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NOTIFICATION

No. B. 13015/2/2006-UD&PA, the 15th February, 2008. The following Regulations of "The Aizawl Development Authority Regulations, 2007" is hereby published for general informations.

Sd/-

Lalsawmi,

Deputy Secretary to the Govt. of Mizoram,
UD & PA Deptt.

In exercise of the powers conferred by sub-section (1) of Section 61 of the Aizawl Development Authority Act, 2005 (9 of 2005), the Governor of Mizoram hereby makes the following Rules, namely—
THE AIZAWL DEVELOPMENT AUTHORITY REGULATIONS, 2007.

CHAPTER I

GENERAL

1. **Short title**
 - (1) These Regulations may be called the Aizawl Development Authority Regulations, 2007.
 - (2) They shall come into force with effect from the date of their publication in the Official Gazette.
2. **Definitions**
 2. In these regulations, unless the context otherwise requires
 - (1) "Act" means the Aizawl Development Authority Act, 2005.
 - (2) "Authority" means the Aizawl Development Authority constituted under Section 3 of the Act.
 - (3) "Chairman" means the Chairman of the Authority.

- (4) **“Disciplinary Authority”** in relation to imposition of a penalty on an employee of the Authority means the authority competent under these regulations to impose that penalty on him.
- (5) **“Engineer Member”** means the Engineer Member of the Authority.
- (6) **“Government”** means the Government of Mizoram.
- (7) **“Town Planner Member”** means the Town Planner Member of the Authority.
- (8) **“Schedule”** means the Schedule to these Regulations.
- (9) **“Section”** means a section of the Act.
- (10) **“Vice-Chairman”** means the Vice-Chairman of the Authority.

All other words and expressions used in these Regulations and not defined but defined in the Act or the Aizawl Development Authority Rules, 2005 shall have the same meanings respectively assigned to them in the Act or the Rules.

CHAPTER II CONDUCT OF BUSINESS

3. Conduct of business – The Authority shall meet and shall, from time to time, make such arrangements not inconsistent with the Act with respect to the place, day, hour, notice, management and adjournment of its meetings and generally with respect to the transaction of business as it may think fit subject to the following provisions, namely :-

- (a) an ordinary meeting shall be held at least once in every quarter;
- (b) the Chairman or the Vice-Chairman may, whenever he thinks fit shall, upon the written request of not less than five members, call an extraordinary meeting;
- (c) a notice for an ordinary meeting and an extraordinary meeting shall not be less than three days and 24 hours respectively;
- (d) no business shall be transacted at any meeting unless at least ten members are present from the beginning to the end of the meeting;
- (e) every meeting shall, if by the Chairman is present, be presided over by him and if he is absent, by the Vice-Chairman. If neither is present, it shall be presided over by such one of the members present as may be chosen by the meeting;
- (f) all questions shall be decided by a majority of votes of the members present and voting, the person presiding having a second or casting vote in all cases of equality of votes;

- (g) if a poll be demanded, the names of the members voting and the nature of their votes shall be recorded by the person presiding;
- (h) minutes shall be kept of the names of the members present and the proceedings at each meeting in a book to be provided for this purpose which shall be signed at the ensuing meeting by the person presiding at the meeting, and shall be opened to inspection by any member during office hours; and
- (i) no person shall be entitled to object to the text of the minutes of any meeting unless he was present at the meeting to which they relate.

CHAPTER III SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE

4. Appointments – Appointments to any post under the Authority shall be made by the authority specified in this behalf in Schedule I :

Provided that the Vice-Chairman may, by an order, direct that appointment to Group C and Group D posts may also be made by such officer and subject to such conditions as may be specified in the order.

5. Conditions of service – Unless expressly provided for in these regulations to the contrary, the general terms and conditions of service of officers and employees of the Authority shall be governed mutatis mutandis by the Fundamental and Supplementary Rules applicable to the officers and employees of the Government and by the Central Civil Service (Temporary Service) Rules, 1972 and by orders and decisions issued by the Central/State Government from time to time.

