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## NOTIFICATION

**No. B.13017/6/2007-UD & PA, the 25th February, 2008.** The following Rules of The Mizoram Municipalities (Procedure and Conduct of Business) Rules, 2007 is hereby published for general information.

Sd/-

Lalthuamliana

Under Secretary to the Government of Mizoram,  
Urban Development & Poverty Alleviation Department.

## **NOTIFICATION**

In exercise of the powers conferred by section 369 of the Mizoram Municipalities Act, 2007 the Government hereby makes the following rules, viz.

### **THE MIZORAM MUNICIPALITIES (PROCEDURES AND CONDUCT OF BUSINESS) RULES, 2007**

#### **CHAPTER I**

#### **Preliminary**

**1. Short title, extent and commencement:**

- (1) These rules may be called the Mizoram Municipalities (Procedure and Conduct of Business) 2007.
- (2) They shall extend to all Municipalities in Mizoram.
- (3) They shall come into force from and on the date of their publication in the official Gazette.

**2. Definition:**

- (1) In these rules, except where the context otherwise requires -
  - (a) "Act" means the Mizoram Municipalities Act, 2007;
  - (b) "Councillors" means a Councillor of the Municipality;
  - (c) "Executive officer" means the Executive officer of a Municipality referred to in section 61 and includes any other officer authorized by the Executive officer;
  - (d) "Member" means a member of the Joint Committee and of the Municipal Account Committee;
  - (e) "Motion" or "Resolution" means a proposal made by a Councillor for consideration at a meeting of the Municipality relating to any matter which will be discussed by the Municipality at such meeting and includes an agenda of any member of Executive Council;
  - (f) "Officer" means the District Magistrate having jurisdiction in the Municipal area and includes any other Executive Magistrate authorized by the District magistrate in his behalf;
  - (g) "Presiding Officer" means the chairman or the vice-chairman who presides over a meeting of the Municipal and includes a Councillor presiding over a special meeting convened by the District Magistrate under rule 15 or rule 30(3);
  - (h) "quorum" means the quorum as laid down in section 53 and reproduced in rule 16;
  - (i) "Schedule" means the schedule appended to these rules;
  - (j) "section" means a section of the Act;
- (2) The words and expressions used but not otherwise defined in these rules shall have the same meaning as in the Act.

**CHAPTER II**

**First meeting of the Board of Councillors**

**3. Taking oath or affirmation of allegiance to the Constitution of India:**

- (1) The first meeting of the Board of Councillors, which is called the Municipality as per provision of section 12, after the general election shall be convened under section 51 by the officer and presided over by him as soon may be as possible after the names of the elected Councillors are published in the official Gazette under sub-section (3) of section 26.
- (2) All the Councillors shall, before the officer and under his administering, subscribe and make oath or affirmation of allegiance to the Constitution of India under section 49.

**4. Election of Chairman:**

- (1) When a meeting is held under rule 3 at which a quorum is present, the Councillors who have taken the oath or affirmation of allegiance to the Constitution of India, shall elect one of the elected Councillors as the Chairman of the Municipality in the following manner.
- (2) The officer shall conduct all the proceedings of the meeting relating to the election of the Chairman.
- (3) The candidate for election as Chairman shall be duly proposed by any Councillor present and seconded by another Councillor present.
- (4) No candidature shall be taken into consideration unless it has been seconded by a Councillor.
- (5) If there is only one candidate duly proposed and seconded for election, the officer shall forthwith declare such candidate to be elected.
- (6) If two or more candidates have been duly proposed and seconded for the election, the Councillors shall elect the Chairman by secret ballots, after a recess of one or more hours as the officer may fix in this behalf, during which the ballot papers shall be prepared.

**5. Ballot paper for election of Chairman:** The ballot paper shall be in the form of specification detailed below:

Counterfoil	Ballot paper	
_____ (Signature of the officer)	Name of candidates	Space for placing mark 'X'
	1.	
	2.	
_____ (Signature of the officer)	3.	

**6. Voting in the election of Chairman:**

- (1) As soon as the ballot papers are ready and at such hours as the officer may appoint in this behalf, the meeting shall resume for the purpose of voting.
- (2) The officer shall obtain the signature of the Councillor on the counterfoil of the ballot paper and after signing by himself, issue the ballot paper to the Councillor.
- (3) Immediately on receiving the ballot paper, the Councillor shall -
  - (a) place a 'X' mark opposite the name of the candidate whom he intends to vote;
  - (b) fold the ballot paper first vertically and then horizontally so as to conceal his vote; and
  - (c) put into the box or container kept by the officer for this purpose.
- (4) The ballot paper shall be invalid if -
  - (a) the 'X' mark is placed opposite the name of more than one candidates; or
  - (b) the 'X' mark is so placed as to render it doubtful as to whom candidate the vote is given; or
  - (c) it does not bear any mark.

**7. Counting of votes and declaration of results:** The officer shall take each and every ballot paper one by one and shall -

- (a) reject any ballot paper which is irregularly marked or unmarked under sub-rule (3) of rule 6;
- (b) read out the name of the candidate in favour of which the 'X' mark has been given in each;
- (c) count the votes; and
- (d) declare the candidate to whom the largest number of votes has been given to be elected as the Chairman of the Municipality.

