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NOTIFICATION

No.H.12018/280/2025-LJD(LAD), the 19th March, 2025: The following Act is hereby published for general information.

"The Mizoram (Village Councils) Act, 2025"
(Act No. 7 of 2025)

(Received the assent of the Governor of Mizoram on 12.03.2025)

THE MIZORAM (VILLAGE COUNCILS) ACT, 2025
(Act No.7 of 2025)

AN
ACT

to provide for the establishment of Village Councils and for matters relating to village administration.

WHEREAS the Lushai Hills District (Village Councils) Act, 1953 needs to be extensively revised since its enactment was prior to Mizoram being carved out as a Union Territory and eventually a State under the Union of India and had been amended from time to time;

AND WHEREAS, it is expedient to enact a comprehensive new law to ensure democratic decentralisation of power for greater participation of the people in village administration and developmental activities in accordance with the Constitution and in conformity with the progression that the State has undergone since the enactment of The Lushai Hills District (Village Councils) Act, 1953;

It is enacted by the Legislative Assembly of Mizoram in the Seventy Sixth Year of the Republic of India as follows:

Chapter – I
PRELIMINARY

1. Short title, extent and commencement. –

(1) This Act may be called The Mizoram (Village Councils) Act, 2025.

(2) It shall extend to the whole of Mizoram except the areas under the jurisdiction of the Municipalities and the Lai, Mara and Chakma Autonomous District Councils.

(3) It shall come into force from the date of publication in the Official Gazette.

2. Definition. –

In this Act, unless the context otherwise requires, –

(1) "authorised official" means an official designated as such by the State Government for fulfilling the mandate of this Act;

(2) "biological resources" shall have the same meaning as assigned to them under section 2 (c) of the Biological Diversity Act, 2002;

(3) "Block" means Rural Development Block;

(4) "casual vacancy" means vacancy of Village Council seats which arose as a result of death of a member(s) or by any other reasons not specifically given;

(5) "community assets" means any assets or property which by custom belongs to or has been administered for the benefit of the villagers in common, or has been created through contribution of voluntary labour by the villagers, or has been created from any public funds or scheme of the Central or State Government for the purpose to be such assets;

(6) "Constitution" means the Constitution of India;

(7) "Deputy Commissioner" means the Deputy Commissioners of the Districts of Mizoram;

(8) "district" means administrative districts of Mizoram which have been duly constituted by the State Government;

(9) "elector" means a person who has enrolled himself/herself in the electoral roll of the Village Council;

(10) "electoral roll" means an authenticated list containing details of electors of a Village Council;

(11) "Executive Committee" means the 'Executive Committee' of the Village Council;

(12) "hnatlâng" means a common service for the common good of the villagers which the residents of the village are to render;

(13) "khawper" means a hamlet or a satellite settlement within Village Council jurisdiction for the purpose of occupation;

(14) "leipui" means a subsidiary jhum cultivation;

(15) "lo" means a jhum cultivation;

(16) "Office of profit" means a regular payment made in the form of salary or wages;

(17) "phatna" means commutation in lieu of attending hnatlang;

(18) "President" means an elected head of a Village Council;

(19) "rûn" means a customary fine imposed by a Village council for non-participation in the Village Hnatlâng without Phatna;

(20) "Scheduled Tribe or Tribes" means such tribes or tribal communities enumerated in Part XVII Mizoram of the Constitution (Schedule Tribes) Order, 1950 made in exercise of the power conferred by clause (1) of article 342 of the Constitution;

(21) "Secretary" means a non-elected official, appointed by the State Government on the recommendation of the Executive Committee of the Village Council, to assist Village Council activities;

(22) "Social Audit" means the examination and assessment of performance or achievement of a Village Council with the active involvement of the residents of the village in which official records and actual implementation are compared and scrutinized;

(23) "State Election Commission" means the State Election Commission constituted by the Government of Mizoram vide Memo No. B - 13017/11/2008 - UD&PA(M) Dt. 28th August 2008 under article 243K of the Constitution of India;

(24) "State Government" means the Government of Mizoram;

(25) "subvillage" means a separate village under a parent Village Council having its own elected body recognized by the State Government;

(26) "thlawhbâwk" means a temporary settlement created for the sole purpose of jhumming in a certain area for a specified period;

(27) "tlângau" means a village crier;

(28) "Treasurer" means an elected official of a Village Council who is responsible for keeping and maintaining the funds and accounts of the Village Council;

(29) "tuikhur" means any place wherein water supply is obtained;

(30) "unauthorized settlement" means any settlement or habitation other than those duly created or recognised by the State Government or those settlements or habitations not included in the list of villages or sub villages published by the State Government from time to time;

