



The Mizoram Gazette

EXTRAORDINARY

Published by Authority

RNI No. 27009/1973

VOL - LIV Aizawl, Tuesday 14.1.2025, Pausha 24, S.E. 1946, Issue No. 18

NOTIFICATION

No. C.31017/2/2006-DC&MA(M), the 6th January, 2025: In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act passed by the Mara Autonomous District Council which has received approval of the Governor of Mizoram on 17.12.2024 is hereby published for general information, namely:-

"THE MARA AUTONOMOUS DISTRICT COUNCIL (TOWN COMMITTEE OR COUNCILS) ACT, 2024."

Sangchhin Chinzah, IAS
Secretary to the Govt. of Mizoram,
District Council & Minority Affairs Department.

**THE MARA AUTONOMOUS DISTRICT COUNCIL
(TOWN COMMITTEES OR COUNCILS) ACT, 2024**

**A
Act**

to provide for the establishment of Town Committees or Councils for the administration of Towns in the Mara Autonomous District.

Whereas under clause (e) of sub-paragraph (1) of Paragraph 3 of the Sixth Schedule to the Constitution of India, the District Council for an Autonomous District is empowered to make Laws for administration of Towns in the District.

Preamble: Whereas it is expedient to provide for the establishment of Town Committees or Councils for the administration of Towns in the Mara Autonomous District.

It is hereby enacted in the Seventy-Fifth year of Republic of India as follows:-

**Short title, extent
commencement.**

1. (1) This Act shall be called the Mara Autonomous District Council (Town Committees or Councils) Act, 2024.
- (2) It extends to the whole of the Mara Autonomous District.
- (3) It shall come into force on its publication in the Gazette of Mizoram.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context:-
 - (a) "District" means the Mara Autonomous District as provided in Part III of the Table appended to Para 20 of the Sixth Schedule to the Constitution of India;
 - (b) "District Council" means the Mara Autonomous District Council;
 - (c) "Executive Committee" means the Executive Committee of the Mara Autonomous District Council;
 - (d) "Gazette" means the Mizoram Gazette;
 - (e) "Governor" means the Governor of Mizoram;
 - (f) "Town Committees/Committee or Councils/Council" for the purpose this Act shall mean and include Town Committees/Committee or Councils/Council as the case may be constituted under this Act or any other Acts, Rules or Regulations in force in the District Council area.

**Constitution of the
Town Committees
or Councils.**

3. (1) The Executive Committee may, subject to the provisions of this Act, establish a Town Committee or Council for any Town or part of a Town for the administration, maintenance and also for improvement of such Town or part of it, as the case may be.
- (2) For the purposes of this Act, the Executive Committee

shall determine the number of seats for a particular Town Committee or Council and one third of the members shall be nominated by the Executive Committee and the rest of the members shall be elected by the members of the Village Councils within the area of the concerned Town Committee or Council:

Provided that at least half of the total number of nominated members shall be women.

- (3) The Executive Committee shall delimit the Electoral Constituency for a Town Committee or Council and each of such Constituency shall be called "ward".
- (4) A Town Committee or Council constituted under the provisions of this Act shall have a life of five (5) years unless sooner dissolved or extended by the Executive Committee:

Provided that extension of the term shall be for a period of 6 months which may only be extended or revoked in certain exceptional case by the Executive Committee as they deem fit and proper.

- (5) A Town Committee or Council shall have a Chairman who shall be appointed by the Chief Executive Member of the District Council from amongst the members of the District Council.
- (6) The Executive Committee shall appoint a Secretary for a Town Committee or Council from amongst Officers of the District Council not below the rank of Junior Administrative Grade:

Provided that in case the election of members to constitute a Town Committee or Council under the Act cannot be held due to any reason considered unavoidable by the Executive Committee, but the circumstances demand for the immediate constitution of such Town Committee or Council, the Executive Committee may fill the seats by nomination and the members of the Town Committee or Council so nominated shall hold office for a period not exceeding one year from the date of the first sitting of the Committee or Council which may be dissolved or shortened in certain exceptional cases by the Executive Committee:

Provided further that the Executive Committee shall, before constituting any Town Committee or Council:-

- (a) by public Notification published in the Official Order signify its intention to constitute a Town Committee or Council for any Town or for any specified area of a Town wherein it considers

improved arrangements are necessary to deal with all or any of the matters specified in the Schedule appended to this Act;

- (b) publish such notification in such places as are considered most likely to reach the residents concerned;
- (c) invite objection from the residents concerned;
- (d) fix the date, time and place for hearing of such objections, after all objections are heard and carefully considered, publish in the Notification, its final decision to constitute or otherwise, the Town Committee or Council.

Function of Executive in certain circumstances.

