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NOTIFICATION

No. LJD 3/90/pt/24, the 15th April, 1991. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor is hereby published for general information.

The Mizoram Act No. 13 of 1991.

The Mizoram (Village Councils) (Amendment) Act, 1991.

(Received the assent of the Governor of Mizoram on the 3rd April, 1991)

AN

ACT

further to amend the Lushai Hills District (Village Councils) Act, 1953.

Be it enacted by the Legislative Assembly of Mizoram in the Forty-second Year of Republic of India

1. (1) This Act may be called the Stars (Village Councils) Amendment) Act. 1991

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once

2. (1) In the Lushai Hills District (Village Councils) Act, 1953 (Act No. V of 1953) (hereinafter referred to as the principal Act) for sub-section (2) of section 3, the following sub-section shall be substituted, namely :-

“(2) NUMBER OF MEMBERS OF VILLAGE COUNCIL :-

A Village Council shall be composed of numbers according to the number of houses it contains as specified below :-

- (a) For Villages not exceeding 100 houses, there shall be 4 members;
- (b) For Villages with more than 100 houses but not exceeding 200 houses, there shall be 5 members;
- (c) For Villages with more than 200 houses, but not exceeding 300 houses, there shall be 6 members;
- (d) For Villages with more than 300 houses, but not exceeding 400 houses, there shall be 7 members;
- (e) For Villages with more than 400 houses, but not exceeding 500 houses, there shall be 8 members;
- (f) For Villages with more than 500 houses, but not exceeding 600 houses, there shall be 9 members;
- (g) For Villages with more than 600 houses, but not exceeding 600 houses, there shall be 10 members;
- (h) For Villages with more than 900 houses, but not exceeding 1200 houses, there shall be 6 members;
- (i) For Villages with more than 1200 houses, but not exceeding 1500 houses, there shall be 12 members;
- (j) For Villages with more than 1500 houses, but not exceeding 1800 houses, there shall be 13 members;
- (k) For Villages with more than 1800 houses, but not exceeding 2100 houses, there shall be 14 members;
- (l) For Villages with more than 2100 houses, there shall be 15 members;

(2) In the principal Act, for sub-section (3) of section 3. the following sub-section shall be substituted, namely:-

(3) Of the total number of members of the Village Council as determined under sub-section (2) one fourth or nearest shall be nominated by the Government and the rest elected by adults of the Village in accordance with the rules made by the Government of Mizoram under this Act:

Provided further that the nominated shall not exceed three members.

Provided further that in case the election of members to constitute a Village Council or Council under this sub-section cannot be held due to any reason considered unavoidable by the Government, but circumstances demand immediate constitution of such Village Council or Councils, the Government may nominate the required number of members for such Council or Councils and the members so nominated shall hold office for period not exceeding one year from the date of the first meeting of the Council or Councils.

(3) In the principal Act, for sub-section (4) of section 3, the following sub-section shall be substituted, namely:-

(4) The Government may abolish a Village Council if in its opinion the number of the households of the village has become too small to have Village Council of its own or if in its opinion, there is an exigency to amalgamate two or more Village Councils on the ground of administrative convenience in such a situation the village shall be comprised of the nearest village having a Village Council under sub-section (1) or as arranged by the Government.

Amendment of Rule 128 of the Assam Autonomous District (Constitution) of District Councils Rules, 1951 for incorporation in the Rules itself.

3. In the Assam Autonomous Districts (Constitution of District Councils) Rules, 1951, as adapted, in rule 128 so far as Mizoram is concerned, -

(i) in clause (b) of sub-rule (1), for the words “the age of twenty one” the words “the age of eighteen” shall be substituted;

(ii) in clause (b) of sub-rule (1), for the word “March” the word “January” shall be substituted.

Repeal and savings

4. (1) With effect from the date of operation of this Act, the Lushai Hills District (Village Councils) (Amendment) Ordinance, 1990 (NO 3 of 1990) and the Lushai Hills District (Village Councils) (2nd Amendment) Ordinance, 1990 (No 4 of 1990) and the Assam Autonomous Districts (Constitution of District Councils) Rules, 1951 so far as they relate to this Act shall stand repealed.

(2) Notwithstanding such repeal any action taken under the provisions of the said Ordinances and rules shall be deemed to have been done under the provisions of this Act.

Dr. H.C. Thanhranga,
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