(31) "user charge" means a charge/charges and services for the use of any community assets and services;

(32) "Vântlâng Inkhâwm" (Gram Sabha) means a body consisting of persons registered in the Electoral Rolls relating to the Village Council;

(33) "Vice President" means an elected official of a Village Council who is empowered to act as President during the absence of President;

(34) "village" means an area declared as such by the Government of Mizoram by Notification in the Official Gazette;

(35) "Village Council" means a Village Council constituted under section 3 of this Act;

(36) "Village Population Register" means population register maintained by every Village Council constituted under section 3;

Chapter - II
ESTABLISHMENT OF VILLAGE. CONSTITUTION OF VILLAGE COUNCIL, BLOCK AND DISTRICT DEVELOPMENT COMMITTEE

3. Constitution of Village Council. -

(1) The State Government shall have the power to notify a village or a sub-village or give recognition to settlement sites as such, which have been in existence for considerable period of time, by notification in the Official Gazette from time to time as it deems necessary:

Provided that the notification shall specify the name of the village by which it shall be known and shall also specify the local limit of such village:

Provided further that the State Government shall also have the power to alter the name, boundary and area of a village, including name of streets, roads, community assets, monuments, etc. therein.

(2) There shall be an institution of Local Self Government at the village level called the Village

Council created by the State Government comprising one or more villages as the State Government may, by notification in the Official Gazette, decide to be composed in the manner hereinafter given:

Provided that, –

(a) The State Government may constitute more than one village council in a village or notified town where municipality is not yet instituted;

(b) Except in the case of bifurcation or rationalisation of the existing Village Council, no fresh Village Council shall be established in a village having a population less than five hundred.

(c) A village once notified as a constituent of a Village Council is liable to be denotified at any time if the village becomes vacant or if its population is reduced to less than five hundred or if a situation arises demanding such action for a reasonable ground of administrative, developmental or security reasons as the State Government may decide.

(3) The Government may abolish a Village Council if the population 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 integrated into the nearest village having a Village Council under sub- section (1) or as arranged by the Government.

(4) The State Government shall publish list of villages and Village Councils in the Official Gazette from time to time.

(5) If deemed necessary, villages having two or more Village Councils may constitute a Joint Village Council Committee with the approval of the State Government. The manner in which the Committee is constituted, its composition and functions may be prescribed by the State Government by notification in the Official Gazette.

4. **Number of Members of Village Council and reservation of seats for women. –**

A Village Council shall be composed of such members not less than three and not more than nine according to the population it contains as specified below:

(1) For villages with a population of below five hundred, there shall be three members, of whom one shall be woman;

(2) For villages with a population of more than five hundred but not exceeding one thousand, there shall be five members, of whom one shall be woman;

(3) For villages with a population of more than one thousand but not exceeding two thousand, there shall be seven members, of whom two shall be women;

(4) For villages with a population of above two thousand, there shall be nine elected members, of whom three shall be women;

(5) For sub section (1)(2)(3)(4) population of a village shall be based on the latest data of Census of India or population projection duly prepared by Directorate of Economics and Statistics and Planning and Programme Implementation based on the latest data of Census of India.

5. **Election to Village Council –**

(1) The superintendence, direction and control of the preparation of electoral rolls for and the conduct of elections to the Village Council shall vest in the State Election Commission.

(2) The total number of members as determined under section 4 shall be elected by adult suffrage in accordance with such procedure as may be prescribed:

Provided that where an election to a Village Council cannot be held and the situation demands immediate constitution of such a Village Council, the Government may appoint persons not more than the total membership to hold office of the Village Council for the particular village as specified in section 4 to sit and act as elected members of the Village Council for a period not exceeding six months from the date of the first meeting of the Village Council:

Provided further that the process of election for constitution of the Village Councils shall be completed before the expiry of six months from the date fixed for the first meeting of the Village Council.

6. Qualification of Members. –

A person who satisfies the following conditions shall be eligible to be elected as a member of the Village Council, –

(1) he is a member of Scheduled Tribe;
(2) he has attained the age of twenty-five years;
(3) he is an elector where he seeks election;
(4) he is not a member of any other Village Council;
(5) he is of sound mind;
(6) he has not been convicted of an offence under any law in force in India, whether before or after the commencement of this Act, unless a period of three years has elapsed since his conviction, and if imprisoned since his release from prison;
(7) he does not hold any office of profit under the Central Government or the State Government;
(8) he has not been dismissed from the service of a State or Central or Autonomous Bodies, Corporation owned or controlled by the State or Central Government for misconduct.

