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NOTIFICATION

No.C.31012/2/2012-DCA(L), the 20th May, 2013. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act passed by the Lai Autonomous District Council and approved by His Excellency the Governor of Mizoram on 9th May, 2013 is hereby published for general information, namely :-

“THE LAI AUTONOMOUS DISTRICT (VILLAGE COUNCILS)
(SECOND AMENDMENT) ACT, 2013”

An
Act

further to amend the Lai Autonomous District Council (Village Councils) Act, 2010 (hereinafter referred to as the Principal Act).

It is enacted by the Lai Autonomous District Council in this sixty third year of the Republic of India as follows:-

1. Short title, extent and commencement.-

- 1) This Act may be called the Lai Autonomous District (Village Councils) (Second Amendment) Act, 2013.
- 2) It shall have the like extend as the Principal Act.
- 3) It shall come into force on the date of Publication in the Official Gazette.

2. Amendment of Section 3.-

- (1) In sub-section (3) of Section 3 of the Principal Act, the following shall be substituted, namely;

“(3) A Village Council shall be composed of members according to the number of houses it contains as specified below:

(a) for a village having		No. of members
(i) 50 to 150 houses	-	3
(ii) 151 to 300 houses	-	5
(iii) 301 houses and above	-	7

Provided that the existing village council which have been elected prior to this amendment Act, shall continue for not more than three years”.

(2) After sub-section (6) of Section 3 of the Principal Act, the following sub-sections shall be added, namely;

“(7) The Executive Committee may abolish a Village Council if the number of the households of the village has become less than 50 houses due to migration or other reasons.

“(8) Subject to approval of the Governor, the Executive Committee shall have power to bifurcate the existing Village Council into two Village Councils.

Provided that if the existing Village Council is bifurcated into two Village Councils, the Executive Committee may make necessary arrangement in the formation of that Village Council from the existing Village Council Members until General election is held”.

3. Insertion of new sub-section after sub-section (3) of Section 6.-

After sub-section (3) of Section 6 of the Principal Act, the following new sub- section shall be inserted, namely;

“(4) All members of a Village Council shall hold office during the life of the Village Council.

Provided that in the case of mid-term election or to fill casual vacancy, the members so elected shall hold office during the remaining term of the Village Council.”

4. Amendment of Section 7.-

(1) In sub-section (1) of section 7 of the Principal Act, words between ‘ shall be terminated’ and’ by the Executive Committee’ the words **“or terminated”** shall be inserted.

(2) In sub-section (2) of Section 7 of the Principal Act, the following proviso shall be added, namely-

“Provided that in case the Secretary is inconvenient to conduct election of the President and Vice President, Executive Committee may appoint any person or persons to conduct the said elections.”

5. Amendment of Section 9.-

(1) After sub-section (1) of section 9 of the Principal Act, the words **“If the Executive Committee thinks appropriate”** shall be added..

(2) After sub-section 6 of section 9 of the Principal Act, the following sub-section shall be inserted, namely:

“(7) If and when the members of a Village Council desire to move a motion of no-confidence against the Vice President, they shall submit a notice of such motion

duly signed by themselves to the President. In such cases, the President shall issue order for holding of special meeting for the purpose specifying the place, date and time and the meeting shall be conducted by the President.

Provided that the President shall have no casting vote at the first instance in a motion of no-confidence. But in the case of equality of votes, the President shall have casting vote.

Provided further that in the event of removal of the Vice President, a new Vice President shall be elected within forty eight hours from the time of removal of the Vice President”.

6. Amendment of Section 10.-

In sub-section (3) of section 10 of the Principal Act, for the words, two-thirds shall be substituted by the word “majority”.

P. Singthanga,
Secretary to the Govt. of Mizoram,
District Council Affairs Deptt.