**8. Equality of votes:** If there is equality of votes, the officer shall draw lots in the presence of the candidates and other Councillors present, and the candidate whose name is first drawn shall be declared to have been elected.**9. Vacancy of the office of Chairman:** In the case of any vacancy in the office of the Chairman caused by death, resignation, removal or otherwise, the Vice-Chairman or the Executive Officer of the Municipality shall, positively within seven days from the date of such vacancy, send a report to the officer who shall make suitable arrangement to fill up the casual vacancy of the Chairman.**10. Filling up of the casual vacancy of the office of the Chairman:**

- (1) In the event of any vacancy caused by death, resignation, removal or otherwise, the Vice-Chairman or the Executive Officer shall, in consultation with the officer, shall convene a meeting of the Municipality exclusively for the purpose of election of the Chairman, within seven days or as soon thereafter as may be but not later than fifteen days from the date of such vacancy.
- (2) For the purpose of such meeting, the procedures laid down in sub-rule (2) to sub-rule (6) of rule 4 as well as the provisions of rules 5,6,7 and 8 of these rules shall be followed as far as necessary.

## CHAPTER III

### Meeting of the Municipality

#### **11. Meeting and its validity:**

- (1) Meeting of the Municipality may be -
  - (a) ordinary meetings; or
  - (b) extraordinary meetings.
- (2) A meeting of the Municipality shall be deemed to have been duly held when -
  - (a) the meeting is duly convened;
  - (b) there is quorum;
  - (c) the meeting is held within the Municipal premises;
  - (d) the meeting is presided over by a person authorized under the Act and these rules; and
  - (e) the proceedings of the meeting are duly recorded.

#### **12. Ordinary meetings:**

- (1) The Chairman or, in his absence, the Vice-Chairman shall convene a meeting of the Municipality for the transaction of normal business not less than once in every month.
- (2) If there is no business to be laid before the members at any such meeting, the Chairman or, in his absence, the Vice-Chairman shall, instead of convening the meeting, give notice of the fact to each Councillors at least three days before the date appointed for the meeting.
- (3) A notice of ordinary meeting shall be served in Form I to the Councillors normally seven days before such meeting.
- (4) The Councillors may, at a meeting, fix the date or dates and time for holding the next meeting or meetings.

#### **13. Extraordinary meeting:**

- (1) In an extraordinary meeting, only the matter for which the meeting has been convened, and no matter, shall be discussed. Such meetings may be -
  - (a) an emergent meeting; or
  - (b) a special meeting; or
  - (c) a requisitioned meeting.
- (2) An emergent meeting for transaction of business of an emergent nature, may be convened, at any time by the Chairman or, in his absence the Vice-Chairman, after giving a notice in Form II twenty four ahead of the meeting to the Councillors.
- (3) A special meeting may be convened by the Chairman or, in his absence, by the Vice-Chairman *Suo moto* after giving a notice in Form III of not less than three days to the Councillors.

**14. Requisitioned meeting:**

(1) On a requisition containing specifically the agenda in Form IV and signed by not less than one-third of the total number of Councillors of the Municipality, a meeting may be convened by the Chairman or, in his absence, by the Vice-Chairman within fifteen days from the date of receipt of such requisition.

(2) The requisitioned meeting shall fail automatically if there is no quorum at the meeting.

**15. Special meeting convened by the Officer:**

(1) Notwithstanding anything contained in these rules, if the situation so demands owing to stalemate condition prevailing in the functioning of the Municipality, the Officer may, in the interest of public service, convene a special meeting of the Municipality with at least three days' notice in Form V to the Councillors, specifying the agenda and venue of the meeting.

(2) The Officer shall conduct the proceedings of the meeting. At the very commencement of the meeting he shall record the attendance of the Councillors present in the meeting and shall, for presiding over the meeting, invite the Chairman of the Municipality or, in his absence or failure to do so, the Vice-Chairman of the Municipality for the purpose. In the event of absence of the Vice-Chairman or, his failure to preside over the meeting, he shall direct any appointed Councillor present to preside over the meeting.

(3) The proceedings of the meeting so held shall be sent to the District Magistrate and the Director of Local Bodies, Mizoram.

**16. Quorum :** The necessary quorum under section 53 of the Act for the transaction of business at any meeting of the Municipality shall be one third of the total number of Councillors of the Municipality.

**17. Adjournment of meeting :** If, at any time appointed for a meeting or within an hour thereafter, there is no quorum, the meeting shall stand adjourned to some future date to be appointed by the Chairman or, in his absence, by the Vice-Chairman, and three days' notice of such adjourned meeting shall be given to the Councillors. The Councillors attending such adjourned meeting shall form a quorum, whatever their number may be.

**18. List of business of the meeting :** A list of business to be transacted at a meeting and the proceedings of the last meeting shall be sent to the Councillors along with the notice of the meeting. The list of business shall be prepared in the order laid down in rule 21.

**19. Notice of Motions :**

(1) Notice of motions, if any, accompanied by verbatim drafts of such motions shall be sent by a Councillor to the Chairman or, in his absence, to the Vice-Chairman at least three days before the meeting for being included in the list of business of the meeting.

(2) A notice book shall be kept by the Chairman in which all notices of motions shall be entered. All such notices shall be dated and numbered as soon as received.

**20. Persons to preside over at meetings :**

(1) Save as otherwise provided in these rules, meetings of the Municipality shall be presided over normally by the Chairman or, in his absence, by the Vice-Chairman.

(2) In the case of a special meeting for removal of the Chairman, the meeting shall be presided over the Vice-Chairman or, on his refusal or failure so to do, by any appointed Councillor who is directed so to do by the Officer.