6. Grant of leave – Subject to regulation 13(2) of these Regulations, the authority which makes appointment to the post shall be competent to grant leave to the employee :

Provided that such authority may by an order direct that any power exercisable by it under this regulation may also be exercised, subject to such conditions as may be specified, by such officer of the Authority as may be mentioned in the said order.

7. Salaries, allowances, etc. of Secretary and Chief Accounts Officer – The salaries, allowances and other conditions of service of the Secretary and Chief Accounts Officer of the Authority shall be such as may be determined by the Government at the time of the appointment.

Provided that in respect of any matter which is not specifically so determined by the Government, the regulations applicable to other officers and employees of the Authority shall also apply to the Secretary and Chief Accounts Officer.

8. Allowances of the employees of the Authority – Unless otherwise expressly ordered, the employees of the Authority shall be entitled to receive Dearness Allowance, House Rent Allowance and such other allowances as are admissible to the employees of the Government, in the same manner as the employees of the Government.

9. Conditions of service of Government servants on deputation – Government servants, whether of the Union or of State Governments, whose services are placed at the disposal of the Authority on foreign service, shall be governed by the terms and conditions which may be laid down at the time of their deputation to the Authority.

10. Conduct of staff – The provisions of the Central Civil Services (Conduct) Rules, 1964, as amended by the Central Government from time to time, shall apply mutatis mutandis to the services and posts under the Authority ; and unless the context otherwise requires, all references to Central Government shall be construed as references to the Authority, all references to head of department as references to the Vice-Chairman and all reference to the head of office as reference to the Secretary.

CHAPTER IV CLASSIFICATION OF POSTS, CONTROL AND APPEAL

11. Classification of posts – The services and posts under the Authority are, for purposes of appointment, control, discipline and for other purposes, classified in the same manner as the classification of such services and posts under the Government which are as follows :

S.No.	Description of posts	Group
1)	All posts carrying a pay or a scale of pay with a maximum of not less than 13,500 'A'
2)	All posts carrying a pay or a scale of pay with a maximum of not less than Rs. 9,000 but less than Rs. 13,500 'B'
3)	All posts carrying a pay or a scale of pay with a maximum of over Rs. 4000 but less than Rs. 9000 'C'
4)	All posts carrying a pay or a scale of pay the maximum of which is Rs. 4000 or less 'D'

12. Control and Appeals – (1) The provisions of the Central Civil Services (CCA) Rules, 1965, as amended by the Central Government from time to time, shall apply mutatis mutandis to the services and posts under the Authority.

(2) As far as disciplinary authorities are concerned, the authority empowered to impose penalties and the appellate authorities shall be as indicated in Schedule II.

CHAPTER V POWERS AND DUTIES OF SECRETARY

13. Powers of the Secretary – The Secretary shall exercise the following powers, namely :-

- 1) to act as Head of the Office and to exercise such powers as are normally exercisable by the Head of Officers of the Government;

- 2) to sanction leave to employees in groups C and D;
- 3) subject to such restrictions and limits as the Authority may by general order imposes, to sanction expenditure on the procurement or purchase of stationery articles, forms, furniture, electrical goods, tools, instruments and other articles of office equipment;
- 4) to execute on behalf of the Authority agreements, lease deeds, sale deeds and such other documents in respect of transactions sanctioned by it or any officer to whom power to sanction such transactions may have been delegated, and
- 5) to institute or defend suits or legal proceedings instituted by or against the Authority or its predecessor bodies and to withdraw or to compromise the same on such terms and conditions as may be approved by the Vice-Chairman of the Authority.

14. Duties of Secretary – The Secretary shall be responsible for performing all or any of the following duties, namely :-