4. Notwithstanding anything contained in the foregoing Committee sections of this Act, the Executive Committee or an Officer appointed by it on its behalf shall function as the Town Committee or Council for any particular Town till such time a Committee or Council is established therein under this Act:

Provided that the maximum period for which the Executive Committee or any Officer appointed in its behalf shall function as the Town Committee or Council shall not in any case, exceed a period of one year.

Powers of Executive Committee to dissolve Town Committee.

5. When circumstances exist in which the normal functioning of a Town Committee or Council is rendered difficult and the situation is such as may threatened safeguarding of public welfare, the Executive Committee may dissolve such Town Committee or Council and the provisions of section 4 of this Act shall come into operation in that town.

Powers of the District Council to impose taxes and regulate expenditure proceeds thereof

6. (1) The District Council may, subject to the provisions of this Act and the Rules made there-under if any, impose the following taxes, fees and tolls or any of them in Towns where a Town Committee or Council exists:-
- (a) a general tax, payable by the owner, on holding situated within the area;
 - (b) a water tax, payable by the occupier on the annual value of holdings;
 - (c) a lighting tax payable by the occupier on the annual value of holdings;
 - (d) a latrine tax, payable by the occupier, on flat rate basis;
 - (e) a drainage and sanitation tax payable by the beneficiaries (owner) where such system has been introduced depending on value of installation;
 - (f) a tax on private markers payable by the owner;

- (g) license fees on carriages and animals used for riding, driving or burden;
- (h) a fees on the registration of carts and bicycles;
- (i) a fees on the boats including steam boats and other vessels mooring within the area;
- (j) tolls on bridges and metalled roads constructed and maintained if any, by the Town Committee or Council within the area;
- (k) a fees on markets, sheds or lounges in Bazars within the area;
- (l) a fees for the maintenance of free public parks or places and recreation centres.

Power to make rules.

7. Subject to the approval of the Governor, the Executive Committee may make rules for carrying out any of the purposes of this Act.

Entitlement of the Chairman

- 8. (1) The Chairman of the Town Committee or Council shall be and members of the Town entitled to such salaries and other allowances being enjoyed by the Executive Member of the District Council.
- (2) The members of the Town Committee or Council shall be entitled to receive a remuneration as may be determined by the Executive Committee from time to time.
- (3) The members of the Town Committee or Council 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 Committee or Council.
- (4) The members of the Town Committee or Council shall also be entitled to receive travelling allowances and other allowances for each day he/she is engaged in the work of the Committee or Council at the highest rate admissible to a Gazetted Group 'A' Officer of the District Council.

Repeal & Saving.

- 9. (1) The Mara Autonomous District Council (Town Committees) Act, 2011 and its subsequent amendments are hereby repealed.
- (2) Notwithstanding such repeal, all actions taken and orders passed under the Act so repealed shall be deemed to be taken and passed under the corresponding provisions of this Act.

SCHEDULE
[Section 3 (6) (a)]

- (1) Payment of the expenses for maintenance and treatment of paupers, lunatics and lepers who are residents of the Town are sent to Public Asylums from the Town Committee or Council.
- (2) Construction, maintenance, repair, improvement and cleaning of roads, bridges, squares, gardens, tanks, Ghats, wells channels, drains, latrines and urinal.
- (3) Planting, preservation and felling of trees and bamboos.
- (4) Supply of water and the lighting and watering of roads.
- (5) Construction and maintenance of Town Halls, Officers and other buildings required for the purpose of the Town Committee or Council.
- (6) Establishment and maintenance of Town Committee or Council Markets or the taking of markets on a lease.
- (7) Establishment and maintenance of Hospitals and dispensaries.
- (8) Provision of free vaccination.
- (9) Acquisition and keeping of open spaces for the promotion of physical exercise and recreation.
- (10) Establishment and maintenance of cattle pounds for the treatment of horses, cattle and other animals.
- (11) Establishment and maintenance of free public Libraries and reading rooms.
- (12) Maintenance of Fire Brigades.
- (13) Provision of burial and cremation grounds.
- (14) Taking of a census other than a Union Census.
- (15) Holding of fairs and industrial exhibitions.
- (16) Destruction and disposal of rabid, unclaimed and dangerous dogs and other animals.
- (17) Establishment and maintenance of grazing grounds and pasture.
- (18) Taking of such measures which appear to the Town Committee or Council to be necessary for the prevention and control of epidemics.
- (19) Other works of public utility calculated to promote the health, comfort and conveniences of the inhabitant.
- (20) Generally the carrying out of the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

In the Mara Autonomous District (Town Committees) Act, 2011, certain provisions need changes, substitutions, additions and insertions to match with the provisions of various Acts, Rules and Regulations which are in force in the said Mara Autonomous District Council area as well as to suitably meet the needs of the present and future generations of the people of the said District Council. The Bill thus seeks to achieve the above objects.

Hence, the Bill.

K. Chhuabei
Executive Member
i/c Local Administration Department, etc.
Mara Autonomous District Council
Siaha