**21. Order of business at ordinary meeting :** The list of business of ordinary meeting shall be arrange in the following manner :

- (a) Questions under rule 22, if any;
- (b) Letters from the state government and reports;
- (c) Election by the Municipality, if any;
- (d) Business postponed from the last meeting;
- (e) Resolution of the Executive Council including recommendations, if any;
- (f) Motions from the Councillors under rule 19 in the order in which they have been received;
- (g) Consideration of petitions, if any; and
- (h) Other matters.

**22. Questions:**

(1) Notice of any question to be asked by any Councillor shall be given at least seven days before the monthly meeting of the Municipality.

(2) On receipt of the notice of question, the Chairman or in his absence the Vice-Chairman shall decide if the question shall be allowed or not, and if allowed, shall give direction for furnishing replies.

(3) If any question is disallowed, the Executive Officer shall intimate the Council concerned about it.

(4) A time of not more than half-hour shall be allotted for asking and answering questions. If within that time certain questions remain inanswered, written answer shall be sent to the Councillor concerned.

(5) No member shall ask more than ro questions at a meeting.

(6) All questions shall be asked and answered orally at the meeting.

**23. Supplementary questions:**

(1) Any Concillor may ask supplementary questions to elucidate facts arising out of an answer:

Provided that not more than three supplementary questions shall be allowed in respect of any question.

(2) Supplementary question shall be precise and short, and no debate shall be allowed on any question.

24. Motions:

(1) For moving a motion in a meeting of Municipality a notice shall be given to the Chairman or, in his absence, Vice-Chairman or, in absence of both, to the Executive Officer at least three days before the date of meeting. A copy of the motion shall accompany the notice.

(2) No motion shall be admitted if -

(a) it does not relate to a matter of general public interest concerning the functions of the Municipality; or

(b) it includes any argument, inference, ironical expression, imputation or defamatory statement.

(3) The motion shall be clear and precise, and any Councillor shall not be allowed to move more than two motions at a meeting.

(4) After a motion is moved, it shall be seconded by any other Councillor. No motion shall be taken into consideration unless it has been seconded by a Councillor other than the mover.

25. Amendment to a motion:

(1) After a motion is moved and duly seconded, any Councillor may move and amend the motion.

(2) An amendment so moved shall be seconded by another Councillor, and any amendment move but not duly seconded shall stand dropped.

26. Withdrawal of motion: A motion or an amendment to a motion moved may be withdrawn with the permission of the Presiding Officer.

27. Mode of discussion:

(1) A member desiring to make any speech on any matter under discussion in the meeting shall do so from his place and shall rise to speak addressing the Presiding Officer.

(2) If at any time, the Presiding Officer rises to speak, the member speaking or desiring to speak, shall forthwith resume his seat.

(3) All questions from one Councillor to another Councillor relating to the business of the meeting shall be passed through the chair.

(4) The matter of every speech shall be strictly relevant to the subject under discussion and the member while making speech shall not -

(a) refer to any matter or fact on which judicial decision is pending;

(b) make a personal charge against a Councillor or officer or other employee of the Municipality or of the State Government;

(c) use any offensive language or make any defamatory expression; and

(d) persistently obstruct business of the Municipality.



(5) The Presiding Officer after drawing the attention of the meeting to the conduct of the member who contravenes any provision of sub-rule (4), or persist in irrelevant or tedious repetition either of his own argument or of other member, may direct the member concerned to discontinue his speech and thereupon the member shall discontinue his speech forthwith.

(6) The Presiding Officer may direct any Councillor not to use offensive expression and to withdraw it. He may ask the Councillor who refuses to comply his direction or whose conduct is, in his opinion grossly disorderly, to withdraw immediately from the meeting and any Councillor so ordered shall do so forthwith and shall absent himself during the remainder of the meeting unless permitted by the Presiding Officer to return.

(7) The Presiding Officer may, if disorder arises suspend of the meeting for a time to be announced by him or adjourned the meeting for such time and place as he may fix and on his vacating the chair, the meeting shall stand adjourned.

**28. Minute book:** As per as practicable, minutes of every meeting of a Municipality shall be entered by the Executive Officer in a Minute Book to be kept for the purpose which shall be signed by the Executive Officer and the Presiding Officer.

**29. Motion pressed for division:**

(1) If any difference of opinion arises in taking decision, it shall be put to vote and the vote shall be by show of hands. Every such decision or resolution shall be recorded in full in the minute book together with the numbers of Councillors voting for and against the decision.

(2) All matters required to be decided at any meeting shall be determined by the majority of votes by the Councillors present and voting. The Presiding Officer shall be entitled to vote.

(3) No motion of the Municipality at a meeting shall be modified or cancelled within six months after passing thereof except the meeting specially convened in that behalf and by a resolution of the meeting of the Municipality passed by two third majority of the Councillors present and voting.

**30. Procedure for removal of chairman:**

(1) A resolution to remove the chairman from his office under sub-section (3) of section 17 shall be signed at least one third of the existing elected Councillor of the Municipality, and shall be delivered in person to the District Magistrate and also to the Director of Local bodies by one of the Councillors signing the resolution.

(2) Within three working days, exclusive of holidays which may fall in between, from the date of the receipt of the resolution, the Officer shall convene a meeting of the Municipality by serving a notice in Form VI to the Chairman and all the Councillor. If any Councillors is not available, a notice handed over to any adult member of his family shall be deemed to be a notice served to him.

(3) The Officer shall be direct any appointed aCouncillors to preside over the meeting.

(4) No business motion to remove Chairman shall be taken up in the meeting.