- 1) to fix meetings of the Authority, and of such committees as the Authority may from time to time constitute under sub-section (1) of Section 5 of the Act, and prepare and issue agenda and minutes of proceedings of meetings of the said bodies;
- 2) to procure and supply within such time, if any, as may be specified to the Government, the Authority, or Committees mentioned in sub-rule (1) as the case may be, such papers or information as may be asked for;
- 3) to ensure that such directions as the Government may issue under sub-section (1) of Section 43 of the Act are carried out;
- 4) to compile a report on the activities of the Authority in accordance with the Aizawl Development Authority Rules, 2005, and, after approval by the Authority, to submit it to the State Government in accordance with the prescribed time schedule;
- 5) subject to such general or specific instruction as the Vice-Chairman may issue, to publicise the activities of the Authority in such manner and to such extent as may be laid down;
- 6) to intimate proposals for the creation of posts and the appointment of officers and employees in the Authority;
- 7) to send intimation to the Chief Accounts Officer about the creation or continuance of posts and appointment of officers and employees, and otherwise to keep a watch over the requirement to staff;
- 8) to maintain liaison with, and ensure coordination between, the various departments, branches and sections of the office of the Authority;
- 9) to advise on all matters concerning creation of posts, appointment of officers and employees and generally about other matters concerning officers and employees and their service conditions;

- 10) to deal with all matters relating to the redressal of grievance of officers and employees and matters connected with their welfare;
- 11) to exercise general superintendence over the staff of the Authority, with a view to ensuring that proper discipline is maintained and work is carried on in an orderly and business-like manner;
- 12) to initiate proposals for the provision of residential housing facilities for officers and employees; and to arrange for the timely procurement and supply of articles of stationery, furniture, forms, electrical goods, tools, instruments and other office equipment of such value and in such quantities as may be required for the efficient functioning of the office and to keep effective supervision overall matters connected with day-to-day office management.

CHAPTER VI POWERS AND DUTIES OF CHIEF ACCOUNTS OFFICER

15. Powers of the Chief Accounts Officer – The Chief Account Officer shall exercise the following powers, namely :-

- 1) to check and call for records or information whenever necessary, from the departments, branches or sections of the Authority in respect of any matter relating to a monetary transaction, proposed or executed or relating to the matters being dealt with by him for the time being or get it done by an inspection party;
- 2) to conduct or to get conducted through any person authorised by him in this behalf, physical verifications of cash of the Authority in the custody of any officer or employee of the Authority;
- 3) to sanction refundable and non-refundable advances to officers and employees of the Authority from the general provident fund or the contributory provident fund, as the case may be;
- 4) to have adequate staff for the maintenance of accounts and other functions assigned to him and to obtain suitable personnel on deputation under the directions of the Vice-Chairman to fill posts as may be necessary for the efficient functioning of the Accounts Department or such other departments, branches or sections, as may be charged wholly or in part with the accounting of money; and
- 5) to exercise such other powers as may be delegated by the Authority or the Vice-Chairman.

16. Duties of the Chief Accounts Officer – The Chief Accounts Officer shall perform the following duties, namely :-

- 1) to ensure timely preparation of a budget, in such form and at such time every year as may be prescribed by rules, in respect of mated receipts and expenditure of the Authority;
- 2) to ensure proper maintenance of accounts and other relevant record and monthly accounts and annual statement of accounts of the Authority including balance sheet in such form as the Government may prescribe;
- 3) to ensure maintenance of a register of loans received or raised by the Authority and to maintain in respect of such loans an account of the sinking fund, if operated;

- 4) to watch progress of expenditure against estimates and to keep in check the ways and means position;
- 5) to advise in all matters relating to accounts and budget and to ensure proper operation of financial rules generally;
- 6) to advise on the financial aspects of all proposals for expenditure referred to him and to keep a watch over liabilities against the Authority and to see that orders in force in respect of monetary transactions of the Authority are observed;
- 7) to advise of the profitable manner of investment of the surplus funds of the Authority and to maintain account of and to keep a watch over the maturity of investments.
- 8) to advise about the requirement of staff of the Accounts Department of the Authority and other branches or section of the Authority as may be charged wholly or in part with the accounting of monetary transaction.
- 9) To report on the admissibility of leave, pension gratuity and other matters affecting the service conditions of officers and employees of the Authority; and
- 10) To ensure that the annual Accounts are compiled and submitted to the Government together with the Audit Report thereon in accordance with the prescribed time schedule.