7. Duration of Village Council. –

Every Village Council, unless sooner dissolved under the provision of section 28 of this Act shall continue for five years from the date appointed for its first meeting:

Provided that the State Government may, by order, extend or shorten the term of a Village Council for such periods not exceeding twelve months in the aggregate:

Provided further that the process of election to a Village Council shall be completed before the term of the Councils comes to an end.

8. Removal of Members. –

(1) A member shall be deemed to be removed if he is convicted by a court of law on criminal charge with an imprisonment of one year or more.
(2) The State Government shall have the power to remove any of the members if the member has acted in a manner unbecoming of a public servant or if he has migrated from the village.

(3) The State Government shall have the power to remove any members on grounds of corruption, abuse of office or irregularities in the discharge of administrative functions.

(4) If a member absents himself continuously in three consecutive meetings of a Village Council without a written communication to the President, the Village Council shall report to the State Government for declaration of his seat to be vacant.

(5) The State Government may remove the President, the Vice President or the Treasurer of a Village Council if in its opinion the President or the Vice President or the Treasurer has lost support of the majority of members but refuses to tender resignation or is indulging in corrupt practices or on gross negligence of duties or is acting in a manner prejudicial to the interest of the State.

(6) If the President has lost the support of the majority of members, and if a report is received in writing by the State Government, a meeting of Village Council shall be convened by an officer appointed by the State Government to elect a new President. The officer appointed by the State Government shall serve a written notice of such meeting specifying the date and time and place thereof and send a copy of notice to the State Government. Such meeting shall be presided over by any officials appointed by the State Government. The report on election of the new President shall be sent to the State Government for approval without delay.

9. Tenure of membership. -

(1) All members of a Village Council shall hold office during the tenure of the Village Council unless removed as provided under section 8:

Provided that in the case of a fresh election due to dissolution of a Village Council under section 28, the members so elected shall hold office during the remaining term of the Village Council.

(2) A member elected to fill a casual vacancy shall hold office for the remaining term of the Village Council.

10. First meeting of the Village Council. -

(1) The State Election Commission shall stipulate timeline for holding of the first meeting of the new Village Council for formation of new Executive Committee in the schedule of its notice of Elections.

(2) The first meeting of the new Village Council shall be conducted by an authorised official appointed by the State Government, in such manners as may be prescribed.

11. Executive Committee. -

There shall be a President, a Vice President, a Treasurer and a Secretary in each Village Council and the executive functions of the Village Council shall be vested upon them.

(1) The President, the Vice President and the Treasurer of the Village Council shall be elected by the members of the Village Council from amongst themselves by a majority votes.

(2) There shall be a Secretary of the Village Council who shall be appointed or dismissed by the (State Government) on the recommendation of the executive body of the Village Council.

(3) The President may at any time by writing under his hand, submit his resignation to the State Government and until the State Government accepts the resignation he shall continue to work as such.

(4) If for any reason, the office of the President becomes vacant, the duties of the office of the President shall be performed by the Vice President.

(5) The Vice President and the Treasurer may, at any time, in writing under his hand, submit his resignation to the President who shall, without delay, forward to the State Government or to an officer authorised by it in this behalf, for acceptance, and until the resignation is accepted, he shall continue to function as such. When the resignation is accepted, the members of the Village Council shall elect another member as Vice President or Treasurer as the case may be.

(6) The President, the Vice President, the Treasurer and the Members of a Village Council shall be deemed to be public servants within the meaning of section 2 (28) of the Bharatiya Nyaya Sanhita, 2023 and section 2 (c) of the Prevention of Corruption Act, 1988.

(7) If the majority of members demand reshuffling of the executive committee of the Village Council and if such report is received in writing by the State Government, the procedure given in sub-section (1) and (6) of this section shall be applied.

12. Vacation of seats. -

(1) A seat in the Village Council shall become automatically vacant as a result of removal of members as provided under section 8, and it shall forthwith be declared by the State Government as such.

(2) In the event of resignation of any member on any ground, the resignation shall be submitted to the President who shall communicate forthwith to the State Government or to an authorised official for acceptance, and until the resignation is accepted, he

shall continue to function as such. Any resignation shall be normally accepted.

(3) If at any time, for any reason there is casual vacancy of a seat in the Village Council, it shall be reported forthwith to the State Government by the President or the Vice-President, as the case may be. The State Government shall declare the seat as vacant.

13. Powers and Jurisdiction of Village Council. -

(1) **Jurisdiction of a Village Council:** The jurisdiction of a Village Council shall limit to the geographical boundary of the village or villages as may be prescribed by the State Government from time to time.