(5) All the the Councillors present and desiring shall be allowed to speak and the Presiding Officer may fix the duration of speech for each Councillor:

Provided that the Chairman shall be allowed to speak as long as he desired.

Provided further that the appointed Councillors may speak but shall have no vote as per provision of clause (b) of -sub sec.(1) of Sec 12.

(6) If the resolution is not carried by a majority of the existing elcted Councillor, no further resolution for such purpose shall be moved before expiry of the period of six months from that day.

(7) The discussion on the motion shall be concluded by votes. The moltion for removal shall be been to have been carried only when it has been passed by the majority of the existing elcted members of the Municipality.

(8) The Preciding Officer shall fourthwith declair the result of voting and record it in the minute book, and shall forward the minutes to the District Majistrate who, in the case of removal shall issue the removal order with an intimation of the same to the State Government.

**31. Procededure for removal of Vice-Chairman or member of Executive Council:** For the purpose of considering motion to remove the Vlce-Chairman or any member of the Executive Council, the procedures laid down by sub-rule(2) to sub-rulre (8) of the 30 shall *Mutatis mutandis* apply with the exeption that the meeting shall beconvened and presided over by the Chairman, and in the case of trmoval as a result of voting, the removal order shall be issued by the Chairman.

**32. Resignation of Chairman:**

(1) If at anytime the Chairman resigns from his office, the Vice-Chairman shall-  
(a) as soon as may be asa possible report the matter to the District Magistrate; and

(b) in consultation with the District Magistrate, convene a special meeting of the Municipality in the manner provided by sub-rule (3) of rule 13 in Form VIII for the sole purpose of considering if the resignation of the Chairman shall be accepted or not under sub-section (2) of section 17.

(2) If the resignation is accepted, then the provisions of rule 9 and rule 10 shall be followed.

**33. Resignation of Vice-Chairman or member of Executive Council:** If at any time the Vice-Chairman or any member of the Executive Council resigns from office under clause (b) of section 21 and the Chairman accepts the resignation, he shall nominate any other Councillor under sub-section (2) of section 14 to be the Vice-Chairman or the member of the Executive Council as the case may be, and shall make a report to the District Magistrate for his administering the oath of secrecy to the new Vice-Chairman or member of the Executive Council as the case may be.

## CHAPTER IV

### Meetings of the Joint Committee

**34. President and Secretary:**

(1) The Joint Committee constituted under section 25, in its first meeting, shall elect a President of the Committee unless the notification constituting the Joint Committee already nominated the President.

(2) (a) The convener shall act as the Secretary of the Joint Committee. The Municipality or the Municipalities and the local authorities constituting the Joint Committee shall provide such secretariat support to the Secretary of the Joint Committee as the President may direct.

(b) The Secretary shall keep a record of the minutes of the meeting and take such other action as the President may direct.

## CHAPTER V

### Transaction of business of the Executive Council

**35. Allocation and disposal of business:**

(1) The powers and functions of the Municipality as laid down in sections 57 to 59 and elsewhere in the Act shall be distributed between the departments specified in the First schedule.

(2) In the first meeting of the Executive Council or as soon as thereafter as may be, the Chairman shall, for the convenient transaction of business, allocate, by an order in writing, among the members of the Executive Council, such business in the different departments as he thinks fit:

Provided that he may keep any business in any department or departments as he may think fit directly under his control:

Provider further that he may re-allocate the business amongst the members of the Executive Council at any subsequent stage. Such re-allocation may be either temporary or permanent character.

**36. Action to be deemed to have been taken in the name of the Executive Council:**

Action taken by a member of the Executive Council in pursuance of a decision of the Executive Council, in respect of duties allocated to him, shall be deemed to have been taken in the name of the Executive Council:

Provided that all formal orders shall be issued under the signature of the Chairman, save as provided in the Act.

**37. Executive actions to be expressed to be taken in the name of the Municipality:**

All executive actions of the Executive Council shall be expressed to be taken in the name of the Municipality.

**38. Collective responsibility:** The Executive Council shall be collectively responsible to the Municipality.

**39. Placing of Officers:** Subject to the provisions of the Act and these rules, the Chairman shall place the Officers in different departments.

**40. Officers and staff to be under the supervision of the member-in-charge:** The Officer heading a department and the departmental staff shall be subject to the primary supervision of the member-in-charge to whom the particular department has been allocated by the Chairman.

**41. Procedure in financial orders:**

(1) No department shall, without previous consultation with Accounts and Cash Department, authorize any order (other than an order pursuant to any general delegation made by the department controlling budget and finance, by whatever name it may be known) which either immediately or by implication will affect the finance or assets of the Municipality.

**42. Procedure of functioning of the Executive Council:** The Executive Officer of the Municipality or, in his absence, the Municipal Secretary or, in his absence of the office Superintendent or, in his absence, the Head Clerk shall be the Secretary to the Executive Council and shall be designated as *ex officio* Council Secretary.

**43. Matters to be submitted to the Executive Council by *ex officio* Council Secretary:**

All matters referred to the Executive Council shall be submitted by the *ex officio* Council Secretary to the Chairman and, if so approved by the Chairman, it shall be placed in the agenda of the meeting of the Executive Council.

**44. Matters not referred to the Executive Council:** The Chairman may direct that any matter not referred to the Executive Council under rule 43 shall also be included in the agenda.

**45. Meeting of the Executive Council:**

(1) The Executive Council shall meet at least once a week in the municipal office.

