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NOTIFICATION

No. C. 31012/3/2011-DCA(M), the 4th April, 2013. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act passed by the Mara Autonomous District Council and approved by His Excellency the Governor of Mizoram on 25th March, 2013 is hereby published for general information, namely :-

**“THE LAKHER AUTONOMOUS DISTRICT
(VILLAGE COUNCILS) (AMENDMENT) ACT, 2013”.**

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

AN

ACT

further to amend the Lakher Autonomous District (Village Councils) Act, 1974 (hereinafter called the Principal Act) and (amended therein) to provide for smooth functioning and better administration of the Village Councils.

Enacted by the Mara Autonomous District Council in its Session in the Sixty-Fourth Year of the Republic of India as follows:-

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|---|---|
| Short title, extent and commencement | 1. (1) This Act may be called the Lakher Autonomous District (Village Councils) (Amendment) Act, 2013.
(2) It shall have like extent as the Principal Act.
(3) It shall come into force on and from the date of its publication in the Mizoram Gazette. |
| Amendment of Section 2. | 2. For Section 2 of the Principal Act, the following clauses shall be substituted namely:-
“(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.
 - (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."

**Amendment of
Section 3.**

3. (1) For clauses (a), (b), (c) and (d) of sub-section (2) of section 3 of the Principal Act, the following clauses shall be substituted namely:-
- “(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) After clause (d) of sub-section (2) of section 3 of the Principal Act, the following clause shall be added, namely:-
“(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) In sub-section (4) of section 3 of the Principal Act, for the words “one third or nearest”, the words “one member” shall be substituted.
- Amendment of Section 8.**
4. (1) In sub-section (1) of section 8 of the Principal Act –
(i) between the word “President” and the words “in each”, the words “and a Vice President” shall be inserted.
(i) for the word “They”, the words “The President” shall be substituted.
- (2) In sub-section (3) of section 8 of the Principal Act, for the word “Every”, the words “The Vice President or any other” shall be substituted.
- (3) In sub-section (6) of section 8 of the Principal Act, for the words “one of the members appointed by the Executive Committee”, the words “the Vice President” shall be substituted.
- (4) After sub-section (6) of Section 8 of the Principal Act.-
(i) for the bracket and figure “(6)” shall be renumbered as “(7)” and the sub-heading, “Removal of the President”, the words “Removal of the President and Vice President” shall be substituted.
(ii) in the second proviso, for the word “Secretary”, the words “Vice President” shall be substituted.
(ii) after clause (b), the following clause shall be added, namely:-
“(c) The Vice President may be removed from his office in the same manner as the President.”
- Amendment of Section 10.**
5. In sub-section (9) of section 10 of the Principal Act, for the brackets and figures “(1)” and “(2)” shall be renumbered as “(i)” and “(ii)” respectively.
- Amendment of Section 14.**
6. In section 14 of the Principal Act, between the words “The President” and the words “of the village”, the words “or in his absence, the Vice President” shall be inserted.
- Amendment of Section 22.**
7. In section 22 of the Principal Act, for the word “seat” wherever it appears, the word “site” shall be substituted.
- Amendment of Section 23.**
8. The figure appearing as “3” after sub-section (2) of section 23 of the Principal Act shall be renumbered as “(3)”.
- Amendment of Section 24.**
9. In section 24 of the Principal Act, between the word “President” and the words “and also”, the words “the Vice President” shall be inserted.
- Amendment of the Principal Act**
10. In the Principal Act.-
(i) for the word, “Lakher” wherever it appears, the word “Mara” shall be substituted.
(ii) for the word, “Administrator” wherever it appears, the word “Governor” shall be substituted.
(iii) for the word, “Chhimtuipui” wherever it appears, the word “Saiha” shall be substituted.