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NOTIFICATION

No. C. 31012/5/2014-DCA(M), the 23rd May, 2016. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Rules passed by the Mara Autonomous District Council and approved by His Excellency the Governor of Mizoram on 11.3.2016 is hereby published for general information, namely :-

**"THE MARA AUTONOMOUS DISTRICT COUNCIL
(CONSTITUTION OF PLANNING AND DEVELOPMENT BOARD) RULES, 2014**

Arvind Ray

Additional Chief Secretary to the Govt. of Mizoram,
District Council Affairs Department.

**THE MARA AUTONOMOUS DISTRICT COUNCIL
(CONSTITUTION OF PLANNING AND DEVELOPMENT BOARD) RULES, 2014**

A Rules

to provide for the constitution of a Planning and Development Board for the preparation of a plan for the development of the Mara Autonomous District Council area and for co-ordinating and monitoring the implementation of such plan.

Whereas under clause (a) of sub-paragraph (7) of paragraph 2 of the Sixth Schedule to the Constitution of India, the District Council is empowered to make rules regulating the formation of Boards and their procedure and conduct of their business.

Now, therefore, in exercise of the said powers, the Mara Autonomous District Council is pleased to make the following rules in the Sixty-fifth Year of the Republic of India as follows:-

CHAPTER – I

Preliminary

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| Short title and commencement. | 1. | (1) These rules may be called the Mara Autonomous District Council (Constitution of Planning and Development Board) Rules, 2014.
(2) They shall come into force from the date of their publication in the Official Gazette. |
| Definitions. | 2. | In these rules, unless the context otherwise requires:-
(i) "Board" means the Mara Autonomous District Council Planning and Development Board constituted under sub-rule (1) of rule 3 of these rules.
(ii) "Chairman" means the Chairman of the Board.
(iii) "Chief Executive Member" means the Chief Executive Member of the Mara Autonomous District Council.
(iv) "District Council" means the Mara Autonomous District Council.
(v) "Executive Committee" means the Executive Committee of the Mara Autonomous District Council.
(vi) "Governor" means the Governor of Mizoram.
(vii) "Official Gazette" means the Mizoram Gazette.
(viii) "State" means the state of Mizoram. |

CHAPTER – II

Constitution, Term, Resignation, Vacancies and Entitlement

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| Constitution of the Board. | 3. | (1) On and from the commencement of these rules, the Executive Committee shall, by notification in the Official Gazette, constitute a Board to be called Mara Autonomous District Council Planning and Development Board.
(2) The Board shall consist of a Chairman, a Vice Chairman, a Member-Secretary and four other members.
(3) The Chief Executive Member shall be the <i>ex-officio</i> Chairman of the Board.
(4) The Vice Chairman of the Board shall be appointed by the Governor on the recommendation of the Chief Executive Member.
(5) The other Members of the Board shall be nominated by the Executive Committee having regard to their knowledge and experience relevant to the functions and powers of the Board.
(6) The Planning and Development Officer of the District Council shall be the Member-Secretary of the Board. In the absence of the Member-Secretary, Assistant Planning Officer may take the charge of the Member-Secretary. |
| Term of the Members of the Board. | 4. | (1) Unless sooner dissolved, every member of the Board shall hold his membership for a period of three years from the date of his nomination:

Provided that a member nominated under sub-rule (5) of rule 3 may be removed by the Executive Committee on the ground of proved misbehavior or incapacity.
(2) The Vice Chairman of the Board shall hold office during the pleasure of the Chief Executive Member. |

- Resignation.** 5. Any member nominated under sub-rule (5) of rule 3 may, by writing under his hand addressed to the Chief Executive Member, resign his membership and such resignation shall take effect from the date of its acceptance by the Chief Executive Member.
- Vacancy.** 6. (1) When a vacancy occurs in the office of a member by reason of resignation, death, removal or otherwise, the vacancy shall be filled immediately, by nomination.
(2) A person who is nominated to fill up a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place he is nominated.
- Entitlement of the Vice Chairman and members of the Board.** 7. (1) The Vice Chairman of the Board shall be entitled to such salaries and other allowances as the Executive Member.
(2) Non-official members of the Board shall be entitled to sitting allowances as may be determined by the Executive Committee, from time to time, for each day of the actual meeting of the Board.
(3) Non-official members of the Board shall also be entitled to draw travelling allowances and other allowances for each day he/she is engaged in the work of the Board, at the highest rate admissible to a Gazetted Group 'A' Officer of the District Council.