(2) Under direction of the Chairman, the *ex officio* Council Secretary shall send notice indicating the date, time and agenda of the meeting of the Executive Council to its members at least 48 hours before the date of the meeting.

**46. Preparation of memorandum:**

(1) When it has been decided to bring a matter before the Executive Council, the department to which the matter belongs shall, unless the Chairman otherwise directs, prepare a memorandum stating with sufficient precision the salient facts of the matter and the points for decision. Such memorandum and such other papers as are necessary to enable the matter to be disposed of shall be circulated to the members of the Executive Council at least 48 hours before the date of the meeting. If a matter concerns more than

one department, the members of the Executive Council supervising the work of the concerned departments shall attempt by previous discussions to arrive at a consensus.

(2) If a consensus is reached, the memorandum shall contain the joint recommendations of the members of the Executive Council as aforesaid. If no consensus is reached, the memorandum shall state points of differences and the recommendations of each of the concerned members of the Executive Council.

**47. Inclusion of matters in the agenda:**

- (1) After an agenda paper showing the business to be transacted at a meeting of the Executive Council has been circulated under rule 45, any matter of emergent nature may be included in the agenda with the copies of such approval of the Chairman and copies of such memoranda may be circulated by the *ex officio* Council Secretary immediately thereafter.
- (2) Except with the permission of the Chairman, no matter shall be placed in the agenda of a meeting.
- (3) The Chairman or in his absence, the Vice-Chairman shall preside over the meeting of the Executive Council. If both the Chairman and the Vice-Chairman are likely to remain absent, the Chairman may nominate another member of the Council to preside over the meeting.
- (4) The Head of the department concerned shall attend the meeting, if so required by the Chairman.
- (5) The *ex officio* Council Secretary shall attend every meeting of the Executive Council and shall prepare a record of the decisions and get them approved by the Chairman or the Vice-Chairman or the Executive member presiding, as the case may be. He shall forward a copy of such record to each of the members including the Chairman and the Vice-Chairman.

**48. Amendment of resolution:**

Before implementation of any resolution passed by the Executive Council, if the *ex officio* Council Secretary is of opinion that the resolution is not in conformity with the provisions of the Act or the rules or the regulations made thereunder or the resolution is likely to go against the public interest, he may draw the attention of the Chairman for necessary amendment of resolution.

**49. Issue of orders for execution or implementation:** All orders for execution or implementation of the resolution or the policy decision of the Executive Council shall be issued to the *ex officio* Council Secretary by the Chairman.

**50. Exercise of the executive powers of the Municipality:**

- (1) All executive powers of the Municipality shall be exercised by the Executive Council over and above the powers mentioned in the Second Schedule. The Executive Council shall also exercise such other powers and discharge such other functions as may be delegated to it by the Municipality.

(2) All resolutions of the Executive Council shall be placed in the next ordinary meeting of the Municipality for consideration.

**51. Recommendation of Ward Committee:**

(1) All the recommendations of the Ward Committee requiring sanction of the Executive Council or Municipality shall be forwarded to the Council through the *ex officio* Council Secretary.

(2) The Executive Council may hold meetings jointly with the Chairman of the Ward Committee as and when required.

(3) The Executive Council may also sit with any Ward Committee separately in the case of any emergency within its local limit.

**52. Election of Municipal Accounts Committee:**

(1) At the first meeting of each year or as soon as may be at any meeting subsequent thereto, the Board of Councillors shall elect not less than three but not more than five Councillors as the Municipality may determine, to be the members of the Municipal Accounts Committee referred to in section 96:

Provided that the Chairman, the Vice-Chairman or any other member of the Executive Council shall not be a member of the Municipal Accounts Committee:

Provided further that if any member of the Municipal Accounts Committee becomes a Chairman or a Vice-Chairman or a member of the Executive Committee, he shall cease to be a member of the Municipal Accounts Committee forthwith.

(2) The Chairman or, in his absence the Vice-Chairman, shall preside over the meeting to elect the Municipal Accounts Committee.

(3) Voting in the election shall be by secret ballots, and as many Councillors standing at the top of the poll in descending order as there are members to be elected, shall be declared elected.

(4) In the case of equality of votes between two or more Councillors at the last descending order, the Chairman shall draw lot in presence of the Councillors, and the Councillors whose name is first drawn shall be declared to have been elected.

**FIRST SCHEDULE**  
**[See rule 23(1)]**

**List of departments and allocation of business among the members of the Executive Council**

**I. General Administration Department**

1. Office of the Board of Councillors.
2. Recruitment, control and management of officers belonging to the cadre of common Municipal service and relations with Directorate of Local Bodies and Municipal Service Selection Committee.
3. Delegation of powers to officers.
4. Broad personnel policy and planning and career management of all services.
5. Recruitment and management of all officers of all categories and relation with Municipal Service Selection Committee.
6. Training of all services.
7. Vigilance and anti-corruption.
8. Grievance redressal and staff welfare.
9. Administrative reforms including organization and methods.
10. Management consultation service.
11. Determination of ceremonial procedure and proceedings.
12. Conduct of activities involving relations with the Central and State Governments and local bodies.
13. Computer and data processing.
14. Municipal press.
15. Discharge of functions not specifically allotted to any other department.
16. Legal matters.
17. Information and public relations.
18. Establishment and administration of commercial projects and enterprises like municipal market and shopping complex.
19. Establishment and staff matter.
20. Auction.