(2) **Allotment of Lo and Leipui (jhum):** Every Village Council shall have the power to allot Lo and Leipui within its jurisdiction, in areas other than areas covered by notified reserved or protected forests, and the distribution of Lo and Leipui shall be in such manner as may be prescribed by the State Government subject to section 21 of the Mizoram (Forest) Act, 1955.

(3) **Power to collect Animal Tax:** Subject to the provisions of the Mizoram Animal (Control and Taxation) Act, 2014, animal tax at such rate or rates as may be fixed by the State Government, by notification, shall be collected by the Village Council.

(4) **Power to collect Property Tax:** The Village Councils are empowered to collect property tax within their respective jurisdictions on such items, and at such rates, as may be determined by the State Government from time to time:

Provided that a proper account of property tax shall be maintained as may be prescribed by the State Government, and the accounts thereof shall be made available to inspection by the Village Council in its sittings, by Vântlâng Inkhâwm and by an authorised official to do so by the Government.

(5) **Power to collect user charge:** Subject to the approval of the State Government or authorised official in this behalf, the Village Councils shall have the power to collect user charge at such rates as may be proposed by Vântlâng Inkhâwm on any public asset and service, created out of public funds or from any other sources, for the purpose of augmenting revenues.

(6) **Power to regulate building construction:** The Village Councils shall adopt and enforce the model building bye-laws as may be framed by the State Government in order to prevent encroachment of public roads and public land. Further, subject to the approval of the concerned District Disaster Management Authority, the Village Councils, may declare certain area within their jurisdiction as unsafe site for house construction for mitigation of landslide and to avoid man-made disaster.

(7) **Power to constitute Biodiversity Management Committee (BMC):** Every Village Council shall constitute a Biodiversity Management Committee within their jurisdiction in exercise of the powers conferred by section 41 of the Biological Diversity Act 2002 for the purpose of promoting conservation, sustainable use and documentation of biological diversity including preservation of habitats, conservation of landraces, folk varieties and cultivars, domesticated stocks and breeds of animals and micro- organisms and chronicling of knowledge relating to biological diversity:

Provided that the manner of selection, appointment, term of office, pay and allowances of chairperson, nomination, term and allowances of expert member etc. shall be as specified in the Mizoram State Biological Diversity Rules, 2010.

(8) **Power to settle dispute:** The Village Councils shall have the power to settle dispute within their respective jurisdiction and act as conciliator in cases where a dispute arises in the context of petty civil and criminal nature and the parties thereto seek an amicable settlement of that dispute by recourse to the Village Council.

(9) **Power to impose fine:** TheVillage Councils shall have the power to impose fine on any person or persons, if such person or persons are found to act in contravention or insubordination to any public notification made in discharging their duties, functions and responsibilities as prescribed in this Act. The ceiling amount of such fine may be prescribed by the State Government from time to time.

(10) **General powers of the Village Council:** The Village Council shall have powers to perform all actions necessary for or incidental to the carrying out of the functions entrusted, assigned or delegated to it and in particular and without prejudice to the foregoing powers, to exercise all powers specified under this Act.

14. Roles and functions. –

(1) Village Council shall formulate Village Development Plan annually and supervise development works at the village level as may be prescribed and entrusted by the State Government.
(2) Help various Government agencies in carrying out development works in the village.
(3) Take up development works initiative or on request made by the Government.
(4) Convene regular social audit in such manner as may be prescribed for successful implementation of development works in the village.
(5) Notwithstanding the provision of sub-section (7) of section 13 of this Act take up conservation of wildlife habitats, preservation of village forest, including all notified forest.
(6) Conserve water resources within the village area and shall endeavour to improve drinking water supply.
(7) Shall take up initiatives for prevention of domestic and forest fire.
(8) Collect property tax as prescribed by the State Government.
(9) Realize registration fees for settlement of disputes within its jurisdiction.
(10) Raise fund for public utility within its jurisdiction by passing a resolution subject to the approval of the State Government or authorized officials. Any collection of such nature shall be deposited into the Village Council Fund so maintained in any of the Scheduled Banks.
(11) Initiate or assist the State Government in all preventive measures on the outbreak of an epidemic or infectious disease.
(12) Co-operate with Government officials in charge of any official activities within its jurisdiction.
(13) Identify, demarcate and manage grazing grounds.
(14) Shall take up solid and liquid waste management, identify waste management centre, regulate waste disposal and promote scientific waste management.
(15) Prevent public nuisance.
(16) Identify and maintain burial grounds or cemetery.
(17) Carry out baseline survey annually and maintain correct record and statistic of the village.
(18) Be accountable to the Vântlâng Inkhâwm for all its functions and decisions taken in its meetings.
(19) Prepare a report in respect of its administration in such form and with such details as may be prescribed and such report shall be submitted on a quarterly basis to the State Government. Failure to submit requisite report on time may result in withholding of payment, by the State Government, of grants and remunerations due to the Village Councils thereafter.
(20) Maintain Village Population Register of the village, in such manner as may be prescribed by the State Government.
(21) Village Council shall be deemed to be a public authority under section 2 (h) of the Right to Information Act, 2005.