CHAPTER VII PUBLICATION OF APPROVAL OF PLAN

17. **Publication of Approval of Plan –**

- (1) The notice under Section 11 of the Act shall be published in the Mizoram Gazette.
- (2) The notice shall also be published by affixing copies thereof in the offices of the Authority and Deputy Commissioner, Aizawl. It shall also be published by advertisement in at least two local newspapers.
- (3) The notice may be as in Schedule III with such modification, if any, as may be necessary.

CHAPTER VIII MANAGEMENT OF PROPERTIES

18. **Property Register –**

- (1) The appropriate section in the office of the Authority shall maintain a proper and up-to-date record of all immovable properties belonging to the Authority in a proper register. A separate register each for land and built property, if any, shall be maintained.
- (2) The registers shall be maintained in the form as approved by the Authority.

19. **Management of property –** Such officer of the Authority as may be put in charge of the properties of the Authority shall ensure that all properties of the Authority are entered in the appropriate register. He shall also, after every three months, examine and certify that no property of the Authority is being misused or has been encroached upon or unauthorisedly used or occupied by any one.

- 20. Utilisation and disposal of property** – Properties which have been acquired or purchased in pursuance of a scheme shall, as far as possible, be utilised for the execution of the same scheme. If any property which has been so acquired is later found to be surplus for the purposes of that scheme, the Authority may, subject to any direction given by the Government utilize, let out or dispose of that property in such manner and subject to such terms and conditions it considers expedient.
- 21. Lease or disposal of property at market value** – If any property belonging to the Authority is let out or disposed of in the manner set forth in Regulation 20 above, it shall be at the letting value or the market value of the property, as the case may be.
- 22. Form of transfer deed** – The form of transfer deed to be used by the Authority for the lease or disposal of properties shall be such as may be approved by the Authority.
- 23. Stock Register** – A stock register or stock registers shall be kept of all movable properties of the Authority in the form or forms to be approved by the Authority.
- 24. Physical verification of movable property** – Physical verification of the stock of movable properties of the Authority shall be done once every year by such officer as may be appointed by the Vice-Chairman in this behalf.

CHAPTER IX
MISCELLANEOUS PROVISIONS

- 25. Power to relax** – The Authority may relax the provisions of any of these regulations in any case in which, but for such relaxation, the regulations would operate harshly :

Provided that no such relaxation as aforesaid shall be made by the Authority in respect of any officer appointed by the Government.

- 26. Interpretation** – If any doubt arises as to the meaning or application of these regulations or any of them to any person, the matter shall be referred to the Authority whose decision shall be final.

Sd/-
R.SANGLIANKHUMA
Additional Secretary to the Government of Mizoram
Urban Development & Poverty Alleviation Department

SCHEDULE I
(Reference : Regulation 4)

Sl. No.	Title of service or post	Authority empowered to appoint
1.	All Group 'A' posts	Vice-Chairman with the approval of Chairman.
2.	All Group 'B' posts	Vice-Chairman
3.	All Group 'C' and Group 'D' posts	Vice Chairman

SCHEDULE II
{Reference : Regulation 12 (2)}

Title of service or Post	Authority to impose penalties	Penalties which it may impose	Appellate authority
(a) All posts for which the Appointing authority is Government	Government	All	No appeal lies
(b) All Group 'A' posts for which the appointing authority is the Vice-Chairman with approval of Chairman	Vice-Chairman	All	Chairman
(c) All Group 'B' and 'C' and 'D' posts for which the appointing authority is Vice-Chairman	Vice-Chairman	All	Chairman
(d) All posts for which appointing authority is, if any, any member/officer of the Authority (ref: proviso to regulation 6 of these Regulations)	Appointing Authority	All	Vice-Chairman

SCHEDULE III
{Reference : Regulation 17 (3)}

Notice under Section 11 of the Aizawl Development Authority Act, 2005

Notice is hereby given that –

- (a) The Government of Mizoram has, under sub-section (2) of Section 9 of the Aizawl Development Authority Act, 2005 (9 of 2005) approved the Master Plan for Aizawl/Zonal Development Plan for _____.
- (b) A copy of the Plan as approved may be inspected at the office of the Aizawl Development Authority, _____ (address) between the hours of 11.00 a.m. and 3 p.m. on all working days.