**II. Accounts and Cash Department**

1. Municipal fund including cash.
2. Annual, interim and revised budget estimates.
3. Grants and loans.
4. Maintenance of accounts.
5. Audit including internal audit.
6. Treasury and bank.
7. Provident Fund of officers and employees.
8. Pension and retirement benefits of officers and employees.
9. Group insurance and Salary Saving Insurance.

### **III. Revenue Department**

1. Assessment including assessment of Central and State Government properties and railway properties.
2. Liaison with Central Valuation Board.
3. Assessment Tribunal/Review Committee.
4. Collection of property tax and service charges including those in relation to Central Government and railway properties.
5. Collection of advertisement tax and other taxes.
6. Granting of licenses.
7. Collection of fees and service charge.
8. Collection of rents from municipal properties and tolls from municipal ferries and bridges.

### **IV. Public Work Department**

1. Construction and maintenance of all buildings, roads, pathways, drains, and sewerages.
2. Executions and maintenance of general development works.
3. Road-rolling service.
4. Plan sanctioning.
5. Unauthorized buildings and insecure buildings.
6. Appeals against Orders relating to buildings.
7. Survey.
8. Preparation and maintenance of municipal map.
9. Maintenance of records of municipal properties including land.
10. Town planning.
11. Land and land use control.
12. Regulation of building uses.
13. Urban renewal, area development, spot development and commercial housing.
14. Bustee development.
15. Development of fringe areas.
16. House drainage and sewerage connection.
17. Beautification of the municipal area including municipal properties.

### **V. Water Supply Department**

1. Production of filtered water including filtration, chlorination, and silt clearing, storage and distribution.
2. Management of unfiltered water including laying of pipe lines and maintenance of supply thereof.
3. Operation of pumping and boosting stations.
4. Laying of primary and secondary grids of filtered water and maintenance thereof.
5. Water connection domestic, non-domestic and community.
6. Sinking and maintenance of tubewells.
7. Water supply to the neighboring area.
8. Supply of extra drinking water on special occasions.



## **VI. Public Health and Convenience**

1. Medical services(hospital, dispensary, maternity and child health).
2. Health services -
  - (a) Health establishment.
  - (b) Conservancy and solid waste management.
  - (c) Drainage and sewerage.
  - (d) Vaccination.
  - (e) Registration of births and deaths.
  - (f) Burning ghat, burial ground and dumping ground.
  - (g) Other sanitary requirements.
3. Health immunization programme and nutrition programme.
4. Family welfare and planning.
5. Food adulteration.
6. Slaughter house.
7. Motor vehicles and ambulance.
8. Control of environment pollution.

## **VII. Lighting and Electricity Department**

1. Street lighting.
2. Area lighting.
3. Maintenance of all types of pumps and motors(in relation to clean water and turbid water)
4. Lighting of municipal parks, buildings and other installations.
5. Electrical plants and machineries including photo electric and non-conventional energy sources.
6. Maintenance of electric crematoriums.

## **VIII. Education Department**

1. Primary and Secondary Education.
2. Technical Education.
3. Adult and Non-Formal Education.
4. National Literacy Programme.
5. Cultural Development including Music and Art Education.
6. Sports and Physical Culture.
7. Library.
8. Creche.
9. In-Service Teacher Training.

## **IX. Stores Department**

1. Purchase and Maintenance of Stores.
2. Supply of Stores to various Departments.
3. Disposal of un-serviceable Stores.

**SECOND SCHEDULE**  
**[See rule 50(1)]**

**Powers of Executive Council**

1. All executive actions of the Executive Council to be expressed to be taken in the name of the Municipality. [Section 12(3)]
2. All executive powers of the Municipality. [Section 14(3)]
3. Supervision of Ward Committee and Local Committee. [Section 23]
4. Investment of Municipal Fund not required for immediate use. [Section 73]
5. Action for covering the expenditure not covered by the Budget Grant. [Section 74(3)]
6. Disposal of movable property. [Section 84(a)]
7. Preparation and maintenance of an inventory of movable and immovable properties and placing of annual statement of immovable properties before the Board of Councillors. [Section 85]
8. Submission of accounts to the Auditor. [Section 90(2)]
9. Remedy of defects or irregularities pointed out in the audit report and reporting of the same to the Director of Local Bodies after obtaining the opinion of the Board of Councillors as may be necessary. [Section 92(1)]
10. Compliance of the order of the State Government on audit report. [Section 92(2)]
11. Causing execution of works by its own agency and records of expenses incurred for the same from owner on his failure to comply with the requirement of the Municipality. [Section 119(2),...139(2)]
12. Issue of order for stoppage of irregular work of new private street and allied action in case of violation thereof. [Section 122(5)(6)]
13. According approval or otherwise to the layout plan. [Section 123]
14. Entering into an agreement with any firm or company or other Government agency for using any posts, poles or standards erected and maintained by such firm, company or other Government agency. [Section 124]
15. According approval or otherwise to the site plan including preparation of the site plan on receipt of written application as well as payment of prescribed fee from the owner. [Section 128(1)]
16. Grant or refusal of permission to execute works. [Section 131]
17. Power to require alteration of works including addition thereto. [Section 135 and 136]
18. Power to make a provisional order requiring the owner or the builder to demolish the works or to bring the work into conformity with the Act, regulations, rules, directions or requisition or with approved plans and particulars, and until the order is complied with, to stay the proceeding of the works. [Section 137 (1)(c)]
19. Issue a notice requiring the owner to show cause within a reasonable time, including the binding order on the failure of the owner to show satisfactory cause. [Section 128(2)&(3)]
20. Require the owner of every building to put up and keep in good condition proper troughs and pipes for catching and carrying water from the roof etc. [Section 138]
21. Require owner of building in ruinous condition to fence up the building for protec-

tion of passers by or other persons, or require the owner or occupier of the building to demolish the building. [Section 139(1)]