15. Duties and responsibilities. –

(1) Every Village Council shall perform its duties and responsibilities as the State Government may assign in respect of the following:

(a) Development of agriculture and allied sectors, animal husbandry, dairying, forestry, etc., including propagation of scientific methods of farming;
(b) Land improvement and soil conservation;

(c) Minor irrigation, water management and watershed development;
(d) Khadi, village and cottage industries;
(e) Drinking water supply;
(f) Rural housing;
(g) Fuel and fodder;
(h) Roads, culverts, bridges, ferries, waterways and other means of communication;
(i) Education including primary and adult education;
(j) Vocational education and skill development;
(k) Public distribution system;
(l) Social welfare, including the welfare of disabled persons;
(m) Markets and fairs;
(n) Cultural activities and libraries;
(o) Poverty alleviation programmes;
(p) Rural dispensaries, health centres and anganwadis;
(q) Sanitation and drainages;
(r) Rural Animal Health centres and animal pounds;
(s) Community forestry and afforestation, including roadside plantations;
(t) Construction, maintenance and regulation of public places such as village parks, play-ground, artificial water bodies/lakes etc;
(u) Control of movement of animals and animal tax;
(v) Such other functions as the Government may assign from time to time.

(2) If the State Government is of the opinion that a Village Council has without reasonable cause defaulted in the performance of any of the duties and responsibilities assigned to it under sub-section (1), or the Village Council has been acting in a manner prejudicial to the interest of the public, the State Government may, for reason to be recorded in writing, withdraw such duties and responsibilities from such defaulting Village Council:
Provided that where the State Government assigns any functionto a Village Council under sub-section (1) it shall endeavour to place such funds, functionaries and other assistance at the disposal of the Village Council as may be determined for due performance of such duties and responsibilities.

16. Hnatlâng. -

(1) The Village Council shall have the power to enforce 'Hnatlâng' in the interest of the public whenever occasion so demands:

Provided that no discrimination shall be made on grounds of religion or caste or class or any of them.

(2) Each Village Council shall have power to exempt any person or persons from hnatlâng at its own discretion. The reason for exemption shall be recorded in writing. No person who is sixty years or above, persons having terminal illness and persons with disabilities shall be compelled to participate in any hnatlâng.
(3) Any person who does not comply with the order of 'Hnatlâng' shall be liable to 'Rûn' either in cash or in kind which may be fixed by the State Government, by notification, from time

to time unless he has been exempted from hnatlâng under sub-section (2) or has obtained phatna (commutation) under sub-section (5).

(4) Any person below 14 years shall not be allowed to represent in the hnatlâng.

(5) Every person may have the option of commuting his obligation to render service (phatna) under hnatlâng on payment of cash compensation in lieu of it at a rate fixed by the State Government, by notification from time to time.

17. Collection of Taxes. -

(1) In addition to taxes specified in sub section (4) and (5) of Section 13, the State Government or any authorised official may allot the work of collection of taxes to the Village Councils, specifying their duties and any other matters connected with the collection of taxes.

(2) Collection of taxes shall be done strictly in accordance with the prevailing laws or under the instructions and directions given by the State Government in that behalf.

18. Vântlâng Inkhâwm. -

(1) 'Vântlâng Inkhâwm' shall:

(a) approve the Annual Village Development Plan, programmes and projects for social and economic development in respect of the village concerned before such plans, programmes and projects are taken up for implementation.

(b) be responsible for the identification or selection of persons as beneficiaries under the poverty alleviation and other programmes.

(c) discuss the audit observations along with the action taken report and may satisfy itself with the action taken report or otherwise.

(d) ordinarily be convened and presided over by the President of the Village Council.

(e) be at least six times within a financial year or as prescribed from time to time.

(2) The quorum of a Vântlâng Inkhâwm shall be one-tenth of the total number of electors in the village.

Chapter - III
CONDUCT OF BUSINESS

19. Sittings of the Village Council. -

(1) There shall be at least six Village Council sittings at regular intervals in a calendar year. Resolutions made in such sittings shall be properly recorded and shall be signed both by the President and the Secretary.

(2) The President of the Village Council shall preside over the sittings of the Village Council. A written summon for sittings of the Village Council shall be issued whenever necessity arises, or two - thirds of the members submit a request for the same in writing to the President.

