household may commute its obligation to render Hnatlâng service on payment of exemption fees (phatna) in lieu of it, at a rate to be fixed under rule 29 of these Rules.

(3) A person not below the age of 18 years may represent a household in a Hnatlâng, but any person above 60 years of age shall be exempted from Hnatlâng.

29. Power of Municipality - The Municipality may, by order from time to time, fix the extent of fine (rúnna) to be imposed on a household which does not comply with Hnatlâng order, and also the rate or rates of exemption - fees, to be deposited in cash, from time to time.

CHAPTER - V

Transitional Provision

30. Transitional Local Councils : During the transitional period, existing village councils within Aizawl Municipal Area shall function as Local Councils till Local Councils are constituted under Rule 15 of these Rules.

CHAPTER - VI

Miscellaneous Provisions

31. Remuneration - Members of every Local Council shall receive remuneration from the concerned Municipality at such rate or rates as may be fixed by that Municipality from time to time.

32. Provision of Stationery Articles - When the Municipality or any Department or office of the State Government requires the service of the Ward Committee or the Local Council to do certain works or duties, it shall provide to such Committee or Council all stationery articles or materials as may be required for such works or duties.

Secretary to the Govt. of Mizoram
Urban Development & Poverty Alleviation Department



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NOTIFICATION

No. B. 13017/21/2008-UD&PA(M), the 2nd November, 2010. The following Rules, viz. - The Mizoram Municipalities (Ward Committee and Local Council) Rules, 2010 is hereby published for General Information.

Sd/-

P. Lianhrima,

Secretary to the Govt. of Mizoram,

Urban Development & Poverty Alleviation Department.

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