22. To require owner or occupier of filthy or unwholesome building cleanse, or on failure to cleanse, punish the owner or occupier with daily fine. [Section 140(2)]

23. To prohibit use of building unfit for human habitation. [Section 140(2)]

24. To require owner of deserted or offensive building to demolish the building and, on failure of the owner to comply, cause the building to be demolished and sell the materials and meet from the sale proceeds the expenditure for the demolition, and recover the balance, if any, from the owner. [Section 141]

25. To Grant permission to owner or occupier of building bordering public roads to make certain projections on certain conditions. [Section 143(1)]

26. To order removal of projections made without permission and to impose daily fine for failure to remove such projections. [Section 143(2)]

27. Entry into any building at any time between sunrise and sunset for inspection. [Section 144]

28. To require any owner or occupier of any premises to sweep and clean the premises and to collect all rubbish and offensive matters. [Section 152]

29. To stop dangerous quarrying for the purpose of preventing danger or abating nuisance rising or likely to arise therefrom. [Section 166]

30. To maintain in clean condition wells, tanks and reservoirs which are not private property and fill or drain them if necessary. [Section 171]

31. To regulate or prohibit the washing of animals, clothes or other things in any public spring, tank, well or public water course. [Section 172]

32. To regulate keeping of quadrupeds and to grant or refuse license for such purpose. [Section 178]

33. To regulate construction, establishment or installation of factory, industry, workshop or workplace and to grant or refuse license for such purpose, with limit of workers to be employed, abatement of nuisance etc. [Section 181, 182, 183, 184, 185, 186 & 189]

34. To grant or refuse license for slaughter house, and to impose conditions for slaughtering of animal on the occasion of any religious festival or ceremony. [Section 193 & 194]

35. To grant or refuse license for milk trade. [Section 196]

36. To control over public market and to expel persons disobeying any regulations in force in any public market and prevent such person from carrying business in any shop, stall or other place in such Market. [Section 199(1)]

37. To regulate private market, to grant or refuse license, to charge a fee on license, to suspend license for default, to prohibit nuisance and to close private market without license. [Section 200, 201, 202, 203, 204, 205 & 206]

38. To prohibit sale of animals or articles, on public roads. [Section 208]

39. To publish a notice of new taxes or new rates of taxes proposed. [210(2) and 212]

40. To grant vacancy remission for any building which has been vacant or unoccupied for thirty days or more. [Section 221]

41. To specify from for showing the name, address and amount of profession tax and the period for making deduction. [Section 233(7)]

42. To grant permission for use of carriage or animal or cart for conveyance purpose with such restrictions and conditions by the Board of Councillors and to grant license to keep or use such carriage or animal on payment of tax. [Section 234(3) and 239]
43. Levy of tax on cart and registration and numbering of carts. [Section 241(1)(4)(5)]
44. Seizure of carriage or cart not bearing Municipal numbers, and disposed by public auction unclaimed vehicle. [Section 243(1)(2)(3)]
45. To impose fines on any person who erects, exhibits, fixes or retains advertisement without paying tax. [Section 249]
46. To specify manner of payment of taxes. [Section 253(4)]
47. To specify form for notice of demand of tax and notice fee. [Section 254(1)]
48. Recovery of tax by distress or sale of movable property or attachment or sale of immovable property. [Section 256(1)]
49. According permission for communication or connection from any main, service-main or distribution pipe or from any channel. [Section 274]
50. To require the owner or the lessee or the occupier of building or land to obtain proper supply of wholesome water from municipal water-mains. [Section 275]
51. Erection of hydrants or stand-posts for supply of wholesome water to the public [Section 276]
52. Cutting off of connection of water-supply. [Section 282]
53. To pursuit digging or construction of well, tube-well, tank, pond, cistern or fountain and to require the owner or other person to fill up or demolish or retain such work. [Section 283]
54. To take samples of water for drinking or culinary purposes, if so directed by the State Government. [Section 285]
55. To cleanse, flush or empty municipal drains from time to time. [Section 291]
56. Providing for treatment and disposal of sewage. [Section 292]
57. Removal of water logging or nuisances. [Section 294]
58. Demolition, alteration or remarking of, or otherwise dealing with, drain constructed without consent. [Section 296]
59. Dainage of group or block buildings by combined operation. [Section 297]
60. To enforce drainage of undrained premises and separate drainage in any premises. [Section 298]
61. Destruction of infectious buildings, structures hutch or sheds. [Section 207(1)(2)]
62. Entry into any premises between the period of sunset and sunrise to stop irregular erection of any building or execution of any work, and even without notice in emergent cases. [Section 356 & 357]
63. To initiate actions in all matters relating to the exercise of statutory powers by the Board of Councillors.

**Sd/- R. SANGLIANKHUMA**

Additional Secretary to the Government of Mizoram  
Urban Development & Poverty Alleviation Department

Form I  
[see rule 12(1)]

**Form of Notice of Ordinary Meeting**  
*(To be served seven days before the meeting)*

To

All the Councillors  
\_\_\_\_\_Municipality

Notice is hereby given that the ordinary meeting of \_\_\_\_\_Municipality is going to be held at the place and time shown below. You are requested to make it convenient to attend the meeting.

