

Regd. No. NE 907



The Mizoram Gazette

EXTRA ORDINARY
Published by Authority

Vol. XV Aizawl Monday 13. 10. 1986 Asvina 21, S.E. 1908 Issue No. 65(B)

NOTIFICATION

No. LJD. 21/85/17, the 13th October 1986. The following Lushai Hills District Village Councils (Amendment) Bill, 1986 which received the assent of the Lt. Governor (Administrator) of Mizoram, is hereby published for general information.

The Mizoram Act No. 7 of 1986.

The Lushai Hills District Village Council (Amendment) Bill, 1986. Received the assent of the Lt. Governor (Administrator) of Mizoram on 25th Sept. '86.

An

Act

THE LUSHAI HILLS DISTRICT (VILLAGE COUNCILS)
(AMENDMENT) ACT, 1986

AN

ACT

further to amend the Lushai Hills District (Village Councils) Act, 1953 and also further to amend the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953.

Be it enacted by the Legislative Assembly of Mizoram in the Thirty-seventh Year of the Republic of India as follows namely :—

Short title and
commencement

1. (1) This Act may be called the Lushai Hills District (Village Councils) (Amendment) Act, 1986.
- (2) It shall come into force at once.

Amendment of
section 2.

2. In the Lushai Hills District (Village Councils) Act, 1953 (Lushai Hills Act No. V of 1953) (hereinafter referred to as the principal Act), in section 2 :—

(i) for clause (11), the following clause shall be substituted, namely :—

“(11) “Village Council” means a Village Council constituted under section 3 of this Act.”

(ii) after clause (19), the following new clause shall be inserted, namely :—

“(20) “village” means an area declared as such by the Administrator of Mizoram (hereinafter referred to as the Administrator).”

3. In the principal Act, in section 3 :—

Amendment of
section 3.

(i) for sub-section (1), the following sub-section shall be substituted, namely :—

“(1) There shall be a Village Council comprising one or more villages as the Administrator may, by notification in the Mizoram Gazette, decide to be composed in the manner hereinafter provided in sub-section (2).”

(ii) in sub-section (3), the following proviso shall be inserted, namely :—

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

(iii) After sub-section (3), the following new sub-section shall be inserted, namely :—

“(4) The Administrator may abolish a Village Council if the member of the households of the village has, in his opinion, become, too small to have a Village Council of its own. In such a situation, the Village shall be comprised of the nearest village having a Village Council, under sub-section (1).”

(iv) after sub-section (4) so inserted, the following new sub-section shall be inserted, namely :—

“(5) The Administrator shall decide as to how many members shall constitute a Village Council subject to the provisions of sub-section (2).”

(v) after sub-section (5) so inserted, the following new sub-section shall be inserted, namely :—

“(6) For the purpose of this section, the Administrator shall publish in the Mizoram Gazette a list of Villages or Village.”

Amendment of
section 5.

4. In the principal Act, in section 5, in the third, fourth and fifth lines, the passage “in accordance with Rule 4(6) of the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953” shall be omitted.

Amendment of
section 7.

5. In the principal Act, in section 7 :—

(a) for clause (1), the following clause shall be substituted, namely :—

“(1) The President and the Vice-President of the Village Council shall be elected by the members of the Village Council from among themselves by a majority of votes.”

(b) after clause (8-A) the following new clause shall be inserted, namely :—

“(9) The Administrator may remove the President or the Vice-President of a Village Council if in his opinion the President or the Vice-President has lost support of the majority of members but refuses to tender resignation, or is too inefficient or too corrupt to carry on the Village administration or acting in a manner prejudicial to the interest of the State.”

Amendment of
the Lushai
Hills Autonomous
District
(Administration
of Justice)
Rules, 1953

6. In the Lushai Hills Autonomous District (Administration of Justice) Rules, 1953, :—

(i) in rule 2, for clause (i) of sub-rule (1), the following clause shall be substituted, namely :—

“(i) “Village” means a village declared as such under the provisions of the Lushai Hills District (Village Councils) Act, 1953.”

(ii) in rule 2, for clause (J) of sub-rule (1), the following clause shall be substituted, namely :—

“(J) “Village Council” means a Village Council constituted under the provisions of the Lushai Hills District (Village Councils) Act, 1953.”

(iii) Chapter-II containing rule 4 shall be omitted.

(iv) in rule 6, after the second proviso, the following proviso shall be inserted, namely :—

“Provided also that every Village Court shall have a life of 3 (three) years from the date of its first meeting unless dissolved, earlier by the Administrator.”

Validation.

7. Anything done or purported to have been done or any action taken or purported to have been taken, before the commencement of this Act, by the Administrator of the Union Territory of Mizoram or by any other officer or authority under any law relating to Village Councils, shall be deemed to be and to have always been as validly and effectively done or taken as if the principal Act as amended had been in force at all material times.