(3) In the absence of the President, the Vice President shall preside over the sitting or in the absence of both, by a member chosen by the members present in the sitting to preside over the sitting.

20. Voting in the sittings of the Village council. –

(1) All proposals and agenda shall be decided in the sitting by a majority votes.
(2) The President of the Village Council or any person acting on his behalf shall not vote in the first instance but shall have a vote in the case of a tie.
(3) No person other than a member of the Village Council shall vote nor shall speak or take part in its deliberation, unless the Village Council so requires, and any person violating this provision shall be punishable with a fine not exceeding rupees one hundred.

21. Rights of individual members. –

(1) Every member of a Village Council shall have the right to move resolutions or raise questions to the Village Council President, the Treasurer or the Secretary, as the case may be, on matters connected with the affairs of the Village Council during the sitting of the Village Council.
(2) Every member of the Village Council shall have the right to inspect and examine records and documents maintained by the Village Council by giving written intimation to the Village Council President, who shall in turn give permission.

22. Preservation of order in sittings of Village Council. –

The President shall be responsible for conduct of a smooth sitting of the Village Council as follows –

(1) He may direct any member whose conduct, in his opinion is disorderly, to withdraw immediately from the day's sitting.
(2) If any member is ordered to withdraw from a meeting of the Village Council but refused to comply, the President may suspend the member from the sitting.
(3) If any member fails to carry out the direction given to him under sub-section (1) or sub-section (2) the President shall report, in writing, the conduct of the member to the State Government. On receipt of such report, the State Government may, if it deems fit and necessary, suspend the member for any period considered reasonable.

23. Village Council Fund. –

There shall be a Village Council Fund for each Village Council, the account of which shall be opened in any Scheduled Bank. Any collection authorised by law or fines as collected under this Act other than grants and taxes levied in a village in the interest of the public shall be deposited into the said Fund.

24. Duties and responsibilities of President, Vice President and Treasurer. –

(1) Duties of the President. –
  (a) The President shall cause notices and instructions for prevention of dangers such as outbreak of fire, epidemic, etc., in the village to be proclaimed by engaging the "Tlângau" and whenever notices, orders, circulars or letters are received for redistribution from the State Government to pass on to other villages he shall forthwith cause it to be sent through the Secretary.

(b) The President shall be responsible for the compliance of all relevant orders and instructions issued by the State Government.

(c) The President shall cause such relevant orders and notifications to be read out by the Secretary in the meeting of the Village Council, and if it is necessary to be brought to the knowledge of the general public, it shall be given over to the Secretary for dissemination either through Tlângau or by a public notice.

(d) The President shall examine the records kept by the Secretary from time to time as he may deem necessary.

(e) The President shall be responsible to pass on the letters received by him to the Secretary for record.

(f) In the event of resignation or removal of the President, he shall fully relinquish the charge of the President and hand over the records, documents, assets and properties including the seal(s) to the new President.

(2) **Duties of the Vice President.** – In the absence of the President, the Vice President shall perform the duties and functions of the President, and during such period the powers of the President shall be vested in him.

(3) **Duties of the Treasurer.** – The Treasurer of a Village Council shall keep all funds of the Village Council and properly maintain cash book and register as prescribed by the State Government. In the event of the Treasurer ceasing to function for any reason, he shall forthwith handover the charge of Treasurer to the newly appointed Treasurer or any other member authorized by the State Government. The Treasurer shall provide financial report at every meeting of the Village Council.

25. **Duties of the Secretary.** – The Secretary shall be responsible for the duties as enumerated below: -

(1) He shall record all the decisions of the Village Council duly authenticated by the President and shall publish all orders, notifications and records as may be necessary.

(2) He shall place the audit report before the Vântlâng Inkhâwm within one month from the date of receipt of Audit Report and submit reply or replies within two weeks from the conduct of Vântlâng Inkhâwm.

(3) On receipt of any order, notice, circular or letter from the State Government for onward transmission to other villages, the Secretary shall cause it to be served or transmitted to any other Village Council as may be directed, and he shall be responsible to carry out such direction.

(4) He shall keep all the books and records of the Village Council. He shall send all such books and records to the State Government as and when required.

(5) All the books and records shall be kept ready to be examined at any time by any authorized official or any member of the Village Council.

(6) He shall keep all vital statistical data pertaining to the village and the Village Council jurisdiction, as may be prescribed by the State Government, including data on beneficiaries under various schemes and submit the report to the State Government as may be required.

(7) He shall continue as Secretary of the Village Council if the Village Council cannot perform its duties due to any reason.