1. Place \_\_\_\_\_
2. Time \_\_\_\_\_
3. List of business
  - (1)
  - (2)
  - (3)
  - (4)

Dated \_\_\_\_\_  
The \_\_\_\_\_

Chairman  
\_\_\_\_\_Municipality

Form II  
[see rule 13(2)]

**Form of Notice of Extraordinary (Emergent) Meeting**  
*(To be served 24 hours before the meeting)*

To

All the Councillors  
\_\_\_\_\_Municipality

An emergent meeting of \_\_\_\_\_Municipality is convened to meet  
at \_\_\_\_\_ (Place) on \_\_\_\_\_ (date) at \_\_\_\_\_ (hour).

2. You are requested to make it convenient to attend the meeting.
3. List of business
  - (1)
  - (2)

Dated \_\_\_\_\_  
The \_\_\_\_\_

Chairman  
\_\_\_\_\_Municipality

Form III  
[see rule 13(3)]

**Form of Notice of Special Meeting**  
*(To be served three days before the meeting)*

To

All the Councillors  
\_\_\_\_\_ Municipality

A special meeting of \_\_\_\_\_ Municipality is convened to meet  
at \_\_\_\_\_ (Place) on \_\_\_\_\_ (date) at \_\_\_\_\_ (hour).

2. You are requested to make it convenient to attend the meeting.
3. List of business
  - (1)
  - (2)
  - (3)

Dated \_\_\_\_\_  
The \_\_\_\_\_

Chairman  
\_\_\_\_\_ Municipality

Form IV  
[see rule 14(1)]

**Form of Notice of Requisitioned Meeting**  
*(To be served five days before the meeting)*

To

All the Councillors  
\_\_\_\_\_ Municipality

On requisitioned by \_\_\_\_\_ Councillors of \_\_\_\_\_  
Municipality, a requisitioned meeting of the Municipality is hereby convened to meet  
at \_\_\_\_\_ (Place) on \_\_\_\_\_ (date) at \_\_\_\_\_ (hour).

2. You are requested to make it convenient to attend the meeting.
3. Agenda for the requisitioned meeting
  - (1)
  - (2)

Dated \_\_\_\_\_  
The \_\_\_\_\_

Chairman  
\_\_\_\_\_ Municipality



Form V  
[see rule 15(1)]

**Form of Notice of Special Meeting Convened by the  
District Magistrate**

*(To be served three days before the meeting)*

To

All the Councillors  
\_\_\_\_\_Municipality

As the situation prevailing in the \_\_\_\_\_Municipality demands, I,  
\_\_\_\_\_ (name) District Magistrate of \_\_\_\_\_ District, do  
at \_\_\_\_\_(place) on \_\_\_\_\_ (date) at \_\_\_\_\_(hour).

2. You are requested to make it convenient to attend the meeting.
3. Agenda for the meeting
  - (1)
  - (2)

Dated \_\_\_\_\_  
The \_\_\_\_\_

District Magistrate  
\_\_\_\_\_District

Form VI  
[see rule 30(2)]

**Form of Notice of Meeting to discuss motion to remove the Chairman**

To

- 1) The Chairman/Vice-Chairman/Member of Executive Council,  
\_\_\_\_\_Municipality
- 2) All the Councillors,  
\_\_\_\_\_Municipality

On receipt of a motion remove the Chairman from his office duly signed by as many as \_\_\_\_\_ Councillors, I \_\_\_\_\_ (name), District Magistrate, \_\_\_\_\_ District, do hereby convene a special meeting of \_\_\_\_\_ Municipality to be held at \_\_\_\_\_(place) on \_\_\_\_\_(date) at \_\_\_\_\_(hour).

2. You are informed to make it convenient to attend the meeting in time.
3. Agenda:  
Discussion on a motion to remove the Chairman from office.

Dated \_\_\_\_\_  
The \_\_\_\_\_

District Magistrate  
\_\_\_\_\_District

Form VII  
[see rule 31]

**Form of Notice of Meeting to discuss motion to remove the  
Vice-Chairman/Member of Executive Council**

To

- 3) The Vice-Chairman/Member of Executive Council,  
\_\_\_\_\_Municipality
- 4) All the Councillors,  
\_\_\_\_\_Municipality

On receipt of a motion remove the Vice-Chairman from his office duly signed by as many as \_\_\_\_\_ Councillors, I do hereby convene a special meeting of \_\_\_\_\_ Municipality to be held at \_\_\_\_\_(place) on \_\_\_\_\_(date) at \_\_\_\_\_(hour).

2. You are informed to make it convenient to attend the meeting in time.
3. Agenda:  
Discussion on a motion to remove the Vice-Chairman/Member of Executive Council.

Dated \_\_\_\_\_  
The \_\_\_\_\_

Chairman  
\_\_\_\_\_District

Form VIII  
[see rule 32(1)(6)]

**Form of Notice of Meeting to consider resignation tendered by the Chairman**

To

All the Councillors  
\_\_\_\_\_ Municipality

A special meeting of \_\_\_\_\_ Municipality is hereby convened to be held at \_\_\_\_\_ (Place) on \_\_\_\_\_ (date) at \_\_\_\_\_ (hour) to consider resignation tendered by the Chairman from office.

2. You are requested to make it convenient to attend the meeting.
3. Agenda  
Discussion on the resignation tendered by the Chairman from office.

Dated \_\_\_\_\_  
The \_\_\_\_\_

Vice-Chairman  
\_\_\_\_\_ Municipality