CHAPTER – III

Conduct of Business and Functions of the Board

- Meeting of the Board.** 8. (1) The Board shall meet for the transaction of Business from time to time.
(2) The Chairman shall preside over the meetings of the Board.
(3) In the absence of the Chairman, the Vice Chairman of the Board shall preside over the meeting.
(4) Any meeting of the Board may be adjourned until the next or any subsequent date and an adjourned meeting may be further adjourned in like manner.
- Issue of meeting notice.** 9. A meeting Notice shall be served seven days advance in an ordinary meeting and three days advance in a special meeting specifying the date, time and place.
- Items for discussion in the meeting.** 10. (1) Every member who have agenda item for the meeting of the Board shall send the same to the Member-Secretary at least three days before the date of the meeting.
(2) Only those items which are approved by the Chairman or Vice Chairman of the Board for inclusion will be entertained in the Agenda.
- Quorum.** 11. No business shall be transacted at any meeting unless at least four members of the Board including the Chairman and Vice Chairman are present.
- Voting.** 12. (1) All matters required to be decided by the Board shall be decided by the majority of votes of the members present.
(2) The Chairman or in his absence the Vice Chairman of the Board for the purpose of presiding over the meeting, as the case may be, shall

have and exercise the right of a casting vote in all cases of equality of votes.

Minute of proceedings.

13. The names of the members present and the proceedings of the meeting shall be recorded by the Member–Secretary in a Minutes Book to be provided for this purpose which shall be signed by the Chairman or in his absence the Vice Chairman of the Board and shall at all reasonable times be open to inspection by any member.

Conduct of meetings.

14. (1) At an ordinary meeting, business shall be conducted in the following order:–
- (a) Review of the minutes of the previous meeting;
 - (b) the business postponed at the previous meeting shall then be considered;
 - (c) subjects included in the Agenda shall thereafter be considered;
 - (d) any other items may also be considered if permitted by the Chairman or in his absence the Vice Chairman of the Board.
- (2) At a special meeting only the business for the purpose of considering which the special meeting has been called shall be considered.

Powers and Functions of the Board.

15. The powers and functions of the Board shall be–
- (a) to assist and guide the Executive Committee and various departments of the District Council in the formulation of plan projects, including family–oriented projects, Annual and Five Year Plans, and also perspective plan for a longer period;
 - (b) to examine, rectify if necessary, and approve sectoral allocation and reallocation of plan funds in the District Council;
 - (c) to inspect and monitor execution of plan projects and utilization of plan fund, including Centrally Sponsor Schemes, subject to Guidelines issued by the Central Government from time to time;
 - (d) to ensure proper co–ordination of Development Departments of the District Council in respect to plan preparation and implementation;
 - (e) to examine and approve the Annual Plan incorporation item wise sectoral allocations of each Department under the District Council;
 - (f) to engage with, predetermined amount of fees, other terms and conditions and with prior approval of the Executive Committee, the services of expert(s) or know–how person(s) for the preparation of documents and plan projects for specified period of time and with definite programme of work;
 - (g) to call for any documents from any department of the District Council relating to plan formulation and implementation except secret documents and matters relating to security of State and the National;
 - (h) to submit quarterly expenditure statement under plan schemes to the State government;
 - (i) to co–ordinate and monitor NLCPR, NEC schemes and CSS executed by the District Council;
 - (j) to determine plan priorities and also define the stages in which the plan should be carried out and propose the allocation of resources for the due completion of each stage;

- (k) to indicate the factors which are tending to retard economic development and determine the conditions which in view of the current social and political situation, should be established for the successful execution of the plan;
- (l) to determine the nature of the machinery which will be necessary for securing the successful implementation of each stage of the plan in all aspects;
- (m) to appraise from time to time the progress achieved in the execution of each stage of the Plan and recommend the adjustments of policy and measures that such appraisal may show to be necessary;
- (n) to take up any other functions as may be assigned to it by the Executive Committee from time to time.

CHAPTER – VI
Miscellaneous

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| Nodal Department of the Board. | 16. The Planning & Programme Implementation Department of the District Council shall be the Nodal Department of the Board and the conduct of business of the Board shall be in line with the Planning & Programme Implementation Department of the District Council. |
| Accountability. | 17. The Board shall be accountable to the Chief Executive Member. |
| Power to make regulations. | 18. (1) The Executive Committee may make regulations for carrying out the purpose of these rules.
(2) Every regulations made by the Executive Committee under these rules shall be published in the Official Gazette and on such publication it shall have the force of law. |