26. Remuneration of Village Council functionaries. -

(1) The President, Vice-President, Treasurer and other members of the Village Council shall be paid remuneration at such rate as may be fixed by the State Government from time to time.
(2) The Secretary being an appointed functionary of the Village Council shall be paid remuneration as may be fixed by the State Government from time to time.
(3) The Tlângau shall be entitled to such remuneration as may be fixed by the State Government from time to time.

27. Tlângau. -

(1) Subject to the approval of an authorised official, the Village Council may appoint 'Tlângau' for dissemination of information to the villagers and for other purposes related with the affairs of village administration.

(2) The Village Council, in its full sitting, shall appoint Tlângau from amongst the residents of the village. The Village Council may dismiss the Tlângau with approval of the authorised officials.
(3) The duties of Tlângau shall be as follows: -

(a) He shall bring to the notice of the public all orders and notifications as the Village Council may direct to be notified;
(b) He shall inform all parties and other persons required by the Village Council to attend its sittings;
(c) The Secretary of the Village Council may also direct the Tlângau to bring to the notice of the public any other matter not necessarily connected with the affairs of the Village Council for general information;
(d) If any emergency occurs requiring the gathering of the public in the interest of the village, any adult member of the village may, without the previous approval of the President, order the Tlângau to gather all the villagers;
(e) The Tlângau shall deliver notice to all Members of the Village Council for all sittings of the Village Council summoned by the President;
(f) He shall also be responsible for the upkeep and care of the Village Council Office/ Village Council House.

Chapter - IV
SUSPENSION AND DISSOLUTION

28. Suspension and dissolution of Village Council. -
(1) The State Government may, by notification, order the dissolution of a Village Council, if the Village Council: -

(a) misappropriates or misuses public fund;

(b exceeds or abuses its powers;
(c) fails to discharge its roles and functions and duties and responsibilities;
(d) is incompetent to carry on the village administration;
(e) acts in a manner prejudicial to the interest of the State:

Provided that no such dissolution shall take place unless the Village Council has been given an opportunity of being heard.

(2) If the situation demands, the State Government may, during the enquiry on the complaints, suspend the functioning of the Village Council for a period not exceeding six months. During the period of such suspension, the administration of the Village Council shall be taken over by an official appointed by the State Government:

Provided that the Village Council so suspended shall be re- instated if found not guilty.

(3) In the case of dissolution, the State Government may issue order appointing a government official to take charge of the administration of the village. The appointed official shall, thereafter, make a proposal for constitution of Advisory Committee comprising of prominent citizens of the village for the approval of the State Government. The total number of members of the Committee shall not exceed the total number of seats of the Village Council:

Provided that if the State Government considers it necessary in the interest of general public it may issue order for holding a fresh election of the Village Council at any time if the remaining period of the term is more than twelve months.

Chapter – V
SUB-VILLAGE, KHAWPER AND THLAWHBÂWK

29. Constitution of Sub-Village. –

The State Government may, by notification, issue order for creation of a Sub-Village and may lay down procedure for its administration.

30. Setting up of Khawper and Thlawhbâwk and its closure. –

(1) No person shall establish any Khawper or a Thlawhbâwk, other than the Khawper or Thlawhbâwk established by the State Government under sub- section (2).

(2) The State Government may, by order, establish at any suitable place a Khawper or a Thlawhbâwk and permit any person or persons to settle in such place as a temporary settlement, with such terms and conditions as it may lay down in the order for such settlement:

Provided that if due to livelihood activities and farming activities, group of villagers, involving several families are willing to set-up new settlement for an indefinite period beyond one year, they may apply for permission in writing to the State Government or to any authorised official in this behalf, through the concerned Village Council.

(3) The State Government may lay down procedure for setting up of Khawper or Thlawhbâwk, including the prerequisites for setting up of such places.

(4) If the State Government is of the opinion that a situation for stoppage or closing of any Khawper or Thlawhbâwk established under sub-section (2) has arisen, it may, by order, evict the occupants of such Khawper or Thlawhbâwk after service of a notice on such person or persons individually to show cause as to why he shall not be evicted from the place.

(5) In the event of a Khawper or a Thlawhbâwk becoming vacant as a result of mass migration of the occupants, the State Government may, by order, declare such place as vacant. Thereafter, nobody shall establish any settlement in that place without getting fresh permission from the Government.

(6) In the event of prolonged occupation beyond the timeline stipulated under sub-section (4) the State Government may resort to physical eviction of the defaulting occupants from the place.

The order of the State Government passed under sub- section (4) and sub-section (6) shall be deemed to be a decree of a competent civil court for the purpose of eviction of the occupants from the area to which this section applies.

31. UNAUTHORIZED SETTLEMENTS. -

(1) In case any settlement site other than Khawper or Thlawhbâwk established by the State Government as per sub-section (2) of section 30 exists, or is reported to be in existence, it shall be the duty of the Village Council having jurisdiction to report the matter to the State Government immediately.

(2) No developmental activities shall be carried out in the unauthorized settlement sites.

(3) Eviction of settlers at unauthorized settlements and abolition of the site shall be done in accordance with the procedure laid down in sub-section (4) and subsection (6) of section 30.

Chapter - VI
ESTABLISHMENT SUPPORT

32. Establishment Support. -

For maintenance of records and continuity of Village Council, the Secretary of Village Council may be provided with such clerical, technical and accounting support and personnel as deemed necessary by the State Government.

Chapter - VII
ACCOUNTS, AUDIT AND MAINTENANCE OF REGISTERS

33. Audit of Village Council Accounts. -

The accounts of all the funds of a Village Council shall be examined and audited by an auditor appointed by the State Government in such manner as may be prescribed by the State Government.

(1) The President, Secretary and Treasurer are responsible for audit. They shall produce or cause to be produced to the auditor all such accounts of the fund of the Village Council as may be required by the auditor.

(2) For the purpose of audit under this Act, the auditor shall have the power to requisition any document or information available with the Village Council, connected with receipt and expenditure of funds of the Village Council for scrutiny.

(3) Social Audit shall be conducted in every Village Council in such a manner as may be prescribed by the State Government.

Chapter – VIII
MISCELLANEOUS

34. Protection of action taken in good faith. –

No order made or deemed to have been made under this Act shall be called in question in any Court, and no suit, prosecution or other legal proceeding shall lie against any person for acting in good faith, done or intended to be done under this Act or any order made or deemed to have been made thereunder.

35. Application of other laws not barred. –

The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force in the State of Mizoram.

36. Power to make rules and regulations. –

(1) The State Government may make rules for carrying out any of the provisions of this Act.

(2) In particular and without prejudice to the foregoing powers such rules may provide for all or any of the following matters, namely: –

(a) Composition and manner of constitution of Block and DistrictDevelopment Committees;
(b) Procedure of Election to Village Council;
(c) Manner of conducting first meeting of Village Council;
(d) Manner of appointment of Secretary of the Village Council;
(e) Allotment of Lo, Leipui and house sites;
(f) Building and other constructions within rural areas;
(g) Control and regulation of collection of minor forest produce;
(h) Conservation, maintenance, and improvement of water supply;
(i) Control and taxation of animals;
(j) Property tax, fines and user charge collection;
(k) Prevention and control of fire within the jurisdiction of the Village Council;
(l) Rural waste management;
(m) Sanitation and cleanliness of the village;
(n) Watershed management and soil conservation;
(o) Management and control of Village Council Funds and Accounts;
(p) Manner of maintaining cash books and registers of the Village Council;

(q) Manner of maintenance of all vital statistical data pertaining to the jurisdiction of the Village Council;
(r) Manner of audit of Village Council Accounts;
(s) Any other matter which is required to be, or may be, prescribed.

(3) Any rules so made shall be laid before the Legislative Assembly within a period of six months.

37. Power to remove difficulties. –
If any difficulty arises in giving effect to the provisions of this Act, the State Government may take such steps or issue such orders not inconsistent with the provisions of this Act as it may deem necessary for the purpose of removing such difficulty:

Provided that no such order shall be made after expiry of a period of two years from the date of commencement of this Act.

38. Repeal and savings. –
On and from the date of commencement of this Act, The Lushai Hills District (Village Councils) Act, 1953 shall stand repealed and all assets and liabilities of the Village Councils under the repealed Act shall continue to be vested in the respective Village Councils:

Provided that such repeal shall not affect

(1) The continuance of the existing Village Councils.
(2) The continuance of the existing Sub-Villages.
(3) The previous operation of the repealed Act or anything duly done under the repealed Act.
(4) Any right, privilege, obligation or liability acquired, accrued or incurred under the repealed Act.
(5) Any penalty, forfeiture or punishment imposed in respect of any offence committed against the repealed Act:

Provided further that subject to the preceding provisions anything done or any action taken including any appointment or delegation made, notification, notice, order, instruction or direction issued, rules and regulations, form or format framed, certificate obtained, permit or licence granted, tax imposed or fees or rates levied under the repealed Act shall, in so far as it is in force immediately before the commencement of this Act and is not inconsistent with the provision of this Act, be deemed to have been done or taken under the corresponding provisions of this Act, and it shall continue to be in force accordingly, unless and until they are repealed or amended or suspended.

Secretary,
Law & Judicial Department,
Govt. of Mizoram.

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